

TOWNSHIP OF HARDWICK  
WARREN COUNTY, NEW JERSEY

**November 1, 2017**

The monthly Business meeting of the Hardwick Township Committee was held on this date at the Municipal Building, 40 Spring Valley Road, Hardwick, New Jersey. This meeting was called to order at 6:31PM by the Township Clerk Judith Fisher who noted that this meeting was being held in compliance with the "Open Public Meetings Act":

In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice with the New Jersey Herald and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Hardwick Municipal Building. Mayor Perry then led the public in the pledge of allegiance.

**Roll Call:**

**Present:** Mayor James J. Perry, Deputy Mayor Kevin Duffy and Committeeman Alfred Carrazzone

**Absent:** None

**Also present:** Township Attorney Michael Lavery, CPWM Thomas Campbell, CMFO Christine Rolof, OEM Joseph Dunn and Municipal Clerk Judith Fisher

**Absent:** Township Engineer Ted Rodman

**EXECUTIVE SESSION:**

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to adopt the Resolution to go into Closed Session at 6:32PM.

**RESOLUTION**

WHEREAS, Section 8 of the Open Pubic Meeting Act, Chapter 231, P. L 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hardwick, in the County of Warren and State of New Jersey as follows:

1. The public shall be excluded from that portion of this meeting
2. The general nature of the subject matter to be discussed is as follows:
  - A. Contractual negotiation: Fire Service
  - B. Personnel – Tax Collector, results of interviews
  - C. Personnel – Employee Complaint

As nearly as can be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

**Time In:** 6:32PM

**Present:** Mr. Duffy, Mr. Carrazzone, Mayor Perry

**Also Present:** Attorney Michael Lavery, Township Clerk Judith Fisher

**Time Out:** 7:48PM

A motion was made by Mr. Duffy, seconded by Mr. Carrazzone to come out of closed session at 7:48PM. Motion carried and unanimous.

Attorney Mr. Lavery noted that he met in closed session with the Committee and discussed three matters: contract negotiation Emergency Responders, Personnel – Employee Complaint and Personnel – Tax Collector Interview results. No official action was taken by the Committee at this time. Copies of the minutes will be made available at such time as the Committee determines that there is no harm to the public interest.

**Payment of the Bills:**

**A motion** was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to authorize the payment of the bills in the amount of \$149,508.33

**Roll Call**

**Ayes:** Mr. Carrazzone, Mr. Duffy, Mayor Perry

**Nays:** None

**Abstentions:** None     **Absent:** None

**REPORTS**

**Mr. Bob Wolff, Retired Fire Warden:** Reminded all of the time change and also the time to change the batteries in their smoke detectors. The Fire Tower has been up for the last 7 days.

**Mr. Rodman, Township Engineer:** Absent tonight

**OEM – Desiree Dunn, Deputy OEM** reported on the Ash trees and the EAB bug that is attacking them. These bugs attack the trees by eating from the inside out.

**Proclamations:**

Proclamation declaring November 16<sup>th</sup>, 2017 as

**“World Pancreatic Cancer Day”**

in the Township of Hardwick.

**WHEREAS**, in 2017, an estimated 53,670 people in the United States will be diagnosed with pancreatic cancer, one of the deadliest cancers, and 43,090 will die from the disease; and,

**WHEREAS**, pancreatic cancer surpassed breast cancer this year to become the third leading cause of cancer death in the United States and it is projected to become the second leading cause by 2020; and,

**WHEREAS**, pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just nine (9) percent; and,

**WHEREAS**, when symptoms of pancreatic cancer present themselves, it is generally in the later stages and 71 percent of pancreatic cancer patients die within the first year of their diagnosis, while 91 percent of pancreatic cancer patients die within the first five years; and

**WHEREAS**, approximately 1,270 deaths will occur in New Jersey in 2017; and,

**WHEREAS**, pancreatic cancer is the seventh most common cause of cancer-related death in men and women across the world; and,

**WHEREAS**, there will be an estimated 367,000 new pancreatic cancer cases diagnosed worldwide in 2016; and,

**WHEREAS**, the good health and well-being of the residents of the Township of Hardwick are enhanced as a direct result of increased awareness about the symptoms and risk factors of pancreatic cancer and research into early detection, causes and effective treatments.

