

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

MAY 1, 2019

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 6:41PM 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, Committeeman James Perry

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

Absent: CMFO Christine Rolef

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. Contractual: Dept of transportation (DOT)
 - B. Potential Litigation, Attorney/Client: Paulinskill Road
 - C. Personnel: Township Employee

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, Mr. Duffy

Also Present: Township Engineer Ted Rodman, CPWM Tom Campbell. Attorney Michael Lavery, Township Clerk Judith Fisher

Time Out: 7:29PM

A motion was made by Mr. Perry, seconded by Mr. Carrazzone to come out of closed session at 7:29PM. Motion carried and unanimous.

Attorney Mr. Lavery noted that he met in closed session with the Committee and discussed three items: Attorney/Client privilege Information, Potential Litigation, Paulinskill Road, Contractual Dept of Transportation (DOT) and Personnel, Township Employee. 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 \$460,264.10.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

REPORTS

Engineer: Mr. Rodman talked about Sunset Lake Road and a change in the scope of work. He asked again that the correct name is Jones Lane. The Committee agreed that is was changed by ordinance several years ago and that the Tax Maps need to be corrected with this. Stires farm lane was addressed ago and Tom explained what needs top be done by the owner to fix the drainage issue. If the issue persists then a letter would be sent to the owner addressing the issue and if it happens again that the Township cleans it up, the owner would be charged time and labor. Jones Driveway issue is being addressed by the Zoning Officer

DPW: Mr. Campbell talked about Clean Up Week schedule for May 6th – 11th. The notice was reviewed, approved and posted on the Web and in the Building. There are two resolutions on the agenda for the Township to join at no cost the National Coop (Sourcewell), the other is to purchase a new chipper. He was able to trade in the old one for \$10,000.

CFO: Absent but will be present for the Work Meeting on May 15 for the second reading and public hearing of the 2019 Municipal Budget. The bills and her monthly report were reviewed.

Attorney: Mr. Lavery noted that there is proposed changes to the C1 Stream Designation.

Clerk: Mrs. Fisher reviewed correspondents received

Grant: Mr. John Lovell talked about the meeting of this Committee that took place recently. They will be working on identifying grants that will be helpful to the township.

OEM: No Report tonight

Retired Fire Warden: Mr. Wolff talked about the Fire Tower that was opening for March and April. There will be an Air Tank drill at he Blairstown Airport this Sunday.

RESOLUTION

2019-24 Bond Anticipation Note Renewal for \$300,000

Mr. Carrazzone motioned to approve **Resolution 2019-24** Bond Renewal For \$300,000, second by Mr. Perry. Motion carried followed by a roll call vote:

2019-24 Resolution of the Township Committee of the Township of Hardwick, in the County of Warren, New Jersey, covenanting to comply with the Provisions of the Internal Revenue Code of 1986, as amended, applicable to the Exclusion of Gross Income for Federal Income Tax Purposes of Interest on Obligations issued by the Township of Hardwick and Authorizing the Mayor and Township Clerk, Chief Financial Officer and other Township Officials to take such Action s they may deem necessary or advisable to effect such compliance and designating a \$300,000 Bond Anticipation Noted, Dated May 1, 2019, Payable May 1, 2020, as a "Qualified Tax-exempt Obligation" pursuant to Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Mr. Perry motioned to approve **Resolution 2019-25**, second by Mr. Carrazzone. Motion carried

2019-25 Resolution to Join Sourcewell (Formerly NJPA) – National Cooperative

WHEREAS, The Township of Hardwick wishes to join the Sourcewell National Cooperative; and

WHEREAS, there is no annual fee or obligation to purchase from said National Cooperative,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hardwick in the County of Warren, New Jersey, hereby approves the Chief Financial Officer to join the Sourcewell (Formerly NJPA) – National Cooperative.

Date: May 1, 2019

Certification

I, Judith M. Fisher, Clerk of the Township of Hardwick, County of Warren do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Hardwick Township Committee at a meeting of said Township Committee held on May 1, 2019.

Mr. Perry motioned to approve **Resolution 2019-26**, second by Mr. Carrazzone. Motion carried followed by a roll call vote

2019-26 Resolution to Award Contract –Sourcewell National Cooperative

WHEREAS, the Township of Hardwick wishes to purchase a Model 250XP Brush Bandit; and

WHEREAS, the Township of Hardwick is a current member of Sourcewell National Cooperative; and

WHEREAS, Northeastern Arborist Supply 50 Notch Road Woodland Park, NJ 07424 is an approved dealer for Sourcewell National Cooperative for the purchase of a Model 250XP Brush Bandit Contract # 062117-BAN for a total purchase price of \$45,584.80 less a trade allowance of \$10,000 making the total purchase price \$35,584.80; 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 a Previous Bond Ordinance; and

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 250XP Brush Bandit in the total amount not to exceed \$35,584.80 is awarded to Northeast Arborist Supply 50 Notch Road Woodland Park, NJ 07424.

