

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2019**

The meeting was called to order by Mayor Miller at 6:00 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:

STATEMENT OF DETERMINATION: Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman Carl B. Miller.

OATH OF OFFICE: Township Manager/Deputy Municipal Clerk Marianne Smith issued the Oath of Office to Councilman Miller.

2019 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:

MAYOR - A motion was made by Kula to appoint Leslie G. Hamilton, seconded by Verrilli. All in favor. Motion carried.

DEPUTY MAYOR - A motion was made by Miller to appoint Stanley J. Kula, seconded by Verrilli. All in favor. Motion carried.

ATTORNEY - A motion was made by Verrilli to appoint Fred Semrau, seconded by Kaminski. All in favor. Motion carried.

PROSECUTOR - A motion was made by Miller to appoint Anthony Den Uyl, seconded by Kula. All in favor. Motion carried.

PUBLIC DEFENDER - A motion was made by Kula to appoint Daniel A. Colfax, seconded by Verrilli. All in favor. Motion carried.

AUDITOR - A motion was made by Kula to appoint Charles Ferraioli, seconded by Miller. All in favor. Motion carried.

BOND COUNSEL – A motion was made by Miller to appoint Robert H. Beinfield, Esq. of Hawkins, Delafield and Wood, LLP, seconded by Kula. All in favor. Motion carried.

CONTINUING DISCLOSURE AGENT & INDEPENDENT REGISTERED MUNICIPAL ADVISOR – A motion was made by Kula to appoint Phoenix Advisors, LLC, seconded by Miller. All in favor. Motion carried.

DEPUTY MUNICIPAL CLERK – A motion was made by Miller to appoint Marianne Smith, seconded by Kaminski. All in favor. Motion carried.

DEPUTY REGISTRAR - A motion was made by Miller to appoint Patricia Egan, seconded by Kula. All in favor. Motion carried.

ASSESSMENT SEARCH OFFICER - A motion was made by Miller to appoint Jane Bakalarczyk, seconded by Verrilli. All in favor. Motion carried.

9-1-1 COORDINATOR – A motion was made by Miller to appoint William Hickerson, seconded by Kaminski. All in favor. Motion carried.

TOWNSHIP PHYSICIAN - A motion was made by Miller to appoint Dennis Fielding, seconded by Kula. All in favor. Motion carried.

SWCF COMMISSIONER - A motion was made by Kula to appoint Marianne Smith, seconded by Miller. All in favor. Motion carried.

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RISK MANAGEMENT CONSULTANT - A motion was made by Miller to appoint the Morville Agency, A Division of Gallagher/Bollinger, Inc., seconded by Kula. All in favor. Motion carried.

SENIOR CITIZEN COORDINATOR - A motion was made by Miller to appoint June Eisenecker, seconded by Kula. All in favor. Motion carried.

PUBLIC AGENCY COMPLIANCE OFFICER - A motion was made by Miller to appoint Grant Rome, seconded by Kula. All in favor. Motion carried.

208 REPRESENTATIVE (PAC) - A motion was made by Miller to appoint Carrine Kaufer, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE 208 REPRESENTATIVE (PAC) –A motion was made by Kula to appoint Robert F. Schultz, seconded by Kaminski. All in favor. Motion carried.

SC SOLID WASTE ADVISORY COMMITTEE (SWAC) – A motion was made by Miller to appoint Robert F. Schultz, seconded by Kaminski. All in favor. Motion carried.

SWCF SAFETY LOSS PREVENTION REPRESENTATIVE - A motion was made by Kula to appoint Jane Bakalarczyk, seconded by Miller. All in favor. Motion carried.

COUNCIL LIAISON TO HTBOE - A motion was made by Miller to appoint Brian Kaminski, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE COUNCIL LIAISON TO HTBOE - A motion was made by Miller to appoint Leslie G. Hamilton, seconded by Kaminski. All in favor. Motion carried.

OATH OF OFFICE – Fire Department 2019 Officers were sworn in by Mayor Hamilton.

SERVICE AWARD PRESENTATION:

Mayor Hamilton presented the following service awards:

- 1. Bret Alemy – Police Dept. – 20 Years**
- 2. Scott Lobban – Police Dept. – 20 Years**
- 3. Robert Zicarelli – Police Dept. – 20 Years**
- 4. Ray Marion – Fire Department – 20 Years**
- 5. Paul Gould – Fire Department – 20 Years**
- 6. Mike Reffi – Fire Department – Life Member**

Resolution #01-19 - Resolution authorizing the award of non-fair and open contracts for professional services: Attorney, Engineer, Prosecutor, Auditor, Bond Counsel, Continuing Disclosure Agent and Independent Registered Municipal Advisor, Public Defender and Risk Management Consultant

#01-19

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, Hardyston Township has a need to acquire professional services to be provided under non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Hardyston Township has determined that the anticipated value of each contract will exceed \$17,500.00; and

WHEREAS, the anticipated term of each contract is one (1) year; and

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WHEREAS, each of the following individuals and/or business entities has submitted a proposal indicating a willingness to provide professional services as described below and for the price stated; and

WHEREAS, each individual/business entity named herein has completed and submitted a Business Entity Disclosure Certification which certifies that no reportable contributions have been made to a political or candidate committee in the Township of Hardyston in the previous one year, and that the contract will prohibit the individual/business entity from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Hardyston has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston as follows:

1. The Township of Hardyston is authorized to engage Fred Semrau as municipal attorney for the year 2019 at the rate of \$159.00 per hour not to exceed \$100,000.00;
2. The Township of Hardyston is authorized to engage Robert P. Guerin as municipal engineer for the year 2019 at the rate of \$125.00 per hour not to exceed \$200,000.00;
3. The Township of Hardyston is authorized to engage Anthony DenUyl as municipal prosecutor for the year 2019 at the rate of \$17,783.76 not to exceed \$20,000.00;
4. The Township of Hardyston is authorized to engage Charles Ferraioli as municipal auditor for the year 2019 at a rate ranging from \$60.00 to \$175.00 per hour not to exceed \$35,000.00;
5. The Township of Hardyston is authorized to engage the Law Office of Hawkins, Delafield and Wood, LLP as municipal bond counsel for the year 2019 at a rate not to exceed \$50,000.00;
6. The Township of Hardyston is authorized to engage Phoenix Advisors, LLC as Continuing Disclosure Agent and Independent Registered Municipal Advisor for the year 2019 at a rate not to exceed \$2,500.00.
7. The Township of Hardyston is authorized to engage Daniel A. Colfax as temporary public defender for the year 2019 at the rate of \$200.00 per case not to exceed \$20,000.00;
8. The Township of Hardyston is authorized to engage The Morville Agency, a division of Gallagher/Bollinger, Inc., as municipal risk management consultant for the year 2019 at the rate specified in the 2019 Fund Year Statewide Insurance Fund Risk Management Consultant’s Agreement;

BE IT FURTHER RESOLVED that these appointments are awarded without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value for each of the individual/business entities named herein shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage. This Resolution and each referenced contract are on file and available for public inspection in the office of the Hardyston Township Clerk.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
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A motion was made by Kula to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

Resolution #02-19 - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

RESOLUTION #02-19

BE IT RESOLVED by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation, providing that all settlements are approved by the Township Manager.

BE IT FURTHER RESOLVED that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$10,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

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

Resolution #03-19 - Resolution authorizing the Tax Collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 or less for the calendar year 2018

**RESOLUTION
#03-19**

BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, County of Sussex and State of New Jersey, to authorize the tax collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 (ten dollars) or less for the calendar year 2018, in accordance with the provisions of N.J.S.A. 54:4-99.

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

Resolution #04-19 - Resolution setting interest rate for non-payment of taxes

**RESOLUTION
#04-19**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, that the rate of interest to be charged for non-payment of taxes on or before the date that they would become delinquent shall be set at the rate of 8% per annum on the first \$1500 of the delinquency, and 18% per annum on any amount in excess of \$1500, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of N.J.S.A. 54:4-67, a six percent (6%) penalty shall be charged to a taxpayer with a delinquency in excess of Ten Thousand and no/100 Dollars (\$10,000) who fails to pay the delinquency prior to the end of the calendar year. Delinquency in this instance means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or tax years.

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BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installation is made within ten days after the date which same became payable.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

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

Resolution #05-19 designating official depositories:

RESOLUTION #05-19

WHEREAS, Title 40A:5-14 requires that the governing bodies shall designate official depositories for its monies and:

WHEREAS, the Township Council of the Township of Hardyston wishes to designate the following banks for said purposes:

NOW THEREFORE BE IT RESOLVED by the Township Council that the following depositories be designated as official depositories for the Township of Hardyston:

SB One Bank
Wells Fargo Bank
Lakeland Bank
NJ Cash Management Fund
TD Bank

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

OFFICIAL NEWSPAPERS - A motion was made by Miller to appoint the New Jersey Herald and New Jersey Sunday Herald as Official Newspapers of the Township of Hardyston and the Star Ledger, and Advertiser News as Alternates, seconded by Kula. All in favor. Motion carried.

