

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

October 3, 2018

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 6:40PM 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. Mrs. Fisher then led the public in the pledge of allegiance.

Roll Call:

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

Absent: None

Also present: Township Attorney Michael Lavery, CPWM Thomas Campbell, CMFO Christine Rolef and Township Engineer Ted Rodman

Absent: None

Executive Session: Not needed tonight

Motion was made by Mr. Perry, seconded by Mr. Duffy and carried to take a short break at 6:41pm and return to Regular Session at 7PM. A voice vote was unanimous.

At 7:00pm Mrs. Fisher called the meeting back to order followed by the Flag salute.

Payment of the Bills:

A motion was made by Mr. Carrazzone, seconded by Mr. Perry and carried to authorize the payment of the bills in the amount of \$605,612.65

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Hardwick Day – Update - October 21, 2018 - 1:00p to 5:00p Camp Ralph Mason

Mrs. Dunn updated the Committee on what she has planned for this event. She also stressed again that volunteers were needed.

REPORTS

Engineer: Mr. Rodman reported Birch Ridge Road paving and striping is complete except for the stop bar. Ted updated the Committee on Stormwater and that we have our points for 2018. State Aid (Transportation DOT) is due October 8th and he will be submitting the application for Sunset Lake Road, for the entire length. Total cost is estimated at \$473,525. This application is for 2019. The Committee talked about the funding for this project and that once the application is submitted it cannot be revised. The zoning map, is being revised by the Planner, Fred Heyer at the request of the Zoning Officer and Planning Board.

DPW: Mr. Thomas Campbell reported that the paving on Birch Ridge and Shannon Road have been completed. There was an incident on Birch Ridge Road that Mr. Campbell denied the school bus travel on this road. That was not the case. The driver took it upon herself to let the kids off at another stop. At no time were school buses, ambulance or fire trucks blocked from traveling Birch Ridge Road.

CFO: Mrs. Rolef handed out her monthly report that was reviewed.

Attorney: None

Clerk: Correspondence review.

Retired Fire Warden: Bob Wolff reported that there was a Firewise meeting in South Jersey on September 14 where they talked about grants, matching 100%.

Grant: No Report Tonight **OEM:** No Report tonight **Hardwick Seniors:** No Report tonight

RESOLUTIONS

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve the following **Resolution 2018-41**. A voice vote was unanimous
Mrs. Fisher noted that the Township has their Tax Clearance Certificate and fee to the Township has also been paid.

WHEREAS, application for Plenary Retail Consumption License has been received from the following:

HARDWICK TAVERN CORP.

WHEREAS, all conditions set forth by the New Jersey State Division of Alcoholic Beverage has been complied with to the best personal knowledge of this Committee, and

WHEREAS, the Hardwick Tavern has renewed their Alcoholic Beverage Retail Licensee Tax Clearance Certification and the Municipality has received a copy of the said renewal from the Division of Taxation, and

WHEREAS, the Township has received the Special Ruling to permit renewal of inactive license pursuant to N.J.S.A. 33:1-12.39 dated September 13, 2018 from the Director of Law & Public Safety, Division of Alcoholic Beverage Control authorizing the renewal of License No. 2109-33-004-003 for the 2018-2019 license term. According to this SPECIAL RULING the Director has reviewed the petition filed in this matter and having considered all the facts and circumstances related to the inactive status of this license finds that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2018-2019 license period. Should the owner wish to activate said license at the premise during the license terms referenced above, they must file an amendment to their license application pursuant to N.J.A.C. 13:2-2.14 transferring the license from "INACTIVE" status to the intended premises.

NOW, THEREFORE, BE IT RESOLVED, that the Plenary Retail Consumption License be issued for the period of July 1, 2018 to June 30, 2019 as follows:

License No. 2109-33-004-003	Hardwick Tavern Corp.
Fee Paid Township \$622.00	t/a The Hardwick House
Fee Paid State \$200.00	47 Spring Valley Road
	Hardwick, New Jersey 07825

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to renew the Plenary Retail Consumption license for the Hardwick Tavern Corp for 2018-2019 license term. The Township Clerk is hereby instructed to provide a copy of this resolution to said party.

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve the following **Resolution 2018-42**. A voice vote was unanimous

REQUEST TO THE NJDOT FOR PUBLIC HEARING AND PRESENTATION ON THE PROPOSED ROCKWALL THROUGH THE DELAWARE WATER GAP

WHEREAS, on June 14, 2017, the NJDOT held a public information session at Knowlton Township Elementary School from 6:00 to 8:00 pm regarding a wall the NJDOT proposes to build on Route 80 through a portion of the Delaware Water Gap; and

WHEREAS, an information session for the officials of Knowlton, Hardwick, and the Warren County Engineer had been held prior to that on May 31, 2017;

WHEREAS, the information session for the public on June 14 lacked the detail and Powerpoint presentation offered at the May 31 meeting for officials; and

WHEREAS, the June 14 meeting for the public and was structured so that residents walked from presenter to presenter, hence receiving varying information from presenters depending on questions asked; and

