

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING  
HELD ON JANUARY 2, 2020**

The meeting was called to order by Mayor Hamilton 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 Kula, Councilman Miller, Councilman Verrilli, Councilman Kaminski, Manager Carrine Piccolo-Kaufner, Clerk Jane Bakalarczyk, and Township Attorneys Fred Semrau and Dawn Sullivan of Dorsey & Semrau

**SALUTE THE FLAG:**

**STATEMENT OF DETERMINATION:** Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman Stanley J. Kula and Councilman Santo Verrilli.

**OATH OF OFFICE:** Township Attorney Dawn Sullivan issued the Oath of Office to Councilman Kula and Councilman Verrilli.

**2020 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:**

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

**DEPUTY MAYOR** - A motion was made by Kula to appoint Carl B. Miller, seconded by Hamilton. All in favor. Motion carried.

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

**PROSECUTOR** - A motion was made by Hamilton to appoint Jonathan McMeen, seconded by Miller. All in favor. Motion carried.

**PUBLIC DEFENDER** - A motion was made by Hamilton to appoint Shepard Kays, seconded by Kaminski. All in favor. Motion carried.

**AUDITOR** - A motion was made by Hamilton to appoint Wielkotz & Co, LLC, seconded by Verrilli. All in favor. Motion carried.

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

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

**MUNICIPAL CLERK** – A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Verrilli. All in favor. Motion carried.

**DEPUTY MUNICIPAL CLERK** – A motion was made by Hamilton to appoint Carrine Piccolo-Kaufner, seconded by Kaminski. All in favor. Motion carried.

**REGISTRAR** – A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Verrilli. All in favor. Motion carried.

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

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

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

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

**SWCF COMMISSIONER** - A motion was made by Hamilton to appoint Carrine Piccolo-Kaufer, seconded by Verrilli. All in favor. Motion carried.

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

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

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

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

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

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

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

**COUNCIL LIAISON TO HTBOE** - A motion was made by Hamilton 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 2020 Officers were sworn in by Mayor Kula.

**SERVICE AWARD PRESENTATION:**

Mayor Kula and Deputy Mayor Miller presented the following service awards:

- 1. Robert Washer – Fire Department – 10 Years**
- 2. Anthony Rosta – Fire Department – 10 Years**
- 3. MaryAnn Murphy – Recreation Department – 20 Years**

**Resolution #01-20** - 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

**#01-20**

**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

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

**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 of Dorsey & Semrau as municipal attorney for the year 2020 at the rate of \$161.00 per hour not to exceed \$100,000.00;
2. The Township of Hardyston is authorized to engage Van Cleef Engineering Associates, LLC as municipal engineer for the year 2020 at the rate of \$130.00 per hour not to exceed \$200,000.00;
3. The Township of Hardyston is authorized to engage Jonathan McMeen, Esq. as municipal prosecutor for the year 2020 at the rate of \$17,700.00 not to exceed \$20,000.00;
4. The Township of Hardyston is authorized to engage Wielkots & Company, LLC as municipal auditor for the year 2020 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 2020 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 2020 at a rate not to exceed \$2,500.00.
7. The Township of Hardyston is authorized to engage Shepard Kays, Esq. as public defender for the year 2020 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 2020 at the rate specified in the 2020 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

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**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.

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

**Resolution #02-20** - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

**RESOLUTION #02-20**

**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 Verrilli to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

**Resolution #03-20** - 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 2019

**RESOLUTION  
#03-20**

**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 2019, in accordance with the provisions of N.J.S.A. 54:4-99.

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

**Resolution #04-20** - Resolution setting interest rate for non-payment of taxes

**RESOLUTION  
#04-20**

**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

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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.

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 Kaminski. All in favor. Motion carried.

**Resolution #05-20 designating official depositories:**

**RESOLUTION #05-20**

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 Miller to approve the resolution as presented, seconded by Hamilton. 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 Hamilton. All in favor. Motion carried.

**OFFICIAL HOLIDAYS** - A motion was made by Hamilton 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 Verrilli. All in favor. Motion carried.

