

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 14, 2018**

The meeting was called to order by Mayor Miller at approximately 7:00 P.M. with the opening statement that the meeting had been duly advertised and met all the requirements of the Sunshine Law. Also present were: Deputy Mayor Verrilli, Councilwoman Hamilton, Councilman Kula, Councilman Kaminski, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau of Dorsey & Semrau.

SALUTE THE FLAG

CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

Agreements/Applications/Licenses:

1. Raffle License – America’s Special Kidz

A motion was made by Kula to approve the consent agenda as presented, seconded by Hamilton. All in favor. Motion carried.

ORDINANCES

1st READING:

2018-06

CALENDAR YEAR 2018

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Hardyston in the County of Sussex finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$76,552.78 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Hardyston, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Hardyston shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$267,934.73, and that the CY 2018 municipal budget for the Township of Hardyston be approved and adopted in accordance with this ordinance; and,

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BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion was made by Hamilton to approve Ordinance 2018-06 on first reading, seconded by Kula. All in favor. Motion carried.

ORDINANCES

2nd READING:

2018-05

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AUTHORIZING THE CHIEF OF POLICE TO EXECUTE
AN APPLICATION FOR THE HARDYSTON FIRE DEPARTMENT
FOR A CHARITABLE SOLICITATION WITHIN THE
TOWNSHIP OF HARDYSTON**

BE IT ORDAINED, by the Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, as follows:

SECTION 1. The Township of Hardyston hereby approves Hardyston Township Fire Department's request to hold a charitable solicitation at the intersection of New Jersey State Highway Route 23 and County Route 515. The dates and times approved for said solicitation are as follows: August 11 & 12, 2018; between the hours of 8:00 a.m. and 4:00 p.m.

SECTION 2. The Township of Hardyston hereby approves Hardyston Township Fire Department's request to hold a charitable solicitation at the intersection of New Jersey State Highway Route 94 and County Route 631. The dates and times approved for said solicitation are as follows: May 26 & 27, 2018; October 6 & 7, 2018; between the hours of 8:00 a.m. and 4:00 p.m.

SECTION 3. The approvals authorized herein are subject to and expressly conditioned upon the following:

- a. The Hardyston Township Fire Department's compliance with all rules, regulations and guidelines promulgated by the NJDOT for charitable solicitations, including, but not limited to, the posting of any and all necessary warning signs; and
- b. The approval of the Sussex County Board of Chosen Freeholders and the NJDOT.

SECTION 4. The Chief of Police is hereby authorized and directed to execute the application for a Charitable Solicitation Permit for the Hardyston Township Fire Department provided the above-stated conditions are met. The Hardyston Township Police Department shall be responsible for supervising the solicitation and enforcing the terms of the Charitable Solicitation Permit issued by the NJDOT.

SECTION 5. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 6. This Ordinance may be renumbered for purposes of codification.

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SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public comment. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried. A motion was made by Hamilton to approve Ordinance 2018-05 on second reading, seconded by Kaminski. All in favor. Motion carried.

NEW BUSINESS:

A. 2018 Municipal Budget Introduction

Township Manager gave a written and verbal presentation of the 2018 Municipal Budget. A motion was made by Hamilton to approve the 2018 Municipal Budget as introduced, seconded by Kula. All in favor. Motion carried. Public hearing and adoption of the budget is scheduled for April 11, 2018.

B. Resolution #16-18 – Resolution authorizing an affordable housing down payment assistance loan repayment agreement with the buyer of an affordable housing unit located in Hardyston Township

RESOLUTION #16-18

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DOWN PAYMENT ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE BUYER OF AN AFFORDABLE HOUSING UNIT LOCATED IN HARDYSTON TOWNSHIP

WHEREAS, Leslie Chilenski is purchasing property located at 1 Spruce Run, Block No. 67.11, Lot No. 11, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit which, among other restrictions, restricts the property owner in financing the property or otherwise encumbering the property by way of mortgage, home equity loan, or other form of financing; and

WHEREAS, the property owner has requested a Down Payment Assistance Program loan from the Affordable Housing Trust Fund; and

WHEREAS, the Township of Hardyston is willing to extend a loan to the property owner toward the down payment on the price of the home in the amount of \$3,000.00 in order to allow the buyer to procure a First Purchase Money Mortgage; and

WHEREAS, it is appropriate for the Township of Hardyston to enter into an Agreement with the property owner setting forth the terms of the agreement at this time;

NOW THEREFORE BE IT RESOLVED on this 14th day of March, 2018, by the Township Council of Hardyston, County of Sussex, State of New Jersey, that:

1. The Mayor, Manager, Clerk and attorney are hereby authorized to execute a Down Payment Assistance Program Agreement with the owner of an Affordable Housing unit located at 1 Spruce Run, Block No. 67.11, Lot No. 11.
2. A copy of the fully executed Agreement shall be kept on file with the Clerk. The original shall be kept in the unit file by the Administrative Agent.

A motion was made by Verrilli to approve the resolution as presented, seconded by Kaminski. All in favor. Motion carried.

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BILLS TO BE PAID: A motion was made by Hamilton to approve the bill list as presented, seconded by Kaminski. All in favor. Motion carried.

PUBLIC PORTION: A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. Garrett Koch, a student of Wallkill Valley Regional High School and a Hardyston resident, stated that he wanted to let the Council know that he won the election for State President of the New Jersey Future Business Leaders of America, and wanted to thank the Council for their contribution to his campaign. The Council congratulated Garrett for his accomplishment. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

C. North Church Technical Center – Proposal for Fire Suppression System Upgrade

Township Manager stated that a proposal has been received from U.N.I. Engineering, Inc. for engineering services relating to the fire suppression system upgrade project for North Church Technical Center, and provided the Council with a copy of the proposal for their review. After review and a brief discussion, a motion was made by Verrilli to proceed with the project and approve the proposal not to exceed \$49,200, seconded by Hamilton. All in favor. Motion carried. Township Manager stated that a secondary proposal for project management will follow.

D. League of Municipalities 24th Annual Scholarship Competition

The Council reviewed the applications for The Louis Bay 2nd Future Municipal Leaders Scholarship Competition for high school juniors and seniors planning to continue their education after high school. A motion was made by Hamilton to select Adriana Purcell, seconded by Verrilli. All in favor. Motion carried. The winner from each municipality will be designated as a state semi-finalist, and they will have their essay and application reviewed by the Scholarship Committee of the New Jersey State League of Municipalities. The Scholarship Committee will select 15 finalists and 3 winners.

ADJOURNMENT: A motion was made by Verrilli to adjourn at approximately 7:50 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk