

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

June 6, 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 Richard Wenner, CPWM Thomas Campbell, Engineer Ted Rodman, CMFO Christine Rolef, OEM Joseph Dunn and Auditor Anthony Ardito

Absent: None

Executive Session: RESOLUTION

A motion was made by Mr. Perry, seconded by Mr. Duffy and carried to adopt the Resolution to go into Closed Session at 6:42PM.

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 – 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: 6:42PM

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

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

Time Out: 7:25PM

A motion was made by Mr. Perry, seconded by Mr. Carrazzone to come out of closed session at 7:25PM. Motion carried and unanimous.

Attorney Mr. Wenner noted that he met in closed session with the Committee and discussed two matters: retaining conflict Counsel to represent the Township on an application before the WC Ag Board and Office of OEM and a coordinated response from the Township in a time of crises and a help in messaging. 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. Perry, seconded by Mr. Carrazzone and carried to authorize the payment of the bills in the amount of \$458,461.86

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Mr. Paul Avery and Mr. John Hauck from the Blairstown Rotary were present to talk about the annual Fireworks event in Blairstown. In years past, the surrounding municipalities have helped with the cost to produce this event. After a brief discussion, the Committee agreed on donating \$1000 to the event.

A motion was then made by Mr. Perry, seconded by Mr. Duffy and carried to donate \$1000 to the Blairstown Rotary for this event, subject to the availability of funds from the CFO.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

REPORTS

Engineer: Mr. Rodman noted that the Township has been approved by the NJDOT Grant for the overlay of Birch Ridge Road, Section 2. White Lake Boardwalk – County has applied for their permits. Millings – Ted talked about the DEP’s position and guidelines that were published for Residential properties. It is only approved as a subbase.

DPW: Mr. Campbell reported Clean Up Week was the same as last year. There was an issue related to “Residents Only” that has ben enforced in years past. Discussion for next year will be talking about tightening this up. The truck body has been ordered along with other repairs that will hopefully take place in September. Sunset Lake Road is on the Tilcon list for July. He also discussed Birch Ridge Road asking if the Ordinance for this was fully funded. The CFO assured him that it was.

CFO: Mrs. Rolef handed out her monthly report that was reviewed. The Committee reviewed the 2017 Audit Report recommendations with Mrs. Rolef.

Attorney: Nothing new to report on at this time

Clerk: Correspondence review. Noted is that the NJLOM Convention is scheduled for November 13, 14, 15, 2018 in Atlantic City.

Grant: No Report Tonight

OEM: No Report tonight -

Retired Fire Warden: No Report tonight
The Firewise Display is up in the hallway. John Cowie, who has been working on a grant for Gypsy Moth is in the hospital. Right now, we do not have a status report.

Hardwick Seniors: Mrs. Randazzo reported the the Senior thank the Township for their donation for 2018. The Annual Picnic is scheduled next week in Knowlton at Tunnel Field.

RESOLUTIONS

A motion was made by Mr. Carrazzone, seconded by Mr. Perry and carried to approve the following Resolution 2018-33. Motion carried. A voice vote was unanimous.

2018-33 Reappointment of Deputy OEM – Desiree Dunn

BE IT RESOLVED, that on June 6, 2018, Desiree Dunn was reappointed as the Deputy Emergency Management Coordinator for the Township of Hardwick, County of Warren, State of New Jersey on the recommendation of Joseph Dunn, Emergency Management Coordinator.

BE IT FURTHER RESOLVED that Desiree Dunn is a resident of the Township of Hardwick and that her term of office shall expire June 6, 2021.

2018-34 Blairstown Fire Company Fire Prevention Services and Repealing Resolution 2018-18

AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BY AND BETWEEN THE BLAIRSTOWN FIRE COMPANY AND THE TOWNSHIP OF HARDWICK FOR THE PROVISION OF FIRE PREVENTION SERVICES AND REPEALING RESOLUTION 2018-18
There are still a few revisions to this agreement and adoption will be held to the June 20, 2018 meeting.

On motion made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve Resolution 2018-35

2018-35 Awarding contract to Tilcon and Denville, Birch Ridge Road Section 2

WHEREAS, The Township of Hardwick is a member of the Morris County Cooperative Pricing System and wishes to utilize the contract for Road Resurfacing for Resurfacing of Birch Ridge Road, Section 2; and

WHEREAS, Tilcon New York, Inc., Wharton, NJ has been awarded Contract #6 for Road Resurfacing through the Morris County Cooperative Pricing Council of which the township of Hardwick is an active participant; and

WHEREAS, Denville Line Striping, Rockaway, NJ has been awarded Contract #36 for Traffic Striping through the Morris County Cooperative Pricing Council of which the township of Hardwick is an active participant; and

WHEREAS, the Chief Financial Officer has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Hardwick, County of Warren, and State of New Jersey that road resurfacing services, including the raising of catch basins, for Birch Ridge Road, Section 2, is awarded to Tilcon New York, Inc., 625 Mt. Hope Road, Wharton, New Jersey 07885, in the amount not to exceed \$176,595.10; and Denville Line Striping for \$9,840.00

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

The Committee discussed a meeting date change for July 4th.

