

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 6, 2015

The meeting was called to order by Mayor Kula 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 Miller, Councilwoman Hamilton, Councilman Cicerale, Councilman Verrilli, 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 Councilwoman Leslie Hamilton and Councilman Frank Cicerale. Municipal Clerk also read the statement of determination for the question that was placed on the ballot.

OATH OF OFFICE: Township Attorney Fred Semrau issued the Oath of Office to Councilwoman Hamilton and Municipal Clerk Jane Bakalarczyk issued the Oath of Office to Councilman Cicerale.

2015 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:

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

DEPUTY MAYOR - A motion was made by Kula to appoint Frank Cicerale, seconded by Miller. All in favor with Cicerale abstaining. Motion carried.

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

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

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

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

BOND COUNSEL - A motion was made by Kula to appoint John Hudak, seconded by Cicerale. All in favor. Motion carried.

MUNICIPAL JUDGE – A motion was made by Kula to appoint John Mulhern to a **three-year term**, seconded by Verrilli. All in favor. Motion carried.

TOWNSHIP ENGINEER – A motion was made by Miller to appoint Robert P. Guerin to a **three-year term**, seconded by Kula. All in favor. Motion carried.

EMERGENCY MANAGEMENT COORDINATOR – A motion was made by Hamilton to appoint William Hickerson to a **three-year term**, seconded by Kula. All in favor. Motion carried.

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

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

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

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

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

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

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

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

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

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

SC SOLID WASTE ADVISORY COMMITTEE (SWAC) - A motion was made by Hamilton to appoint Robert F. Schultz, seconded by Cicerale. 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.

FIRE DEPARTMENT OATH OF OFFICE - Fire Department 2015 Officers were sworn in by Mayor Miller.

SERVICE AWARD PRESENTATION:

Mayor Miller presented the following service awards:

- 1. Marianne Smith - Township Manager - 20 years**
- 2. Theresa Lynn - Municipal Court - 20 Years**
- 3. James Homa - Planning Board - 10 Years**

Resolution #01-15 - Resolution authorizing the award of non-fair and open contracts for professional services: Attorney, Engineer, Prosecutor, Auditor, Bond Counsel, Public Defender and Risk Management Consultant

#01-15

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

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

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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 2015 at the rate of \$153.00 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 2015 at the rate of \$120.00 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 2015 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 2015 at a rate ranging from \$60.00 to \$160.00 per hour not to exceed \$31,000.00;
5. The Township of Hardyston is authorized to engage the Law Office of John G. Hudak, Esq., LLC as municipal bond counsel for the year 2015 at a rate not to exceed \$50,000.00;
6. The Township of Hardyston is authorized to engage James Sloan as public defender for the year 2015 at the rate of \$200.00 per case not to exceed \$20,000.00;
7. 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 2015 at the rate specified in the 2015 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.

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

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Resolution #02-15 - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

RESOLUTION #02-15

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 Cicerale. All in favor. Motion carried.

Resolution #03-15 - 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 2014

**RESOLUTION
#03-15**

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 2014, in accordance with the provisions of N.J.S.A. 54:4-99.

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

Resolution #04-15 - Resolution setting interest rate for non-payment of taxes

**RESOLUTION
#04-15**

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.

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.

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

Resolution #05-15 designating official depositories:

RESOLUTION #05-15

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:

Sussex Bank
Wells Fargo Bank
Lakeland Bank
NJ Cash Management Fund
Valley National Bank
TD Bank

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

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

OFFICIAL HOLIDAYS - A motion was made by Kula 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.

2015 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS

January 14, 2015
January 28, 2015
February 11, 2015
February 25, 2015
March 11, 2015
March 25, 2015
April 8, 2015
April 22, 2015
May 13, 2015
May 27, 2015
June 10, 2015
June 24, 2015
July 8, 2015

WORKSHOP MEETINGS

January 14, 2015
February 11, 2015
March 11, 2015
April 8, 2015
May 13, 2015
June 10, 2015
July 8, 2015

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July 22, 2015

August 12, 2015

August 26, 2015

September 9, 2015

September 23, 2015

October 14, 2015

October 28, 2015

November 25, 2015

December 9, 2015

December 23, 2015

August 12, 2015

September 9, 2015

October 14, 2015

November 25, 2015

December 9, 2015

REORGANIZATION MEETING – MONDAY, JANUARY 4, 2016 – 6:00 PM

A motion was made by Cicerale to approve the above Hardyston Township Council meeting dates as presented, seconded by Hamilton. All in favor. Motion carried.

PLANNING BOARD - The following appointments were made:

MAYOR - CLASS I - A motion was made by Cicerale to appoint Carl Miller, seconded by Verrilli. All in favor. Motion carried.

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

CLASS III - A motion was made by Cicerale to appoint Leslie Hamilton, seconded by Verrilli. All in favor. Motion carried.

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

CLASS IV - A motion was made by Cicerale to appoint Brian Kaminski to a **four-year term**, seconded by Verrilli. All in favor. Motion carried.

ZONING BOARD - The following appointments were made:

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

MUNICIPAL UTILITIES AUTHORITY - The following appointments were made:

FULL MEMBER - A motion was made by Verrilli to appoint Frank Cicerale to a **five-year term**, seconded by Hamilton. All in favor with Cicerale abstaining. Motion carried.

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

Robert Califano

Stanley J. Kula

MaryAnn Murphy

Jodi Mix

Kathleen Judd

David Van Ginneken

Michael Restel

Mary Purcell

Heidi Coscia

seconded by Verrilli. All in favor. Motion carried.

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

Carl Miller
Stanley J. Kula
Terry Johnson
Bill Repasy

seconded by Cicerale. All in favor. Motion carried.

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

Robert Zicarelli
Elaine Tizzano
Jill Helmstetter
Becky Westra
Kristen Tamke
April Oleksy

seconded by Verrilli. All in favor. Motion carried.

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

Council	Carl Miller
Council	Leslie Hamilton
Council	Santo Verrilli
Council	Frank Cicerale
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	Don Emory
Asst. Fire Chief	John Giannone
First Aid Captain	Vin DiPietro
Deputy Coordinator	Ray Marion
Fire Dept. Liaison	Frank Lacatena
Chaplain/Mental Health	Robert Meeker
School Nurse	Elizabeth Burdzy

seconded by Cicerale. All in favor. Motion carried.

Resolution #06-15 - 2015 TEMPORARY MUNICIPAL BUDGET

**RESOLUTION #06-15
TOWNSHIP OF HARDYSTON 2015 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 2015 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

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WHEREAS, the date of this resolution is within the first thirty days of 2015; and

WHEREAS, the total appropriations in the 2014 budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

General 9,382,435

WHEREAS, 26.25 percent of the total appropriations in the 2014 budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in said 2014 budget is as follows:

General 2,462,889

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 Hamilton to approve the 2015 Temporary Municipal Budget, seconded by Kula. 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 Verrilli. All in favor. Motion carried.

Attest _____
Jane Bakalarczyk Clerk