Date: May 1, 2019

Certification

I, Judith M. Fisher, Clerk of the Township of Hardwick, County of Warren do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Hardwick Township Committee at a meeting of said Township Committee held on May 1, 2019.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

ORDINANCE: 2nd Reading and Public Hearing

Motion made by Mr. Carrazzone, seconded by Mr. Perry and carried to approve the following **Ordinance 2019-02** for Second reading and Public hearing reading.

2019-02 An Ordinance of the Township of Hardwick, County of Warren, State of New Jersey, Adopting Section 12-2, Importation of Soil and Fill Materials of Chapter XII, Soil and Removal of the Hardwick Township Municipal Code.

WHEREAS, the Mayor and Township Committee of the Township of Hardwick, in the County of Warren, New Jersey, find and determine that it is necessary to provide for procedures governing the importation of soil and fill materials within the boundaries of the Township of Hardwick.

WHEREAS, the Mayor and the Township Committee of the Township of Hardwick, in the County of Warren, New Jersey, find and determine that the unregulated and uncontrolled importation of soil and fill materials into the boundaries of the Township of Hardwick poses a threat to the safety, public health, and general welfare of the Township's residents.

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

Section 1

The title section of Chapter 12, Section 12-2 of the Hardwick Township Municipal Code shall read as follows:

"Importation of Soil and Fill Materials"

Section 2

Section 12-2 is hereby adopted and shall read as follows:

§ 12-2.1 Preamble. The Township Committee finds and determines that the placement of contaminated soil within the boundaries of the Township of Hardwick poses a threat to the safety, public health, and general welfare of the Township's residents. The adoption and enforcement of this Section does not exempt an applicant from required approvals of the local Soil Conservation District and is meant to act in conjunction with all Soil Conservation District requirements with respect to soil importation.

§ 12-2.2 Definitions. As used in this Section:

- a. "Property" shall mean all contiguous lands owned by the same person or entity.
- b. "Soil" shall mean and include all forms of earth, whether organic or inorganic, including by way of example, but not by way of limitation, surface or subsurface dirt, stone, rock, gravel, crushed stone, sand, humus, clay, loam, minerals, topsoil, and any mixtures thereof.
- c. "Fill Material" shall mean, all forms of reclaimed materials, whether organic or inorganic, including by way of example, but not by way of limitation, quarry process, crushed masonry, recycled concrete aggregate, brick or brick fragments, asphalt millings, dredging materials, and any mixtures thereof or in mixtures with soil.
- d. "Applicant" shall mean any person or entity who has filed an application with the Township Clerk pursuant to the provisions of § 12-2.4 herein.
- e. "Importation" and "import" shall mean the movement of soil or fill materials onto properties located within the boundaries of the Township of Hardwick from one or more locations outside the Township's boundaries.

f. "Contaminated" shall mean soil or fill material containing one or more contaminants from an unintentional or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of a hazardous substance, hazardous waste, pollutant, or naturally occurring contaminant at a concentration which fails to satisfy any applicable remediation standard as defined by the New Jersey Department of Environmental Protection.

g. *Hazardous* shall mean the presence of one or more contaminants at levels generally considered to pose a threat to human health, whether from short-term or long-term direct exposure, or from consequent degradation of surface or groundwater resources.

§ 12-2.3 Importation of Contaminated Soil Prohibited. Importation of contaminated soil or fill materials into the Township of Hardwick is prohibited.

§ 12-2.4 Permit Requirements; Fees. a. No person shall import or engage in any preparatory site work to import soil or fill materials onto a site within the Township of Hardwick in quantities of two hundred fifty (250) cubic yards or more without first having procured a permit thereof by the filing of an application for such soil importation with the Zoning Officer. The Application shall be accompanied by a minimum fee of one hundred (\$100.00) dollars plus ten (\$10.00) dollars per thousand cubic yards in excess of one hundred (100) cubic yards. The Applicant shall also deposit an escrow with the Township Clerk in the amount of one hundred fifty (\$150.00) dollars to cover the costs of the Township Engineer's review of the Application pursuant to § 12-2.6. The Township Engineer may require additional escrow provided that Township Engineer's initial review result in a determination for additional engineering review or retention of professional services as described in § 12-2.6 herein.

b. The Application shall disclose the address and location from which the soil or fill materials will be obtained, the owner or representative of the owner of the premises from which the soil or fill materials is to be obtained and the kind and quality of soil and fill materials to be imported.

c. The Application shall include the name(s) and address(es) of the property owner and the stated purpose for importation activity, for example, to level a rocky area for the purposes of establishing a lawn or pasture area.

d. The Application shall include documentation from the soil or fill material supplier(s) certifying that the material imported is free of contaminants.