On a motion made by Mr. Carrazzone, seconded by Mr. Perry and carried the new date for the Business meeting of the Committee for July will be Monday, July 2nd, 2018 starting at 5:00PM. A voice vote was unanimous.

ORDINANCE: 2nd Reading and Public Hearing

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve the following **Ordinance 2018-05** for 2nd reading

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE FIXING THE SALARIES OF THE EMPLOYEES OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY”. 2018-05

WHEREAS, the Township Committee of the Township of Hardwick wishes to adopt an ordinance establishing the salaries and compensation of several employees of the Township in 2018

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick that salary for 2018 for the following employees shall be as follows:

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

Township Committee Members	3,153.60 per annum
Township Clerk	45,419.13 per annum
Deputy Township Clerk	19.57 per hour
Township Clerk – Stipend	2,000.00 per annum
Chief Financial Officer	16,995.00 per annum
Tax Collector	13,905.00 per annum
Deputy Tax Collector	3,090.00 per annum
Tax Assessor	20,849.08 per annum
Land Use Board Secretary	11,006.43 per annum
	87.19 per extra meeting above 12**
Public Events Coordinator	940.86 per annum
Animal Control Officer	8,298.00 per annum
Licensing Clerk	1,278.35 per annum
Zoning Official	12,699.99 per annum
911 Coordinator	940.86 per annum
Emergency Management Coordinator	2,333.30 per annum
Deputy Emergency Management Coordinator	1.00 per annum

****EXTRA MEETINGS SHALL BE CONSIDERED ANY MEETING OTHER THAN THE REGULARLY SCHEDULED BUSINESS MEETING**

SECTION II: ROAD DEPARTMENT

Road Foremen/Certified Public Works Manager	37.11 per hour
Road Foreman/Certified Public Works Manager, Stipend	4,000.00 per annum
Equipment Operator/Laborer	26.60 per hour
Emergency Truck Driver	20.34 per hour
Extra Help	14.50 per hour
Mechanic Stipend	3,023.16 per annum
On Call Stipend - Road Foreman/Certified Public Works Manager	2,153.16 per annum
On Call Stipend - Road Laborer	1,653.16 per annum

SECTION III: RECYCLING

Recycling Coordinator	240.56 per annum
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The salaries set forth in this ordinance herein shall be effective and retroactive to January 1, 2018. 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 May 2, 2018 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on June 6, 2018 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to open this portion of the meeting to the public for any comment of Ordinance 2018-05.

Seeing there was no comment from the public, this portion of the meeting was then closed on a motion made by Mr. Perry, seconded by Mr. Carrazzone and carried.

Mr. Perry then motioned to adopt Ordinance 2018-05 on second reading, seconded by Mr. Carrazzone. Motion carried.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

ORDINANCE 1st Reading

On a motion made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve the introduction of Ordinance 2018-06 on first reading. A voice vote was unanimous.

2018-06 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” as Amended by Ordinance 2017-03 and to Amend Chapter XIII, Article XIII Section 13-72.3 “Notice of Application” to Require Notice in Appeals to the Planning Board

WHEREAS, The Planning Board of the Township of Hardwick has duly considered and recommended the amendment to Section 13-72.3 “Notice of Application” subpart “a Public Notice”; and

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 13-72.3 (a) Public Notice is amended as follows:

Add: (7) Any Appeal of a decision of the Zoning Official pursuant to N.J.S. 40:55D-70(a).

Section 2. 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 3. 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 June 6, 2018, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on July 2, 2018, at 5:00 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

On a motion made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve the introduction of Ordinance 2018-07 on first reading. A voice vote was unanimous.

2018-07 Capital Ordinance providing for Reimbursement for Paving and Improvements to Various Roads in the Township by the Township of Hardwick, in the County of Warren, New Jersey, Appropriating \$100,000.00 Therefor from the Capital Improvement Funds of the Township to Pay for the Cost Thereof.

BE IT ORDAINED BY 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) AS FOLLOWS:

Section 1. The improvement described in Section 2 of this capital ordinance is hereby authorized to be undertaken by the Township of Hardwick, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$100,000.00 from the capital improvement fund of the township.

Section 2. (a) The capital improvement hereby authorized and the purpose for the use of the capital improvement fund is improvements to various roads in the Township necessary therefor or incidental thereto.

Section 3. The capital budget of the Township of Hardwick is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect immediately after final adoption in accordance with applicable law.

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 June 6, 2018 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on July 2, 2018 at 5:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

OLD BUSINESS:

Blairstown & Stillwater Fire Company: Fire Protection Agreement – Minor Revisions

The Committee asked that this be held until the revision are reviewed and that there will be no additional changes.

NEW BUSINESS:

Freedom Business Machine: Renewal Maintenance Agreement, Canon Copier, \$62/month
On a motion made by Mr. Perry, seconded by Mr. Carrazzone and carried, the Maintenance agreement for the Canon copier was approved at \$62.00 per month.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Mountainwood Spring Water Company: Payment agreement

The Committee and Attorney reviewed the payment schedule for the Water Company. Their first payment of \$2500 is due July 1, 2018, followed by September and December. The Committee asked that before approval they would like to discuss further in Executive Session tonight.