WHEREAS, the Knowlton Township Committee subsequently requested, via Resolution 2017-84 on July 10, 2017, a detailed, sit-down presentation for residents that contained the visual slides and information provided to Warren County Engineer and the mayors of Hardwick and Knowlton on June 6; and

WHEREAS, it has been over a year since that request was made and no public hearing has yet been scheduled; and

WHEREAS, at the time of the previous public presentation the project was in the Concept Development phase; and

WHEREAS, the project has now advanced to the Preliminary Engineering phase; and

WHEREAS, in that year public interest in the project has grown significantly; and

WHEREAS, in that year 16 newspaper articles have been written on the subject of the proposed Rockwall* in 4 different newspapers; and

WHEREAS, WRNJ Radio and WFMZ Television have made the Delaware Water Gap Route 80 Rockwall Mitigation Project the subject of 4 separate radio and television segments; and

WHEREAS, in that year 20 governing bodies have approved resolutions or letters regarding the project on behalf of their concerned residents; and

WHEREAS, in that year federal representatives of United States Congressman Josh Gottheimer and United States Senator Cory Booker met with the NJDOT regarding the need for and future of the project; and

WHEREAS, in that year state representatives Senator Steven Oroho, Assemblyman Space, and Assemblyman Wirths have met with the NJDOT regarding the need for and future of the project; and

WHEREAS, in that year prominent organizations including the New Jersey Sierra Club, National Parks Conservation Association, and the Stockbridge Munsee Native American Tribe have taken formal positions on the project and expressed an interest in commenting at a public hearing.

NOW, THEREFORE, BE IT RESOLVED, the Hardwick Township officially requests a public hearing on the subject of the Route 80 Rockwall Mitigation Project be held at a location in Warren County before the end of 2018.

BE IT FURTHER RESOLVED, the public hearing provide detailed information in a sit-down environment that gives interested parties the opportunity to comment and that officially records those comments.

2018- Supporting an Increase in the Local Public Contract Law Bid Threshold (Discussion)

Resolution sent from Frankford Twp., Sussex County

This resolution was reviewed by the Committee and the CFO. The outcome is that they would rather see the prevailing wage changed rather than increase the bid threshold. For this reason, the Committee declined adopting this resolution.

A motion was made by Mr. Carrazzone, seconded by Mr. Perry and carried to approve the following **Resolution 2018-43**.

Approval to submit a Grant Applications and Execute a Grant Contract with the New Jersey Department of Transportation for the Overlay of Sunset Lake Road

NOW, THEREFORE, BE IT RESOLVED that the Committee of Hardwick formally approves the Grant Application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic Grant Application identified as MA-2019-Overlya of Sunset Lake Road-00558 to the New Jersey Department of Transportation on behalf of Hardwick

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the Grant Agreement on behalf of Hardwick and that their signature constitutes acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

ORDINANCE NONE

OLD BUSINESS:

Status – Century Link Communications

Mr. Perry reported that he recently posted this update on the web.

He along with Mayor Duffy attend a meeting in Hope Township on September 26, 2018 with several Official from Century Link. Century Link was installing three new switches, Tannery Road, Birch Ridge Road and Millbrook Stillwater Road. Only two have been turned on. There was discussion on various issues that have been experienced. It is hoped that this project will be completed by the end of 2018

NEW BUSINESS:

Personnel Policy: Updates as recommended by PAIC Insurance

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve the following **Resolution 2018-44**. A voice vote was unanimous

ADOPTING REVISIONS TO ITS PERSONNEL POLICY

WHEREAS, the Township of Hardwick is a member of the Municipal Excess Liability Joint Insurance Fund ("Fund"); and

WHEREAS, the Fund has promulgated amendments to its model personnel policies and procedures manual; and

WHEREAS, in order to remain eligible for current deductibles and co-pays, members of the Fund must adopt the procedures changes promulgated by the Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the Township of Hardwick, County of Warren, State of New Jersey, that the changes to the model personnel policies and procedures manual promulgated by the Fund in the form attached hereto are hereby adopted.

BE IT FURTHER RESOLVED, the Municipal Attorney is hereby authorized and directed to incorporate these changes in the Township's Personnel Policy.

Discussion:

Sandyston Twp.: Mayor Harper asking for support on Assembly Bill 2534

The Committee reviewed Mayor Harper's request. They sent a copy of their Resolution: Supporting Entities Acquiring Lands for Open Space Located in a Deed-Authorized Common Interest from Paying Community Fees, If, at the Time of Acquisition, a Community has never been formed or has not dissolved or discontinued. After talking with the Township Attorney again, it was decided that would not apply to Hardwick but that they would like to support Sandyston on this Bill.