OFFICIAL HOLIDAYS - A motion was made by Verrilli to approve the following holidays:

New Year's Day	Independence Day	Day After Thanksgiving
Martin Luther King Day	Labor Day	Christmas Eve Day
Presidents' Day	Columbus Day	Christmas Day
Good Friday	Veterans' Day	
Memorial Day	Thanksgiving Day	

seconded by Kaminski. All in favor. Motion carried.

2019 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS

January 23, 2019
February 27, 2019
March 27, 2019
April 24, 2019
May 22, 2019
June 26, 2019
July 24, 2019
August 28, 2019
September 25, 2019
October 23, 2019

WORKSHOP MEETINGS

January 23, 2019
February 27, 2019
March 27, 2019
April 24, 2019
May 22, 2019
June 26, 2019
July 24, 2019
August 28, 2019
September 25, 2019
October 23, 2019

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November 20, 2019
December 11, 2019

November 20, 2019
December 11, 2019

REORGANIZATION MEETING – THURSDAY, JANUARY 2, 2020 – 6:00 PM

A motion was made by Kaminski to approve the above Hardyston Township Council meeting dates, seconded by Kula. All in favor. Motion carried.

PLANNING BOARD - The following appointments were made:

MAYOR - CLASS I - A motion was made by Kula to appoint Leslie G. Hamilton, seconded by Kaminski. All in favor. Motion carried.

CLASS II - A motion was made by Kula to appoint Robert F. Schultz, seconded by Kaminski. All in favor. Motion carried.

CLASS III - A motion was made by Kula to appoint Carl B. Miller, seconded by Kaminski. All in favor. Motion carried.

CLASS IV – A motion was made by Kula to appoint William Hickerson to a **four-year term**, seconded by Kaminski. All in favor. Motion carried.

CLASS IV – A motion was made by Kula to appoint Robert T. Cook to a **four-year term**, seconded by Kaminski. All in favor. Motion carried.

ZONING BOARD - The following appointments were made:

ALTERNATE 1 - A motion was made by Verrilli to appoint Vally Cicerale to a **two-year term**, seconded by Kula. All in favor. Motion carried.

ALTERNATE 2 - A motion was made by Verrilli to appoint Douglas Grayson to a **two-year term**, seconded by Kula. All in favor. Motion carried.

MUNICIPAL UTILITIES AUTHORITY - The following appointments were made:

FULL MEMBER - A motion was made by Miller to appoint Stanley J. Kula to a **five-year term**, seconded by Verrilli. All in favor. Motion carried.

FULL MEMBER - A motion was made by Miller to appoint Brian Kaminski to a **five-year term**, seconded by Verrilli. All in favor. Motion carried.

RECREATION COMMITTEE: A motion was made by Miller to appoint:

Robert Califano
Stanley J. Kula
MaryAnn Murphy
Jodi Mix
Kathleen Judd
David Van Ginneken
Mary Purcell
Heidi Coscia
Ashley Sheldon

seconded by Kula. All in favor. Motion carried.

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ECONOMIC DEVELOPMENT COMMISSION: A motion was made by Kula to appoint:

Carl Miller
Stanley Kula
Bill Repasy
Gil Roessner

seconded by Kaminski. All in favor. Motion carried.

MUNICIPAL DRUG ALLIANCE COMMITTEE: A motion was made by Kula to appoint:

Robert Zicarelli
Elaine Tizzano
Jill Helmstetter
Becky Westra
Larissa Potosnak
Michelle Rimli

seconded by Verrilli. All in favor. Motion carried.

EMERGENCY MANAGEMENT COUNCIL - A motion was made by Verrilli to make the following appointments:

Council	Carl Miller
Council	Leslie Hamilton
Council	Santo Verrilli
Council	Brian Kaminski
Council	Stan Kula
Manager	Marianne Smith
Police Chief	Bret Alemy
Police Liaison	Scott Lobban
Construction Official	Joe Butto
DPW	Bob F. Schultz
DPW	Jeff VanAcker
Fire Chief	Anthony Ceglia
Asst. Fire Chief	Anthony Rosta
Deputy Coordinator	Ray Marion
Fire Dept. Liaison	Frank Lacatena
Chaplain/Mental Health	Robert Meeker
School Nurse	Elizabeth Burdzy

seconded by Kaminski. All in favor. Motion carried.

Resolution #06-19 - 2019 TEMPORARY MUNICIPAL BUDGET

**RESOLUTION #06-19
TOWNSHIP OF HARDYSTON 2019 TEMPORARY BUDGET**

WHEREAS, 40A:4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2019 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2019; and

