

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

May 3, 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 6:42PM 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, Township Engineer Ted Rodman, CMFO Christine Rolef and Municipal Clerk Judith Fisher

Absent: None

EXECUTIVE SESSION:

A motion was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to adopt the Resolution to go into Closed Session at 6:44PM.

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. Attorney/Client, Potential Litigation – 70 Birch Ridge Road
 - B. Attorney/Client, Princeton Education
 - C. Potential Litigation: Mountainwood Spring Water Company
 - D. Contractual – Verizon
 - E. Potential Litigation – Paulinskill Road

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: 6:44PM

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

Also Present: CPWM Thomas Campbell, Attorney Michael Lavery, Township Clerk Judith Fisher

Time Out: 7:02PM

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy to come out of closed session at 7:08PM. Motion carried and unanimous.

Attorney Mr. Lavery noted that he met in closed session with the Committee and discussed five matters. 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. Carrazzone, seconded by Mr. Duffy and carried to authorize the payment of the bills in the amount of \$514,667.87.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

REPORTS

Mr. Rodman, Township Engineer: Informed the Committee that the bridge at the end of East Crisman Road in Blairstown Township will be closed starting around May 17. Work should be finished before the start of school. Discussion on Stormwater Management is on the agenda tonight. But the Committee moved it off to the next Work Meeting. Yards Creek Power Plant in Blairstown Township was briefly discussed. A site plan/tax map with the location of the upper reservoir has been located. Revisions to the driveway ordinance and other items to revise were discussed. Once they are finalized, the Attorney will prepare the ordinance for introduction.

Mr. Campbell, CPWM: Clean up Week has been scheduled for May 8 – 13, 2017. It will be the same as last year.

Mr. John Nause: School Board Member for No. Warren Regional – No update tonight

Mrs. Christine Rolef, CFO: reviewed the monthly finance report along with the current bill list

Mr. Lavery, Twp. Attorney: Nothing new to report on at this time

Mr. Eric Weber, Fire Warden, Firewise Rep.: will be doing a presentation later tonight on Firewise

Mrs. Fisher, Twp. Clerk review correspondence

North Warren Regional H.S. – Presentation of the 2017-2108 School Budget.

Present were the Sarah Bilotto, the new Superintendent and Christopher Heagele, BA were present to go over the school budget. Handouts were made available to the audience. Ms. Bilotto noted that enrollment for Hardwick was down and that at the end of the year there was a small surplus. The Budgets goals are student achievement, infrastructure and financial foundation. After reviewing the handout the Committee opened this portion of the meeting to the public for any questions.

A motion was made by Committeeman Carrazzone, seconded by Committee Duffy to open this portion of the meeting to the public. Motion carried

Seeing there were no questions, a motion was then made by Committeeman Carrazzone, seconded by Committeeman Duffy to close this portion of the meeting to the public. Motion carried.

The Committee then thanked Ms. Bilotto and Mr. Heagele for coming in tonight.

FireWise Presentation, Eric Weber Fire Warden: Eric talked about the program that was established 1906. Hardwick was the first in the State to obtain the Firewise status. A 20 minutes video was shown followed by a question and answer period. The objective is to spread awareness.

The Committee thanked Eric for coming tonight.

RESOLUTIONS

A motion made by Mr. Duffy, seconded by Mr. Carrazzone and carried to approve Resolution **2017-25**. Motion carried and a voice vote was unanimous

2017-25 RESOLUTION OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Service Commission of New Jersey, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on May 3, 2017 the governing body of the Township of Hardwick, County of Warren, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Hardwick.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor, James J. Perry, is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq. and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This Resolution shall take effect immediately upon passage

A motion was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to authorize the Mayor to sign the agreement with Educational Services Commission of New Jersey, Lead Agency for the Cooperative Pricing System. Motion carried and a voice vote was unanimous.

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Resolution **2017-26**. Motion carried and a voice vote was unanimous

2017-26 AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, Hardwick Township has determined to move forward with the EMEX Reverse Auction in order to procure electricity for the Hardwick Township' and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c30) (the "Act") authorizes the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS, the Hardwick Township will utilize the online auction services of EMEX, LLC., an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, the following Companies have enter bids on Wednesday, May 3, 2017 as follows:

Constellation Energy	\$0.08255 ,k/Wh for 24 months
Entrust	\$0.08361 k/Wh for 24 months
Hudson Energy	\$0.07770 k/WH for 24 months
Major Energy	\$0.07360 k/Wh for 24 months
Marathon Energy	\$0.07300 k/Wh for 24 months

BE IT RESOLVED that the low bidder is Marathon Energy at \$0.07300 k/Wh for 24 months and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Hardwick has awarded the bid to Marathon Energy at \$0.07300 k/Wh

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

A motion made by Mr. Duffy, seconded by Mr. Carrazzone and carried to approve Resolution **2017-27**. Motion carried and a voice vote was unanimous

2017-27 Award Contract – MCESCCPS

WHEREAS, the Township of Hardwick wishes to purchase a 2017 John Deere 324K Four Wheel Drive Loader; and

WHEREAS, the Township of Hardwick is a current member of the MCESCCPS; and

WHEREAS, Jesco 118 St. Nicholas Avenue South Plainfield, NJ 07080 is an approved dealer for the MCESCCPS for the purchase of a 2017 John Deere 324K Four Wheel Drive Loader Stock Number 408592 Contract # MRESC 15/16-08 for a total purchase price of \$116,753.54; and

WHEREAS, this purchase is permitted under N.J.A.A. 40a:11-11, the New Jersey State Cooperative Purchasing Program. The Chief Financial Officer has certified that funds are available thru Bond Ordinance 2014-05.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Hardwick, County of Warren, and State of New Jersey authorize the purchase of a 2017 john Deere 324K Four Wheel Drive Loader in the total amount not to exceed \$116,753.54 is awarded to national Jesco 118 St. Nicholas Avenue South Plainfield, New Jersey 07080.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

ORDINANCE: TABLED

2017-02 Salary Ordinance 2017 & Increasing Stipends for CPWM & Township Clerk
Mayor Perry requested that his be hold over to the next work meeting for further discussion.