**THEREFORE, BE IT RESOLVED** that the Mayor designate November 16<sup>th</sup> as

**“World Pancreatic Cancer Day”**

in the Township of Hardwick.

**Proclamation: RADON ACTION MONTH**

**WHEREAS**, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer; and

**WHEREAS**, prolonged exposure to radon can kill as many as 500 people in New Jersey each year; and

**WHEREAS**, families who reside in homes with elevated radon levels are at risk of developing serious health problems; and

**WHEREAS**, any home could have high levels, even when neighboring homes do not; and

**WHEREAS**, radon testing can be done with great ease at a relatively low expense to the homeowner, with the cost of reducing radon concentrations being comparable to a home repair; and

**WHEREAS**, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency are collaborating during the month of January to promote the need for radon testing in an effort to protect the lives of our State’s residents; and

**WHEREAS**, if all New Jersey homes with radon concentrations at or above 4 pCi/L were mitigated, about 78 lives could be saved this year.

**NOW, THEREFORE**, I, James J. Perry, Mayor of Hardwick Township, on behalf of the Hardwick Township Committee and residents of Hardwick Township, do hereby proclaim the month of November 2017, as

**RADON ACTION MONTH**

in the Township of Hardwick and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

**RESOLUTION**

On a motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried the following resolution 2018-43 was approved.

**WHEREAS**, the Tax Collector advises of overpayment of taxes for calendar year 2017 due to overpayment of taxes.

**NOW, THEREFORE, BE IT RESOLVED** on this 1st day of November, 2017 by the Mayor and Township Committee that the Chief Financial Officer is hereby authorized to make the refund of taxes as follows:

Block 401, Lot 27	Central Parker RE Consulting	\$198.02
Q0180	25 Slabtown Creek Rd, Hardwick, NJ 07825	

**Roll Call**

**Ayes:** Mr. Carrazzone, Mr. Duffy, Mayor Perry

**Nays:** None

**Abstentions:** None     **Absent:** None

**ORDINANCE:**

A motion made by Mr. Duffy, seconded by Mr. Carrazzone and carried to approve 2<sup>nd</sup> Reading and Public Hearing of Ordinance 2017-07

**2017-07 AN ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CHAPTER V ENTITLED “ANIMAL CONTROL” TO CREATE A NEW SECTION 5-4 ENTITLED “RUNNING AT LARGE OF LIVESTOCK”**

**WHEREAS**, the Township Committee of the Township of Hardwick has found that the running at large of livestock in the Township of Hardwick jeopardizes the public health, safety and welfare by exposing injury to persons and other animals and causing damage to personal property such as lawns, shrubs, flowers, grounds, and other vegetation; and

**WHEREAS**, N.J.S.A. 40:48-1 expressly permits municipalities to adopt ordinances that will regulate the running at large of livestock; and

**WHEREAS**, the Township Committee of the Township of Hardwick believes that the adoption of such an ordinance is appropriate and would be a reasonable exercise of the municipality’s police powers.

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hardwick in the County of Warren and State of New Jersey, a new section 5-4, entitled “Running at Large of Livestock”, shall be added to Chapter V of the Township Code and shall read as follows:

**SECTION 1.**

**5-4 RUNNING AT LARGE OF LIVESTOCK**

**5-4.1 Purpose.**

This Code shall be constructed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as residents are affected by injury to any persons or other animals, or cause damage to personal property including lawn, shrubbery, flowers, grounds, trees or any property of persons other than the owner or person having the care, custody or control of such unrestrained livestock running at large within the Township of Hardwick and to assess violations and penalties accordingly.