A motion was made by Mr. Carrazzone, seconded by Mr. Perry and carried to approve the following **Resolution 2018-45**. A voice vote was unanimous

SUPPORTING ASSEMBLY BILL 2534 and SENATE BILL 1707 WHICH EXEMPTS GOVERNMENTAL ENTITIES ACQUIRING LANDS FOR OPEN SPACE LOCATED IN A DEED-AUTHORIZED COMMON INTEREST FROM PAYING COMMUNITY FEES, IF, AT THE TIME OF ACQUISITION, A COMMUNITY HAS NEVER BEEN FORMED OR HAS BEEN DISSOLVED OR DISCONTINUED

WHEREAS, acquiring and preserving land for open space for recreation and conservation purposes is beneficial for sustaining the environment, protecting endangered species, and protecting the water supply; and

WHEREAS, when land becomes available for preservation, it is important that governmental entities make every effort to acquire the land, especially when the land is contiguous to already preserved open space; and

WHEREAS, Assembly Bill 2534 is sponsored by Assemblyman Parker Space, Assemblyman Bob Andrzejjczak and Assemblyman Harold J. Wirths and Senate Bill 1707 is sponsored by Senator Steven V. Oroho; and

WHEREAS, these bills concern the acquisition of certain lands for recreation and conservation purposes and supplementing Title 13 of the Revised Statutes; and

WHEREAS, these bills would provide whenever a governmental entity acquires land to be preserved for recreation and conservation purposes and the deed for the land includes any covenant authorizing the owner of the land and other landowners whose deeds include the same covenant to form an association or other common interest community for a common purpose (as well as charge dues, fees or other obligations for that purpose) , the covenant would be deemed void in all respects with regard to the land acquired by the governmental entity provided:

the governmental entity acquires the land before any such association or other common interest community has been formed or after the dissolution or discontinuation of any previously existing association or other common interest community; and

the governmental entity owns the land preserved for recreation and conservation purposes that is contiguous to the land acquired, or the contiguous land is owned by another governmental entity for such purposes; and

whenever a governmental entity acquires land in the manner described in the act, the governmental entity shall not permit public access to the subject of the covenant (for example a private road or a private lake)

WHEREAS, outdated and antiquated covenants in deeds cause governmental entities to be reluctant to acquire land for preservation due to the unknown fees, costs or potential for litigation, thus not pursuing the purchase of land open space for recreation and conservation purposes; and

WHEREAS, in supporting Senate Bill 1707 and Assembly Bill 2534, all levels of government will benefit from streamlining the process in acquiring land for open space and continuing an important public policy of acquiring and preserving as much contiguous open space as possible, where appropriate, for the benefit of the people and the environment while lessening any burden to the governmental entity and, ultimately, the taxpayer.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick, hereby supports Senate Bill 1707 and Assembly Bill 2534 and calls upon its representatives to support adoption of these bills.

BE IT FURTHER RESOLVED, the Township Committee of the Township of Hardwick urges the Municipal Clerk to send a Certified Copy of this resolution to Office of the Governor, Senator Steven V. Oroho, Assemblyman Parker Space, Assemblyman Harold J. Wirths, One Wilson Drive, Suite 2-B, Sparta, NJ 07871, Assemblyman Bob Andrezejczak, Chairman, Agriculture and Natural Resources Committee, School House Office Park, 211 S. Main Street, Suite 104, Cape May Court House, NJ 08210, Senator Bob Smith, Chairman, Senate Environment and Energy Committee, 216 Stelton Road, Suite E-5, Piscataway, NJ 08854, League of Municipalities, 222 W. State Street, Trenton, NJ 08608, Sussex County Board of Chosen Freeholders, Attn: Jonathan Rose, Director, One Spring Street, Newton, NJ 07860, and the municipalities in the 24th Legislative District.

Facebook Page: No change in status.

Slabtown Creek Park: Concept Plan There was discussion at the last Open Space meeting where they talked about an open trail, hiking, walking. Noted was that the stream along the edge of the park is protected and any disturbance would involve the DEP. Mr. McKim was present tonight earlier in the meeting.

Foreclosed Lots: No change in status

Ted Rodman, Engineer: Stormwater Management – Discussed earlier in the meeting

Verizon Wireless (Nodes): Requesting permission to locate in the Township ROW Mayor Duffy noted again that he had requested the location and number of the Nodes along with where they will be placed. It was suggested was that they might be able to use the Cell Tower for the Nodes. So far there has been no response from them.

Slabtown Creek Park: A sample design was presented to the Committee and approved. A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve up to \$1500.00 for the sign.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Also discussed was the walking trail. It was mapped out and the corners marked. Open Space is starting slow with the various projects for the Park.

APPROVAL OF MINUTES None

PUBLIC COMMENTS:

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

Various members of the public talked about Century Link and problems that they have experienced.

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

COMMITTEE REPORTS

Mr. Perry: No report tonight

Mr. Carrazzone: No report tonight

Mayor Duffy: Talked about the Vass House and the discussion he has had with Senators Steven Oroho, Josh Gottheimer and DEP. He thanked Edwin and Judy Fisher for their help in setting up the George Fee Memorial that was held in September. Discussion continues on the Route 80 Rock Wall project.

Adjournment:

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to adjourn tonight's meeting of the Hardwick Township Committee at 8:32PM

Respectfully submitted,

Judith M. Fisher, RMC