Resignation: Scott Mickelsen, Class IV Land Use Board 12/2018

Mayor Duffy made the following appointments to the Land Use Board:

Class IV: Moving Edwin Fisher from Alternate #1 to Class IV member

Public Events Coordinator, Gilbert Nielsen

Appointments: Co-Public Events Coordinators: Desiree Dunn and Robert Wolff

Mayor Duffy made the above appointments

Land Use Board: Richard Matrisciano, Alternate #4

This appointment was made by Mayor Duffy. The Land Use Board is now complete.

Report of Audit - 2017 Resolution , Group Affidavit

The Recommendations were reviewed earlier in the meeting with the CFO.

On a motion made by Mr. Perry, seconded by Mr. Carrazzone and carried, resolution 2018-32 was approved.

Resolution 2018-32 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A 40a:5-4 requires the governing body of every unit to have made an annual audit of its books, accounts and financial transactions: and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant and with the Municipal Clerk pursuant to N.J.S.A 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed,

as a minimum, the sections of the annual audit report entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C 5:30-6-5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit”

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Hardwick, hereby state that it has complied with N.J.A.C 5:30-6-5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE TOWNSHIP MEETING HELD ON JUNE 6, 2018.

Discussion:

Gypsy Moth: Mr. Duffy talked about the spraying that was done and not completed. The Township will still be charged the full amount of which we should get about 50% back from the State. They will not be a pro-rate charge. Update next month

Firewise Grant: The yearly display is setup in the Building

Delaware Basin/Watershed: Fracking Regulations Resolution **HOLD**

Green Acres Property: Results of Inspection discussion next Open Space Meeting

Slabtown Creek Park: Concept Plan discussion next Open Space Meeting

Foreclosed Lots: No change in status

Ted Rodman, Engineer: Stormwater Management - No update at this time

Verizon Wireless(Nodes): Requesting permission to locate in the Township ROW
Possible Resolution 2018- Verizon Nodes **HOLD**

Discussion on maybe collating on an existing tower. Something to look into

<u>APPROVAL OF MINUTES:</u>	March	27, 2018	Work Meeting
	April	18, 2018	Business/Work Meeting
	May	2, 2018	Business & Executive Meeting
	August	2, 2017,	Business Meeting
	August	2, 2017,	Executive Session
	September	6, 2017,	Business Meeting
	September	6, 2017,	Executive Session

A motion was made by Mr. Carrazzone, seconded by Mr. Perry and carried to approve the above minutes as corrected. Motion carried and a voice vote was unanimous.

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.

There was no Public Comments at this time.

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: None

Mr. Carrazzone: None

Mayor Duffy: None

Mr. Duffy noted that last week he accompanied Laura Randazzo to a meeting in Belvidere where she was one of 10 candidates nominated for Warren County Senior of the Year. The Township wants to thank Laura for all she does for the Hardwick Senior Group. **THANK YOU, LAURA**

Andersen, Paulinskill Road: Special Counsel, Anthony Sposaro

The Committee talked about a WC Agriculture Board meeting on June 21 where they will be hearing Mr. Anderson application for a Commercial Farm, Paulinskill Road. Mr. Lavery informed the Committee that his law firm has a conflict in representing the Township and has recommended Mr. Anthony Sposaro to represent the Township. Mr. Sposaro is very familiar with the Right to Farm Laws. His fees will be the same as Lavery's Firm.

A motion was then made by Mr. Perry, seconded by Mr. Carrazzone and carried to appoint Mr. Anthony Sposaro to represent the Township at the WC Agriculture Board meeting on June 21, 2018.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Executive Session: RESOLUTION

A motion was made by Mr. Perry, seconded by Mr. Carrazzone and carried to adopt the Resolution to go into Closed Session at 8:38PM.

RESOLUTION

WHEREAS, Section 8 of the Open Public 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:

3. The public shall be excluded from that portion of this meeting
4. The general nature of the subject matter to be discussed is as follows:
 - A. Negotiation: Mountainwood Spring Water Company
 - B. Personnel

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: 8:38PM

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

Also Present: Attorney Michael Lavery, Township Clerk Judith Fisher

Time Out: 8:52PM

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy to come out of closed session at 8:52PM. Motion carried and unanimous.

Let the record reflect that Mr. Perry left the Closed Session at 8:45PM due to a Personnel Conflict. Attorney Mr. Wenner noted that he met in closed session with the Committee and discussed two matters: Personnel – 2 Employee complaints and Mountainwood Spring settlement offer. 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.

A motion was then made by Mr. Duffy, seconded by Mr. Carrazzone and carried to authorize the acceptance of their settlement agreement, first payment of \$2500 will be due July 1, then September 1 and December 1, 2018.

Roll Call

Ayes: Mr. Carrazzone, Mayor Duffy

Nays: None

Abstentions: None **Absent:** Mr. Perry

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 8:54PM

Respectfully submitted,
Judith M. Fisher, RMC