

TOWNSHIP OF HARDWICK  
WARREN COUNTY, NEW JERSEY

**July 2, 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 5:05PM 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 and Deputy Mayor Alfred Carrazzone

**Absent:** Committeeman James Perry

**Also present:** Township Attorney Richard Wenner, CPWM Thomas Campbell, CMFO Christine Rolof and Zoning Officer George Boesze

**Absent:** Engineer Ted Rodman

**Executive Session: RESOLUTION**

A motion was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to adopt the Resolution to go into Closed Session at 5:06PM.

**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. Potential Litigation – Anderson, Paulinskill Road
  - B. 70 Birch Ridge Road
  - C. 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:** 5:06PM

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

**Also Present:** CPWM Thomas Campbell, Attorney Richard Wenner, Township Clerk Judith Fisher

**Time Out:** 5:43PM

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy to come out of closed session at 5:43PM. Motion carried and unanimous.

Let the Record show that Attorney Richard Wenner was not present for the first portion of the Closed Session for the discussion on the Anderson WC Ag Board meeting.

Attorney Mr. Wenner noted that he met in closed session with the Committee and discussed two matters: 70 Birch Ridge Road and Personnel relating to health care coverage. Mrs. Fisher noted that the Committee discussed a third item in closed relating to potential litigation – Anderson, Paulinskill Road. Mrs. Fisher also noted that Attorney Wenner was not present for any of the discussion relating to Anderson.

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 \$180,314.19

**Roll Call**

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

**Nays:** None

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

**REPORTS**

**Engineer:** Mr. Rodman – Absent for tonight's meeting

Mayor Duffy was able to report that the paving for Birch Ridge Road has been approved

The County would like to send a Representative from the WC Planning Board to maybe our next meeting to talk about the proposed parking on Primrose Road for the fishermen.

**DPW:** Mr. Campbell no report for tonight's meeting except that it's too hot.

**CFO:** Mrs. Rolef handed out her monthly reports that were reviewed

**Attorney:** Nothing new to report on at this time

**Clerk:** Correspondence review.

**Grant:** No Report Tonight **OEM:** No Report tonight **Retired Fire Warden:** No Report tonight

**Hardwick Seniors:** Mrs. Randazzo no Report tonight

## **RESOLUTIONS**

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve the following Resolution 2018-37. Motion carried.

### **2018-37 CHAPTER 159 – Alcohol Ed Rehab Enforcement Fund ITEM OF REVENUE IN THE BUDGET OF TOWNSHIP OF HARDWICK PURSUANT TO N.J.S.A. 40A: 4-87 (CHAPTER 159, P.L. 1948)**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township has received funding for \$73.23 from the State of New Jersey, Department of the Treasury and wishes to amend its 2018 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2018 in the sum of \$73.23 which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriation

Alcohol Ed Rehab Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$73.23 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% Caps

Public and Private Revenues Off-Set by Revenue

Alcohol Ed Rehab Enforcement Fund OE

Alcohol Ed Rehab Enforcement Fund

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

### **Roll Call**

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

**Nays:** None

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

## **ORDINANCE: 2<sup>nd</sup> Reading and Public Hearing**

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve the following **Ordinance 2018-06** for 2<sup>nd</sup> reading and Public Hearing

### **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.

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting to the public for any comment of Ordinance 2018-06.

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

Mr. Carrazzone then motioned to adopt Ordinance 2018-06 on second reading, seconded by Mr. Duffy. Motion carried.

**Roll Call**

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

**Nays:** None

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

**ORDINANCE 2<sup>nd</sup> Reading and Public Hearing**

On a motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Ordinance **2018-07** for 2<sup>nd</sup> Reading and Public Hearing.

**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.

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting to the public for any comment of Ordinance 2018-07.

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

Mr. Carrazzone then motioned to adopt Ordinance 2018-07 on second reading, seconded by Mr. Duffy. Motion carried.