**5-4.2 Definitions.**

Livestock shall mean all horses, ponies, donkeys, mules, miniature breeds and all other equine; all

domestic and exotic pigs, hogs, and other swine; all cattle, goats, sheep, and all other bovine; all llamas, alpacas; all chickens, ducks, geese, guinea hens, peacocks, turkeys, emus, rheas, and all other poultry and fowl; domestic rabbits, and all other animals traditionally raised for food, fiber, fur, or production means; as well as any exotic animals or reptiles.

Running at Large shall mean any livestock situated upon any public street, park, or any other public place while unrestrained or situated upon any private property, including the property of the livestock owner, while not restrained by a sufficient fence, enclosure or tether and which is not attended by the owner or his or her representative.

**5-4.3 General Requirements.**

Any person or persons, firm, partnership, or corporation having the care, control, custody or management of any livestock as defined above shall prohibit the animals to stray or run at large within the limits of the Township of Hardwick.

Fencing Requirements. A fence measuring at least four feet high from the surface of the earth and sufficiently enclosed and strong enough to prevent livestock from escaping going through or under it is hereby required wherever livestock is kept. If any livestock escapes from within the confines of any fence it shall be presumed that such fence has not met the provisions of this chapter. Any owner or lessee of the land on which such fence is located is subject to the requirements of this section.

**5-4.4 Distained Livestock; Impounding.**

When any livestock are taken up and distained by any person for running at large, they shall be forthwith impounded by the Animal Control Officer and shall be furnished with suitable food and water, so long as they are detained.

The owner of livestock in the custody or possession of the Animal Control Officer pursuant to this act may claim and be entitled to the possession of the livestock. Upon payment to the Animal Control Officer of reasonable compensation for the care and keeping of the livestock, upon satisfactory proof of ownership of the livestock, and upon making reparation as provided in 5-4.5, the livestock shall be returned to its owner.

**5-4.5 Violations and Penalties.**

Any person or persons, firm, partnership or corporation violating or failing to comply with any provision of this Code shall be guilty of an offense punishable as follows:

A fine for a first violation in the amount of \$100.00

A fine for a second violation in the amount of \$250.00

A fine for a third violation in the amount of \$500.00

(d) A fine for a fourth or any subsequent offenses in the amount of \$1,000 each

Each day for which a violation of this ordinance occurs shall be considered a separate offense.

**5-4.6 Notice and Orders**

Notice. The Township, or any duly authorized Code or Animal Control Official, shall cause a notice to be issued to the applicable person or persons, firm, partnership or corporation when a violation of this Code occurs.

Form. Such notice prescribed shall be in accordance with all of the following:

1. Be in writing.
2. Include the identity or description of the animal.
3. A statement of when, where, what damage was done if known.
4. Include a correction order allowing a reasonable time for restitution of penalties and damages to be made.
5. Inform the property owner of the right to appeal.

c. Method of Service. Such notice shall be deemed to be properly served if a copy thereof is sent by first-class mail, express mail, overnight carrier or certified mail addressed to the last known address.

**SECTION 2.**

If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

**SECTION 3.**

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Township of Hardwick Code not inconsistent herewith are ratified and confirmed.

**SECTION 4.**

This Ordinance shall become effective following its final passage and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee on the first reading at a meeting of the Township Committee of the Township of Hardwick, held on October 4, 2017, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on November 1, 2017, at 7:00 p.m., at the Municipal Building, located at 40 Spring Valley Road, Hardwick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Animal Control Officer Alan DeCarolis was present tonight to discuss the purpose of this ordinance. This proposed ordinance is from Hope Township, where it was sent back to their Planning Board to review with possible changes. Mayor Perry suggested that since Mr. Crisman and Mr. Wolff are on the Township Ag Committee, that they review this ordinance and come back with some recommendations.

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting to the Public for comments on this ordinance.

The Committee listened to many concerns on this ordinance from enforcement to getting guide lines for Right to Farm.

A motion was then made by Mr. Duffy, seconded by Mr. Carrazzone and carried to close this portion of the meeting on Ordinance 2017-07. A voice vote was unanimous.