ORDINANCE: First Reading

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to introduce Ordinance 2017-03 for first reading:

2017-03 03 An Ordinance of the Township of Hardwick, County of Warren, State of New Jersey to Amend and Supplement Chapter XIII Entitled "Land Development" Article IV "Zoning Board of Adjustment and Planning Board" and to Repeal Section 13-70 of the Code of the Township of Hardwick and to Enact a New Article IV Eliminating the Zoning Board of Adjustment and Merging its Function into the Planning Board to Create a Land Use Board Pursuant to N.J.S.A. 40:55D-25(c)(1)

WHEREAS, the Township Committee of the Township of Hardwick believes it is in the best interest of the Township to merge the duties of the Zoning Board with the Planning Board, and

WHEREAS, N.J.S.A. 40:55D-25(c)(1) expressly permits the combination of the two Boards to permit the Planning Board to assume the powers, duties and functions of the Zoning Board of Adjustment, and

WHEREAS, the aforementioned statute requires that the Zoning Board be dissolved and its functions assumed by the Planning Board.

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

Section 1. Section 13-71.1 Establishment of Planning Board is amended as follows:

(a) The Hardwick Township Planning Board, created pursuant to N.J.S.A. 40:55-25(c)(1), shall consist of nine (9) members of the following four (4) classes:

- (1) Class I: the Mayor.
- (2) Class II: one (1) of the officials of the municipality, other than a member of the governing body, to be appointed by the Mayor, provided that if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1, shall be deemed to be the Class II Planning Board member for the purposes of this chapter in the event that there is among the Class IV both a member of the Zoning Board of Adjustment and a member of the Board of Education.
- (3) Class III: a member of the Township Committee to be appointed by the Township Committee.
- (4) Class IV members: six (6) other citizens of the municipality to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, except that one (1) member may be a member of the Board of Adjustment. One (1) Class IV member may be a member of the Board of Education. If there is a Municipal Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1, shall be a Class IV Planning Board member unless there are among Class IV members of the Planning Board both a member of the Zoning Board of Adjustment and a member of the Board of Education, in which case the member common to the Planning Board and Municipal Environmental Commission shall be deemed a Class II member of the Planning Board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.
- (5) Alternate members. Four (4) alternate members shall be appointed by the Mayor and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment as "Alternate No. 1," "Alternate No. 2," "Alternate No. 3," and "Alternate No. 4." The terms of alternate members shall be for two (2) years, except that the terms of not more than two alternate members shall expire in the same year.
Alternate members may participate in all matters but, may not vote except in the absence or disqualification of a regular member of any class.

Section 2. This Ordinance shall repeal Section 13-70 entitled "Zoning Board of Adjustment" to eliminate the Zoning Board of Adjustment and vest the Planning Board with the powers and duties and functions of the Zoning Board of Adjustment.

Section 3. Section 13-71.2 entitled "Powers and Jurisdictions of Planning Board" shall have a new section (10). The Board hereby created shall also exercise all the powers, duties and procedures as set forth in the Municipal Land Use Law for Zoning Boards pursuant to N.J.S.A. 40:55D-25(c)(1).

Section 4. 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 5. 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 6. 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 May 3, 2017, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on June 7, 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.

ORDINANCE: 1st Reading

A motion was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to introduce Ordinance 2017-04 for first reading:

2017-04 ORDINANCE AMENDING BOND ORDINANCE 2014-05 OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, NEW JERSEY

WHEREAS, On July 2, 2014, the Township Committee ("Committee") of the Township of Hardwick, County of Warren, New Jersey ("Township") duly and finally adopted Bond Ordinance 2014-5, authorizing a Salt Shed and Various Road Resurfacing; and

WHEREAS, the Township now desires to amend the Bond Ordinance to reallocate the amounts appropriated for such improvements to Purchase of 2017 John Deere 324K Four Wheel Drive Front Loader

BE IT ORDAINED, that the Township Committee of the Township of Hardwick, in the County of Warren, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), amend Ordinance 2014-05 for the purchase of a 2017 John Deere 324K Four Wheel Drive Front Loader and hereby amend the capital budget to conform with the provisions of this ordinance.

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 May 3, 2017 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on June 7, 2017 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

OLD BUSINESS:

Hardwick House (Red Mill, LLC) Update

NEW BUSINESS:

Rotary Club: John Hauck: Request donation for Fireworks \$750.00

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to donate \$750.00 towards the fireworks celebration that is held on the 4th of July in Blairstown Township.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Discussion:

Field Openings: for access to Farm Vehicles Only

Township Attorney is working on the draft ordinance. Discussion will be held to the Work Meeting

Ted Rodman, Engineer: Stormwater Management This item will be on the next Work Meeting for further discussion

Verizon Wireless: Requesting permission to locate and operate in the Township Right of Way
No update at this time

APPROVAL OF THE MINUTES:

Monthly Meeting: 2016 Executive Sessions

Motion was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to approve these minutes as corrected. Motion carried and a voice vote was unanimous.

The Committee requested that the 2016 Executive Sessions minutes be held to the May meeting.

PUBLIC COMMENTS:

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

Mr. Bill Hughes mentioned that Best Buy might be taking old TV's and monitors to recycle.

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: Has been asked to join the Governor's campaign to fight heroin and opioids.

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 9:19PM

Respectfully submitted, Judith M. Fisher, RMC