



**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
DECEMBER 12, 2018**

**Resolution # 77-18**

**WHEREAS**, the following parcels were both granted for a Veteran Deduction and a Surviving Spouse of a Veteran for the tax year, 2018 and

**WHEREAS**, the homeowners have already paid their November tax payments to pay 2018 taxes in full for the year.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to issue refunds for their Veteran Deductions.

Block 16.08 Lot 1.03 Q C0902 119 Bourne Circle \$ 250.00  
Magrit Nigro

Block 16.16 Lot 10 1 Little Tarn Court \$ 250.00  
Gary Gentile

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

2. Resolution #78-18 – Overpayment refund – Block 60, Lot 17.U – 50 South Shore Drive – Lake Gerard Co.

**Resolution #78-18**

**WHEREAS**, Block 60 Lot 17.U also known as 50 South Shore Drive, Hardyston and owned by Lake Gerard Co C/O John Delilli, CPA, and

**WHEREAS**, The Tax Assessor Scott Holzhauser has deleted this parcel for tax year 2019 as it is a Non-Buildable Wooded Lot, and

**WHEREAS**, there is a balance of \$ 2.09 that needs to be refunded due to an overpayment,

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund Lake Gerard in the amount of \$ 2.09 for an overpayment of taxes.

A motion was made by Hamilton to approve all of the above resolutions as presented, seconded by Kula. All in favor. Motion carried.

- B. Resolution #79-18 – Animal Control Shared Service Agreement - Wantage

**RESOLUTION #79-18**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE AGREEMENT**

**BE IT RESOLVED** by the Township Council of the Township of Hardyston that the execution of the following agreement is hereby authorized:

1. Animal Control – Wantage Township

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

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- C. Resolution #80-18 – Hardyston Township Board of Education Shared Service Agreements

**RESOLUTION #80-18**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE AGREEMENTS**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreements is hereby authorized:

1. Park Maintenance – Hardyston Township Board of Education
2. Solid Waste and Recycling Removal – Hardyston Township Board of Education

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

- D. Resolution #81-18 – Construction Department Services Shared Service Agreement – Town of Newton

**RESOLUTION #81-18**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE AGREEMENTS**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreements is hereby authorized:

1. Construction Office Services – Town of Newton

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

- E. Resolution #82-18 – Littell Community Center Shared Service Agreement – Franklin

**RESOLUTION #82-18**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE AGREEMENT**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreement is hereby authorized:

1. Littell Community Center – Franklin Borough

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

- F. Resolution # 83-18 – Hardyston Township Municipal Utilities Authority Shared Service Agreements

**RESOLUTION #83-18**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE AGREEMENTS**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreements is hereby authorized:

1. Secretarial/Billing & Administration Services – HTMUA
2. Maintenance & Service – HTMUA

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

- G. Resolution #84-18 – Resolution authorizing the defense of Robert P. Guerin and Guerin & Vreeland Engineering, Inc. in the matter of Beazer Homes v. Township Council of the Township of Hardyston, et al.

**RESOLUTION #84-18**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE DEFENSE OF ROBERT P. GUERIN AND GUERIN & VREELAND ENGINEERING, INC. IN THE MATTER OF BEAZER HOMES V. TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, ET AL, SUPERIOR COURT OF NEW JERSEY, LAW DIVISION, SUSSEX COUNTY BEARING DOCKET NO. SSX-L-489-18**

**WHEREAS**, Robert P. Guerin, in his capacity as Township Engineer, and Guerin & Vreeland Engineering, Inc. have been named as defendants in the aforementioned matter; and

**WHEREAS**, it is apparent that the allegations contained in the complaint relate to Mr. Guerin's responsibilities as Township Engineer and are ones protecting the interest of the Township of Hardyston.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, that the Township will provide a defense and indemnification to Robert P. Guerin and Guerin & Vreeland Engineering, Inc. in connection with the aforementioned matter.

This Resolution shall take effect immediately upon adoption.

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

Township Manager stated that effective January 2019 Township recycling service will be provided by Blue Diamond Disposal. She provided the Council with a copy of the proposed letter to be mailed to residents. A motion was made by Kula to approve the letter with minor suggested changes, seconded by Miller. All in favor. Motion carried.

Councilman Kula thanked everyone for attending the Annual Christmas Tree Lighting Celebration at the Municipal Building that was held on December 7, 2018 at 6:30 p.m.

Also discussed was the Department of Public Works Operational Plan; going out to bid for the North Church Technical Center fire suppression upgrade; an update on marijuana legislation and high speed internet access for businesses within the Township.

H. Correspondence

1. Franklin Borough
2. Hamburg Borough
3. State of NJ
4. Ogdensburg Borough

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

**BILLS TO BE PAID:** A motion was made by Hamilton to approve the bill list as presented, seconded by Kula. 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. No public comment. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

**EXECUTIVE SESSION:**

**BE IT RESOLVED** by the Township Council of the Township of Hardyston on the 12<sup>th</sup> day of December, 2018, that:

1. Prior to the conclusion of this **Regular Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
2. ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- ( ) b. (4) A collective bargaining agreement including negotiations.
- ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
- ( ) b. (8) Personnel matters.
- ( ) b. (9) Deliberations after a public hearing that may result in penalties.
3. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Motion to adopt: Verrilli  
 Seconded by: Hamilton

<b>MOTION</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Hamilton	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Kula	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Miller	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Verrilli	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Kaminski	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Motion carried.

A motion was made by Hamilton to come out of Executive Session, seconded by Kula. All in favor. Motion carried.

It was the consensus of the Council to cancel the December 26, 2018 Council meeting.

**ADJOURNMENT:** A motion was made by Verrilli to adjourn at approximately 9:25 p.m., seconded by Kaminski. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
 Municipal Clerk