

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

September 6, 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 6:35PM 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 Richard Wenner, CPWM Thomas Campbell, Township Engineer Ted Rodman, CMFO Christine Rolef, Shirley Bishop 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 6:36PM.

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. Personnel: Tax Collector position
 - B. Contractual negotiation: Fire Service
 - C. Attorney Client/Potential Litigation: Benson Property
 - D. Mt. Laurel Litigation - COAH

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: 6:36PM

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

Also Present: Shirley Bishop, COAH Consultant, Attorney Michael Lavery, Township Clerk Judith Fisher

Time Out: 7:36PM

A motion was made by Mr. Duffy, seconded by Mr. Carrazzone to come out of closed session at 7:36PM. Motion carried and unanimous.

Attorney Mr. Wenner noted that he met in closed session with the Committee and discussed four 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 \$296,010.62

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

REPORTS

Mr. Rodman, Township Engineer: Updated the Committee on the Stormwater Management program. Blairstown Elementary will be helping by having the Watershed Ambassador speak before the classes. Sarah has ordered book and other material free that will meet our requirements. The State Aid application is do October 6th and there is a resolution on the agenda tonight authorizing the Mayor and Clerk to sign it. There is a possible buyer for the Hardwick House restaurant. Drawings for the Slabtown Creek Park were discussed. This project is still in the beginning stages.

Mr. Campbell, CPWM: The overlay on Primrose Road is complete. Oil/stoning has been done on Kill Road, East Crisman and Maines Lane. Looks like the new loader might be in by the end of the month. The old loader has not been sold but it can possible still be traded in. After a brief discussion, the Committee agreed to re-advertise the old loader again. A motion was made by Mr. Duffy, seconded by Mr. Carrazzone and carried to re-advertise the old loader on the Municipal Bid Site; start at \$18,000 but place a reserve of \$20,000.

Mr. Bob Wolff, Retired Fire Warden: reported that the East Coast has been having a rainy season so far.

Laura Randazzo, President Hardwick Seniors: Noted that the Boy Scout Trooper has been helping the Seniors with outside tasks. Many thanks to them for helping.

Mrs. Christine Rolef, CFO: Reported that Asset Management has not sent in their POA yet for Verizon. Robin Keggan, who has filled in for the Township Clerk submitted a voucher for 3 hours at \$19.00. We have the position in the Code Book, but not a salary. Suggestion is to amend the salary ordinance to include this hourly rate; 1st reading in October. Blairstown Hose Company has been paid for the 2016 contribution out of the PSEG monies. The Tax Collector is retiring end of the year, Chris talked about the overlap of funds. Statewide Insurance sent the Township a return surplus fund check of \$547. Lastly, Best Practices will be due in October.

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

Mrs. Fisher, Twp. Clerk review correspondence. Mrs. Fisher has a call from the Division of ABC that the Director has not acted on the extension request from the Hardwick House and that Resolution 2017-33 was prematurely adopted. They have asked that 2017-33 be rescinded. A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to rescind Resolution 2017-33.

RESOLUTION 2017-35

WHEREAS, the Hardwick Township Committee adopted Resolution 2017-33 for the 2017-2018 Renewal of the Plenary Retail Consumption License for the Hardwick Tavern Corp. License number 2109-33-004-003 on August 2, 2017, and

WHEREAS, the Hardwick Township Clerk received a called from the New Jersey State Division of Alcoholic Beverage Control on September 6, 2017 informing them that the Director has not yet acted on this Renewal Petition for the Hardwick Tavern Corp., and

WHEREAS, the New Jersey State Division of Alcoholic Beverage Control has requested that Hardwick Township rescind Resolution 2017-33.

NOW, THEREFORE, BE IT RESOLVED the Hardwick Township Committee rescinds Resolution 2017-33 which renews the 2017-2018 Plenary Retail Consumption License Number 2109-33-004-003 for the Hardwick Tavern Corp.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

PROCLAMATION

DOMESTIC ABUSE & SEXUAL ASSAULT CRISIS CENTER (DASACC) NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH, OCTOBER 2017

WHEREAS, in 1991, the New Jersey Legislature found and declares that domestic violence is a serious crime against society; and

WHEREAS, domestic violence affects people of all ages, races, genders, income levels, and sexual identities; and

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, psychological damage, financial barriers, and trouble finding safe housing; and

WHEREAS, everyone should be free from violence; and

WHEREAS, no one should feel unsafe in their own home; and

WHEREAS, domestic violence will not be eliminated without a concerted effort amongst the community at large; and

NOW, THEREFORE, I Mayor James Perry of the Township of Hardwick, in conjunction with the Domestic Abuse & Sexual Assault Crisis Center of Warren County, hereby proclaim:

OCTOBER 2017 AS DOMESTIC VIOLENCE AWARENESS MONTH

In Hardwick Township and urge residents to work together to raise awareness to this important issue and support those who have been victimized.

RESOLUTIONS

HOLD 2017- Statewide Insurance: Renewing Membership period, January 2018 to January 2021 Committee is requesting RFP for insurance from several Companies.

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Resolution **2017-36**. Motion carried and a voice vote was unanimous

2017-36 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Overlay of Birch Ridge Road, section 2 project

NOW, THEREFORE, BE IT RESOLVED that Council 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-2018-Overlay of Birch Ridge Road, Section 2-00094 to the New Jersey Department of Transportation on behalf of Hardwick Township

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Resolution **2017-37**. Motion carried and a voice vote was unanimous

2017-37 “Resolution Supporting a Warren County Consolidated School System”

WHEREAS, the school systems in the State of New Jersey are largely independently run and are funded by the taxpayers, resulting in increasing property taxes to New Jersey residents; and

WHEREAS, the Township Committee appreciates the importance of the education system, public schools and teachers, but also recognizes that increased property taxes are driving residents out of Sussex County and Newton; and

WHEREAS, student enrollment in Warren County schools is decreasing, yet per-pupil costs continue to rise, resulting in higher property taxes to Warren County residents; and

WHEREAS, a consolidated County school system would result in significant savings to the taxpayers of Warren County, via less administrative staff and other personnel, and ultimately lower property taxes; and

WHEREAS, the Township Committee of the Township of Hardwick favors a consolidated school system and desires to show its support for a consolidated school system within Warren County; and

WHEREAS, the Township Committee proposes the following structure for a consolidated school system: one County Superintendent, one County Business Office; and all schools within the County overseen by the County Office;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Hardwick hereby declares its support for a Consolidated Warren County School System; and

BE IT FURTHER RESOLVED, that copies of this Resolution are to be forwarded to the Clerks of all Warren County municipalities, the State Legislators that represent the Township of Hardwick, the Board of Education, the Warren County Superintendent of Schools, the Warren County League of Municipalities, the New Jersey League of Municipalities, the New Jersey Conference of Mayors and the New Jersey Governor’s Office.

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Resolution **2017-38**. Motion carried and a voice vote was unanimous

2017-38 RESOLUTION IN SUPPORT OF ASSEMBLY BILL NO. 4532/ SENATE BILL NO. 3049 AMENDING THE OPEN PUBLIC RECORDS LAW

WHEREAS, Assembly Bill No. 4532, would exempt certain personal information from the open public records law and bar attorney’s fee awards in denied certain circumstances; and

WHEREAS, said bill was unanimously approved by the General Assembly on March 23, 2017; and

WHEREAS, identical legislation, Senate Bill No. 3049, awaits action in the Senate; and

WHEREAS, the Mayor and Committee has reviewed the proposed legislation and wishes to support said Bill which would protect the privacy of the residents of New Jersey, as well as relieve the financial burden to municipalities; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Hardwick, in the County of Warren and State of New Jersey hereby supports Assembly Bill No. 4532, and urges the State Senate to adopt the companion legislation.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, the speaker of the New Jersey State Assembly, the President of the New Jersey State Senate, all municipalities in the 24th Legislative District and

the Assemblymen and Senator representing the Township of Hardwick urging their support of this legislation.

ORDINANCE: 2nd Reading and Public Hearing

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Ordinance 2017-05 for 2nd reading and public hearing.

2017-05 An Ordinance to Amend an Ordinance 2017-05 Fixing the Salary of the Secretary to the Land Use Board 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 Secretary to the Land Use Board for 2017

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick wishes to set the salary for the Secretary to the Land Use Board for 2017 as follows:

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

Secretary to Land Use Board	\$10,685.85 per annum
	84.66 per extra meeting above 12**

The salary set forth in this ordinance shall be effective as of June 1, 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 August 2, 2017 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on September 6, 2017 at 7:00PM 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 comments on Ordinance 2017-05.