**2020 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:**

**REGULAR MEETINGS**

January 22, 2020  
February 26, 2020  
March 25, 2020  
April 22, 2020  
May 27, 2020  
June 24, 2020  
July 22, 2020  
August 26, 2020

**WORKSHOP MEETINGS**

January 22, 2020  
February 26, 2020  
March 25, 2020  
April 22, 2020  
May 27, 2020  
June 24, 2020  
July 22, 2020  
August 26, 2020

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September 23, 2020  
October 28, 2020  
November 18, 2020  
December 9, 2020

September 23, 2020  
October 28, 2020  
November 18, 2020  
December 9, 2020

**REORGANIZATION MEETING – MONDAY, JANUARY 4, 2021 – 6:00 PM**

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

**PLANNING BOARD** - The following appointments were made:

**MAYOR - CLASS I** - A motion was made by Hamilton to appoint Carl B. Miller, seconded by Kaminski. All in favor. Motion carried.

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

**CLASS III** - A motion was made by Miller to appoint Leslie G. Hamilton, seconded by Kaminski. All in favor. Motion carried.

**ZONING BOARD** - The following appointments were made:

**FULL MEMBER** - A motion was made by Verrilli to appoint MaryAnn Murphy to a **four-year term**, seconded by Hamilton. All in favor. Motion carried.

**FULL MEMBER** - A motion was made by Verrilli to appoint John Bazelewich to a **four-year term**, seconded by Hamilton. All in favor. Motion carried.

**MUNICIPAL UTILITIES AUTHORITY** - The following appointments were made:

**FULL MEMBER** - A motion was made by Hamilton to appoint Frank Cicerale 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 Kaminski. All in favor. Motion carried.

**ECONOMIC DEVELOPMENT COMMISSION**: A motion was made by Hamilton to appoint:

Carl Miller  
Stanley Kula  
Gil Roessner

seconded by Verrilli. All in favor. Motion carried.

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

Robert Zicarelli  
Elaine Tizzano  
Jill Helmstetter  
Carrine Kaufer  
Larissa Potosnak  
Cynthia Rock  
Mark Sena  
Fred Moses

seconded by Miller. 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	Carrine Piccolo-Kaufer
Police Chief	Bret Aley
Police Liaison	Scott Lobban
Construction Official	Joe Butto
DPW	Bob F. Schultz
DPW	Scott Way
Fire Chief	Robert Washer
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 Hamilton. All in favor. Motion carried.

**Resolution #06-20 - 2020 TEMPORARY MUNICIPAL BUDGET**

**RESOLUTION #06-20  
TOWNSHIP OF HARDYSTON 2020 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 2020 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 2020; and

**WHEREAS**, the total appropriations in the 2019 budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

General	9,505,388
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**WHEREAS**, 26.25 percent of the total appropriations in the 2019 budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in said 2019 budget is as follows:

General	2,495,165
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**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Hardyston, County of Sussex that the above temporary appropriations are made and that a certified copy of this resolution is transmitted to the Chief Financial Officer for his records.

A motion was made by Miller to approve the 2020 Temporary Municipal Budget, seconded by Hamilton. All in favor. Motion carried.

**Resolution #07-20 – Resolution appointing Risk Management Consultant**

**RESOLUTION #07-20  
RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

**WHEREAS**, Hardyston Township (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

**WHEREAS**, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

**WHEREAS**, the “Fund” has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of “Local Unit”, in the County of Sussex and State of New Jersey, as follows:

1. Hardyston Township hereby appoints George Morville, ASVP of Arthur J Gallagher Risk Management Services Inc., its local Risk Management Consultant.
2. The Administrator (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2020 in the form attached hereto.

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

**Resolution #08-20 – Resolution appointing Statewide Insurance Fund Commissioner**

**STATEWIDE INSURANCE FUND  
RESOLUTION #08-20  
RESOLUTION APPOINTING FUND COMMISSIONER**

**WHEREAS**, Hardyston Township (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Hardyston, that Carrine Piccolo-Kaufer is hereby appointed as the Fund Commissioner for the Local Unit for the year 2020; and

**BE IT FURTHER RESOLVED** that Becky Westra is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2020; and

**BE IT FURTHER RESOLVED** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

**PUBLIC PARTICIPATION** - The Council opened the meeting to the public. No public comment. The Council closed the meeting to the public.

**ADJOURN** - A motion was made by Hamilton at approximately 6:30 p.m. to adjourn, seconded by Miller. All in favor. Motion carried.

Attest \_\_\_\_\_  
Jane Bakalarczyk, Municipal Clerk