Mayor Perry asked for a motion to adopt Ordinance 2017-07. There was no motion made by the Committee at this time and **Ordinance 2017-07 died on the table for lack of a motion.**

A motion made by Mr. Duffy, seconded by Mr. Carrazzone and carried to approve 2<sup>nd</sup> Reading and Public Hearing of Ordinance 2017-08

**2017-08 AN ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CHAPTER II ENTITLED "ADMINISTRATION" TO CREATE A NEW SECTION 2-6.1 ENTITLED "DEPUTY TAX COLLECTOR"**

**WHEREAS**, there is a need to appoint someone to assist the Township Tax Collector in the performance of his duties; and

**WHEREAS**, the Township Committee of the Township of Hardwick desires to establish the position of Deputy Tax Collector to perform this duty, and

**WHEREAS**, N.J.S.A. 40A:9-146 allows for the Township of Hardwick to establish the position of Deputy Tax Collector as it deems necessary, and

**WHEREAS**, the aforementioned position would be for a term of one year; and

**WHEREAS**, the position of Deputy Tax Collector is compensated by an annual salary between \$2,000 to \$4,000 per year; and

**WHEREAS**, the Township Committee of the Township of Hardwick believes it is in the best interest of the Township to establish the position of Deputy Tax Collector, and

**BE IT ORDAINED** by the Township Committee of the Township of Hardwick in the County of Warren and State of New Jersey, a new section 2-6.1, entitled "Deputy Tax Collector", shall be added to Chapter II of the Township Code and shall read as follows:

**Section 1.**

**2-6.1 Deputy Tax Collector**

The Township committee may appoint a Deputy Tax Collector at any time necessary, not to exceed one calendar year. The Deputy Tax Collector shall assist the Tax Collector in the performance of the duties of that office and shall act under the direction of the Tax Collector. The Deputy Tax Collector shall receive such compensation as the Township Committee may provide within the range of \$2,000 to \$4,000 per year.

**Section 2.** If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Township of Hardwick Code not inconsistent herewith are ratified and confirmed.

**Section 4.** This Ordinance shall become effective following its final passage and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee on the first reading at a meeting of the Township Committee of the Township of Hardwick, held on October 4, 2017, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on November 1, 2017, at 7:00 p.m., at the Municipal Building, located at 40 Spring Valley Road, Hardwick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting to the Public for comments on this ordinance.

There was no public comment on this ordinance.

A motion was then made by Mr. Duffy, seconded by Mr. Carrazzone and carried to close this portion of the meeting on Ordinance 2017-08. A voice vote was unanimous.

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to adopt Ordinance 2017-08. A voice vote was unanimous.

A motion made by Mr. Duffy, seconded by Mr. Carrazzone and carried to approve 2<sup>nd</sup> Reading and Public Hearing of Ordinance 2017-09

**2017-09 An Ordinance to Amend Ordinance 2017-02 Fixing the Salaries of the Several Employees of the Township of Hardwick, County of Warren, State of New Jersey.**

**WHEREAS**, the Township Committee of the Township of Hardwick wishes to amend Ordinance 2017-02 establishing the salary and compensation for the Several Employees of the Township of Hardwick

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hardwick wishes to set the salary as follows:

**SECTION 1:** The annual salaries for the following Township Employees shall be:

Deputy Township Clerk	\$ 19.00 per hour
Deputy Tax Collector	\$ 2,000.00 - \$ 4,000.00 per annum
Assistant to the Tax Collector	\$13,500.00 - \$15,500.00 per annum

The salary set forth in this ordinance shall be effective as of October 03, 2017.

Any and all other portions and sections of this ordinance inconsistent with this ordinance which are heretofore passed and adopted are hereby repealed only to their inconsistencies.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the above entitled ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Hardwick on October 4, 2017 and will be considered for final reading and adoption at the Regular Meeting of

the Township Committee held on November 01, 2017 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting to the Public for comments on this ordinance.

There was no public comment on this ordinance.

A motion was then made by Mr. Duffy, seconded by Mr. Carrazzone and carried to close this portion of the meeting on Ordinance 2017-09. A voice vote was unanimous.