Seeing there were no comments, a motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to closed this portion of the meeting to the public

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to adopt Ordinance 2017-05 as presented here tonight.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

A motion made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve Ordinance 2017-06 for 2nd reading and public hearing

2017-06 An Ordinance of the Township of Hardwick, County of Warren, State of New Jersey, Amending and Supplementing Sections of Township Code Chapter X "Streets and Sidewalks" to make Revisions to the Township Ordinances Regulating Driveways.

WHEREAS, the Hardwick Township Code Chapter X entitled "Streets and Sidewalks" currently includes sections regulating driveways within the Township; and

WHEREAS, the Township Committee believes that it is necessary to make revisions to the sections of the Hardwick Township Code regulating driveways within the Township; and

WHEREAS, the Township Committee believes that it is in the public interest to make these revisions; and

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

Section 1.

Section 10-7.4 of the Hardwick Township Code, "**DRIVEWAY ENTRANCES FRONTING TOWNSHIP ROADWAYS: Permit Required**" is hereby amended as follows:

10-7.4 Permit Required.

No new driveway may be constructed or existing driveway relocated by any person, firm, partnership or corporation, without first obtaining a permit from the township drive-way inspecting official as set forth herein.

Section 2.

Section 10-7.5(c)(10) of the Hardwick Township Code, "**DRIVEWAY ENTRANCES FRONTING TOWNSHIP ROADWAYS: Filing Procedure**" is hereby amended as follows:

10. Proposed storm drainage improvements, if any, in accordance with normal design standards. If grades are involved, topographical data must be included to support the required design criteria in section 10-9 "Conditions and Improvements."

Section 3.

Section 10-7.6(r) and Section 10-7.6(v) of the Hardwick Township Code, "**DRIVEWAY ENTRANCES FRONTING TOWNSHIP ROADWAYS: *Minimum Design Standards***" are hereby amended as follows:

- r. Guide rails are required for all side slopes and side banks that exceed six feet or are steeper than a ration of four to one.
- v. A driveway must access a public road from each lot on which a single-family dwelling is constructed.

Section 4.

Section 10-7.7(d)(2) of the Hardwick Township Code, "DRIVEWAY ENTRANCES FRONTING TOWNSHIP ROADWAYS: *Review Permit: Inspection Procedures, Enforcement.*" is hereby amended as follows:

- d. Driveways accessing county roads will require Township driveway permits in addition to the required county driveway permit, with the following modifications:
 - 1. County standards will apply to that portion of the driveway within the county's jurisdiction (25 feet from edge of pavement). Township standards will apply for the balance of the driveway.
 - 2. No Township fees or deposits will be required for driveways accessing a county road, provided applicable fees and deposits have been deposited with the county. However, a Hardwick Driveway Permit Application must be filed with the Township although no fees will be required.

Section 5.

Section 10-7.8(b) of the Hardwick Township Code, "**DRIVEWAY ENTRANCES FRONTING TOWNSHIP ROADWAYS: *Fees.***" is hereby amended as follows:

10-7.8 Fees.

Driveway permit fees shall be assessed against the applicant for the permit as follows:

- a. An application fee in the amount of sixty-five (\$65.00) dollars shall accompany each driveway application. If a temporary certificate of occupancy is requested, an additional fee of one hundred (\$100.00) dollars shall be submitted at the time such request is made.
- b. A deposit in the minimum amount of one thousand two hundred (\$1,200.00) dollars plus fifteen (\$15.00) dollars per linear foot over 8% grade after the first 25 feet to a maximum of 250 feet payable to Hardwick Township shall be posted with the driveway official by the applicant at the time the permit is issued. If a temporary certificate of occupancy is requested, an additional escrow of one thousand (\$1,000.00) dollars shall be submitted at the time such request is made. Said deposit shall be kept in an interest bearing account as may be provided by law by the township and shall be returned to the applicant upon completion of the driveway in accordance with the provisions of this section, however, subject to any appropriate fee deductions by the township.

Section 6.

Section 10-7.9 of the Hardwick Township Code, "**DRIVEWAY ENTRANCES FRONTING TOWNSHIP ROADWAYS: *Appeals***" is hereby amended as follows:

10-7.9 Appeals.