**Roll Call**

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

**Nays:** None

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

**ORDINANCE 1<sup>st</sup> Reading**

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried approve the introduction and 1<sup>st</sup> reading of **Ordinance 2018-08**

**2018-08 ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 2 OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION" TO ESTABLISH THE POSITION OF QUALIFIED PURCHASING AGENT**

WHEREAS, the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey (hereinafter referred to as the "Township") has continually strived to minimize costs to the Township and therefore to the taxpayers;

WHEREAS, The Township believes that creating the position of a Qualified Purchasing Agent, in accordance with the criteria and regulations set forth herein below, will assist the Township in preparing Bid Specifications and awarding Contracts, all of which will result in minimizing costs to professionals of the Township and other persons thereby reducing costs to the Township and the taxpayers;

WHEREAS, the Township believes it appropriate and necessary to establish a position of Qualified Purchasing Agent (QPA).

NOW THEREFORE, BE IT ORDAINED, by the governing body of the Township of Hardwick, County of Warren, State of New Jersey, as follows:

**Section 1.** The Township modifies and supplements Chapter 2, *Administration*, of the Township Code by creating a new Section 24, *Qualified Purchasing Agent*, in order to establish the position of Qualified Purchasing Agent within the Township.

§2-24 *Position Created; Title.* There is hereby created the position of Qualified Purchasing Agent within the Township who shall be referred to as the Purchasing Agent.

§2-24.1 *Duties and Powers.* The Purchasing Agent shall be: The individual duly assigned the authority, responsibility and accountability for the purchasing activity of the Township, and who has such duties as are defined by the Township appropriate to the form and structure of the Township. The Purchasing Agent shall have the power to prepare advertisements, to advertise for and receive bids, and to recommend the award of Contracts as permitted by N.J.S.A. 40:11-1 et seq.

§2-24.2 *Qualifications.* In general, the qualifications of the Purchasing Agent shall be the following:

- a. Knowledge of accepted procedures used in making large scale purchases,
- b. Knowledge of laws, rules and regulations affecting purchasing,
- c. Knowledge of the accepted preparation of specifications of commodity markets, marketing practices, and commodity pricing methods, and the application of bookkeeping methods to procurement practices,
- d. Ability to interpret market prices and trends, and apply such interpretations to procurement problems,
- e. Ability to establish and maintain harmonious working relationships,
- f. Ability review and prepare specifications,
- g. Ability to recommend suitable action on bids,
- h. Ability to establish and maintain purchasing and other records,
- i. Ability to utilize various types of electronic and/or manual recoding and information systems used by the agency, office or related units,
- j. Ability to read, write, speak, understand and communicate in English sufficiently to perform duties of this position. American Sign Language or Braille may also be considered as acceptable forms of communication,
- k. Persons who may have mental or physical disabilities are eligible as long as they can perform essential functions of the job with or without reasonable accommodation. If the accommodation cannot be made because it would cause the employer undue hardship, such persons may not be eligible.

l. A Qualified Purchasing Agent, in accordance with the provisions of N.J.S.A. 40A:11-9, will be required to possess a valid Qualified Purchasing Agent Certification issued by the State Division of Local Government Services, and the Department of Community Affairs.

m. In addition to the above the Township Qualified Purchasing Agent shall be required to continue to enroll in, attend and sufficiently pass all appropriate post certification courses and seminars as mandated by the provisions of the New Jersey Administrative Code and the New Jersey Annotated Statutes.

Section 2.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4.

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass the first reading at a regular meeting of the Township Committee of the Township of Hardwick held on July 2, 2018 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Township Committee to be held on August 1, 2018, at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 40 Spring Valley Road, Hardwick, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Mrs. Fisher noted that 2<sup>nd</sup> reading and public hearing will be August 1, 2018.