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to adopt Ordinance 2017-09. A voice vote was unanimous.

**Roll Call**

**Ayes:** Mr. Carrazzone, Mr. Duffy, Mayor Perry

**Nays:** None

**Abstentions:** None     **Absent:** None

**OLD BUSINESS:**

**Land Use Board:** 3 Alternates are still need

Mayor Perry made the following Alternate appointments:

Move Richard Matriciano from Class IV member to Alternate #2

Alternate # 2 - Scott Mickelsen

**SHARED SERVICE:** Agreement between the Township of Hardwick, the Township of Blirstown and the Township of Blirstown Volunteer Fire Department and Blirstown First Responders for the Provision of Fire Protection Services Pursuant to N.J.S.A. 40A:65-1, et. seq

**SHARED SERVICE:** Agreement between the Township of Hardwick, the Township of Stillwater and the Township of Stillwater Fire Department and Stillwater First Responders for the Provision of Fire Protection Services Pursuant to N.J.S.A. 40A:65-1, et. seq

Mayor Perry noted that the details on this Shared Service have been worked out between both Fire Department and they will be emailed to both Chiefs for their review and comments. At this time, there will be no action taken by the Committee.

**NEW BUSINESS**

**Happiness is Camping:** Raffle Application – 50/50, August 9, 2018, 1:00PM

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried, to approve Raffle 2017-01 for Happiness is Camping. A voice vote was unanimous.

**Appointment:** Assistant to Tax Collector

Mr. Duffy updated the Committee tonight in closed session on the interviews that took place last week.

At this time, a motion was made by Mr. Carrazzone, seconded by Mr. Perry are carried to authorize Mr. Duffy make an offer of \$13,500 to the Candidate that will replace Jean McKenna. A voice vote was unanimous.

**Appointment:** Deputy Tax Collector

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to appoint Judith Fisher as the Deputy Tax Collector with a salary pro-rated for the next 2 months. A voice vote was unanimous.

**Resolution:** Needed to set the salaries for the Assistant Tax Collector and Deputy Tax Collector The salary for the Deputy Tax Collector will be set at \$3000.00, pro-rated for November and December. This resolution will be on the agenda for the December meeting.

**Emergency Operations Plan:** Review of the Basic Operation Plan (Joseph Dunn EMC)  
This updated Plan was sent to the County by Deputy OEM Desiree Dunn.

**Discussion:**

**Work Meeting**\_date for November if needed

The November Work Meeting will be cancelled and rescheduled for Wednesday, November 29, 2017 at 6PM.

Motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried. A voice vote was unanimous.

Motion was then made by Mr. Duffy, seconded by Mr. Carrazzone and carried to schedule the Year End Meeting for Tuesday, December 26, 2017 at 4:00PM. A voice vote was unanimous.

**IT Support RFP** - no update at this time. RFP's have been requested. Held over to the Work Meeting, December 2017

**Insurance RFP for 2018-2021** no update at this time. RFP's have been requested. Held over to the Work Meeting, December 2017.

**Foreclosure Lots:** Discussion still on going. No change in status

**Ted Rodman, Engineer:** Stormwater Management no update

**Verizon Wireless (Nodes):** Requesting permission to locate, operate in the Township ROW Representative Kathryn Windsor from Verizon will be at the December 6 meeting at 7:00PM

**APPROVAL OF THE MINUTES:** NONE

**PUBLIC COMMENTS:**

**A motion** was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting for comments from the Public.

Many members from the public talked about their concerns with the Fire Service Agreements between Blairstown Fire Company and Stillwater Fire Company.

**A motion** was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to close this portion of the meeting to the Public.

**COMMITTEE REPORTS**

**Committeeman Carrazzone:** No report at this time

**Committeeman Duffy:** No report at this time

**Committeeman Perry:** He will be attending the League Convention in a few week in Atlantic City

**Adjournment:**

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to adjourn tonight's meeting of the Hardwick Township Committee at 9:28PM

Respectfully submitted,

Judith M. Fisher, RMC