Relief from any of the foregoing standards may be granted provided the Township engineer, also serving as the Township Driveway Inspection Official, agrees that it is not possible to conform to the standards and the proposed design is the best possible alternative. If the Township engineer does not agree, the Township committee will evaluate the proposed design and render a decision as to the acceptability/nonacceptability based on the standards herein.

Section 7.

Section 10-8 of the Hardwick Township Code, "**ROAD STANDARDS FOR ROADS IN COMMON DRIVEWAY DEVELOPMENTS**" is hereby amended to be entitled Section 10-8 of the Hardwick Township Code, "**ROAD STANDARDS FOR COMMON DRIVEWAYS IN LARGE LOT DEVELOPMENTS**"

Section 8.

Section 10-9.2 of the Hardwick Township Code, "**CONDITIONS AND IMPROVEMENTS: *Roadway Opening***" is hereby amended to be added as a new separate Section 10-10 of the Hardwick Township Code entitled "**ROADWAY OPENINGS AND EXCAVATIONS.**"

Section 9: 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 10. Repealer.

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

Section 11. Effective Date.

This Ordinance shall take effect upon final passage and publication.

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 August 2, 2017, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on September 6, 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 made by Mr. Carrazzone, seconded by Mr. Duffy and carried to open this portion of the meeting to the public for any comments on Ordinance 2017-05.

Seeing there were no comments, a motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to closed this portion of the meeting to the public

A motion was then made by Mr. Carrazzone, seconded by Mr. Duffy and carried to adopt Ordinance 2017-05 as presented here tonight. A voice vote was unanimous

ORDINANCE: 1st Reading The following were held over to the October 4, 2017 meeting
2017- Animal Control: Recommending Ordinance for Running at Large of Livestock

2017- Deputy Tax Collector Position

OLD BUSINESS:

Land Use Board: Formation of its members

Mayor Perry appointed Mr. Fredrick Burcher as a Class IV Member

3 Alternate members are still needed to complete the Board

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

Discussion was held over to the September Work Meeting

NEW BUSINESS:

Emergency Operations Plan: Review of the Basic Operation Plan (Joseph Dunn EMC)

Held over to the Work Meeting in September

Nick Mohr, EMC, Blairstown OEM: Discussion CERT Class

Mayor Perry noted that they are looking for new members from Hardwick. If anyone is interested they can contact the Mayor for more information

Best Practices Inventory for 2017/2018 Appropriations: Due date, October 20, 2017

Discussion:

IT Support RFP - no update at this time. RFP have been requested

Insurance RFP for 2018-2021 no update at this time. RFP have been requested

Foreclosure Lots: Mayor Perry discussed that Century Link might be looking for adding "hubs", remote sites and that they are finalizing plans.

Ted Rodman, Engineer: Stormwater Management update done earlier in meeting

Verizon Wireless (Nodes): Requesting permission to locate, operate in the Township ROW
A Representation from Verizon will be at the WC Governing meeting on September 25 in Belvidere.

APPROVAL OF THE MINUTES: **Monthly Work Meeting: May 17, 2017**
Monthly Business Meeting: June 7, 2017

A motion was made by Mr. Carrazzone, seconded by Mr. Duffy and carried to approve the minute above as corrected. A voice vote was unanimous.

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.

Mr. Joe Liccese talked about the foreclosure lots and the Township Web Page.

Mrs. Randazzo talked about the Hardwick Seniors and their programs. She also noted that several of them also experience no reception for phone service

Mr. Wolff noted that the next Cert Class for North Warren will be held in Blirstown September 26. Nick Mohr is heading this up.

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

Attorney Mr. Wenner brought up that the Committee needs to approve the settlement agreement for the Fair Share Housing (COAH) that Shirley Bishop discussed in Closed session tonight.

A motion by Mr. Duffy, seconded by Mr. Carrazzone to approve the settlement agreement for the Fair share Housing as presented by Ms. Bishop be approved with no stipulation which would be no binding. There was a brief discussion with the Attorney on a few concerns.

A motion by Mr. Carrazzone, seconded by Mr. Duffy and carried to withdraw the above motion. A voice vote was unanimous.

COMMITTEE REPORTS

Committeeman Carrazzone: No report at this time

Committeeman Duffy: No report at this time

Committeeman Perry: No update at this time.

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 8:51PM

Respectfully submitted,

Judith M. Fisher, RMC