**OLD BUSINESS:**

**Blairstown Hose Company No. 1 - Fire Protection Agreement Revised**

On a motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried the following Resolution 2018-34 was approved. A voice vote was unanimous. Absent: Mr. Perry

**2018-34 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**

WHEREAS, the Blairstown Fire Company provides fire prevention services located within Warren County, more specifically within Blairstown Township and Hardwick Township; and

WHEREAS, the Township of Hardwick has a need for the provision of such services; and

WHEREAS, the parties had agreed to the terms regarding an Agreement (the "Initial Agreement") for the provision of fire services; and

WHEREAS, the Initial Agreement was previously approved to be executed by the Township via Resolution 2018-18; and

WHEREAS, subsequent to the adoption of Resolution 2018-18, changes were made to the Initial Agreement at the request of Blairstown, which changes were substantial in nature; and

WHEREAS, the requested changes have been incorporated into a new Agreement (the "Revised Agreement"); and

WHEREAS, the Township Committee desires to authorize the execution of the Revised Agreement and to repeal Resolution 2018-18.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Hardwick, County of Warren, State of New Jersey, that the Shared Service Agreement for the provision of Fire prevention services by and between the Blairstown Fire Company and the Township of Hardwick is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is hereby directed and the Clerk authorized to attest to the execution of said Agreement; and

BE IT FURTHER RESOLVED that Resolution 2018-18 is hereby repealed in its entirety.

Adopted: July 2, 2018

CERTIFICATION

I, Judith Fisher, RMC, Clerk of the Township of Hardwick, in the County of Warren do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Hardwick Township Committee at a meeting of said Committee held on July 2, 2018.

**Stillwater Fire Company: Fire Protection Agreement Revised**

On a motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried the following Resolution 2018-34 was approved. A voice vote was unanimous. Absent: Mr. Perry

**Resolution 2018-36** Authorizing the Execution of a Shared Service Agreement By and Between the Stillwater Volunteer Fire Company and the Township of Hardwick for the Provision of Fire Prevention Services and Repealing Resolution 2018-29.

WHEREAS, the Stillwater Volunteer Fire Company provides fire prevention services located within Warren County, more specifically within Blirstown Township and Hardwick Township; and

WHEREAS, the Township of Hardwick has a need for the provision of such services; and

WHEREAS, the parties had agreed to the terms regarding an Agreement (the "Initial Agreement") for the provision of fire services; and

WHEREAS, the Initial Agreement was previously approved to be executed by the Township via Resolution 2018-29; and

WHEREAS, subsequent to the adoption of Resolution 2018-29, changes were made to the Initial Agreement at the request of Stillwater, which changes were substantial in nature; and

WHEREAS, the requested changes have been incorporated into a new Agreement (the "Revised Agreement"); and

WHEREAS, the Township Committee desires to authorize the execution of the Revised Agreement and to repeal Resolution 2018-29.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Hardwick, County of Warren, State of New Jersey, that the Shared Service Agreement for the provision of Fire prevention services by and between the Stillwater Volunteer Fire Company and the Township of Hardwick is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is hereby directed and the Clerk authorized to attest to the execution of said Agreement; and

BE IT FURTHER RESOLVED that Resolution 2018-29 is hereby repealed in its entirety.

Adopted: July 2, 2018

#### CERTIFICATION

I, Judith Fisher, RMC, Clerk of the Township of Hardwick, in the County of Warren do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Hardwick Township Committee at a meeting of said Committee held on July 2, 2018.

#### **NEW BUSINESS:**

**Plaque –** In Memory of George H Fee

The plaque will be ready in about 3 weeks. The family will be contacted to see if we can get a date for the dedication.

**Shooting Range -** Renewal for Camp No Be Bosco Fees Paid and Inspection Completed

On a motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve the renewal for the shooting range at Camp No Be Bosco. A voice vote was unanimous.

#### **Discussion:**

**Facebook Page:** The Committee is presently working on this. The primary use would be for updating information for the residents.

**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

**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.

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:** Absent tonight due to the passing of his brother.

**Mr. Carrazzone:** None

**Mayor Duffy:** None

**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 6:03PM

Respectfully submitted,

Judith M. Fisher, RMC