§ 12-2.5 Permit Expiration; Renewals. Permits shall expire ninety (90) days after approval pursuant to subsection 12-2.4. Expired permits may be renewed one time upon the filing of a Renewal Application with the Zoning officer. The Renewal Application shall be accompanied by a minimum fee of one hundred (\$100.00) dollars. Application for renewals shall be approved provided that there are no changes to the scope of the project or to the previously approved source(s) of imported soil and fill materials as described pursuant to § 12-2.4. Material changes to the project, including but not limited to, changes in scope of project or source(s) of imported soil and fill materials, shall result in denial of the Renewal Application. Denials of Renewal Applications shall not prejudice the re-filing of an Application for a Permit pursuant to § 12-2.4.

§ 12-2.6 Permit Exemption. Where there is an approved site plan and said site plan approval includes provisions for importation of soil or fill materials, no additional permit or fee shall be required. Permitted construction or repair of septic systems and driveways is explicitly exempted from the requirements of §12-2.3.

§ 12-2.7 Township Engineer Review; Violations.

a. The Township Engineer shall review all applications required by § 12-2.4 and if, in the opinion of the Township Engineer, professional review of the application including physical examination or testing of soil or fill materials is required, the Engineer shall forward all pertinent materials to a soil consultant or environmental consultant for review and testing. A certified testing soil laboratory report shall be delivered to the Zoning Officer within thirty (30) days from the date of a completed application during which time the permit shall be considered pending approval with the possibility of denial. The report of the consultant shall be accompanied by an invoice for the services performed. The applicant shall establish an escrow fund in the Township Clerk's office to satisfy the cost of testing and professional review based upon an estimate of the cost involved to be provided by the Township Engineer.

b. If the Township Engineer, in the course of review, determines that Township roads may sustain meaningful "wear and tear" damage due to the passage of trucks carrying the imported materials, the Township's Public Works Manager shall review the application. If meaningful damage is determined to be likely, the Public Works Manager shall provide a reasonable estimate of excess costs attributable to truck traffic associated with the importation activity. Such estimates shall fairly apportion and distinguish between costs associated with the importation activity and those associated with normal usage of the Township's roadways including occasional passage of heavy trucks. The applicant shall be solely responsible for costs attributable to the importation activity and shall establish an escrow fund in the Township Clerk's office sufficient to refund the Township for this expense.

c. If, during the course of soil or fill material importation, the Township Engineer shall determine that a physical examination of the material involved is required to ensure protection of public health and safety, the Township may retain, at its discretion, a soil consultant to examine the

imported material. Such examination and shall be at the sole expense of the applicant who shall establish an escrow account to cover the possibility that this cost may be incurred.

d. If it is determined that contaminated soil or fill materials have been imported into the Township, whether unintentionally or intentionally, any ongoing importation activities shall cease immediately and the property owner shall, at the Township’s discretion, be responsible for remediation or removal of the material. If the imported material is determined to be hazardous, remediation and/or removal shall be required. Any such remediation or removal shall be conducted under the supervision of the Township Engineer at the sole expense of the property owner.

e. If the Township Engineer, in the course of review, determines the need for site plan review, the Application shall be referred to the Hardwick Township Planning Board for review pursuant to the provisions of § 13-71 et seq. of the Land Use Ordinance and Approval of the permit shall be stayed pending review of the Application by the Hardwick Township Land Use Board.

§ 12-2.8 Truck Traffic Limitations On Permitted Importation. During the school year, which for the purposes of this Ordinance will be September 1 to June 30, truck traffic for the permitted importation of soil or fill materials shall be limited to the hours of 9AM to 3PM Mondays through Fridays inclusive. From July 1 to August 31, truck traffic for the permitted importation of soil or fill materials shall be limited to the hours of 7AM to 6PM Mondays through Fridays inclusive. Traffic for permitted importation of materials is prohibited on Saturdays and Sundays.

Section 2

This ordinance shall take effect immediately after passage.

Section 3

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 to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hardwick held on April 8, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 1, at 7:00 PM, 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.

Judith Fisher, R.M.C.

Township of Hardwick

Mr. Perry moved to open this portion of the meeting to the Public for any questions on this Ordinance, second by Mr. Carrazzone. Motion carried. Seeing there was no public comments, Mr. Perry then moved to closed this portion of the meeting to the Public, second by Mr. Carrazzone. Mr. Perry then moved to adopt Ordinance 2019-02, second by Mr. Carrazzone. Motion carried followed by a roll call vote:

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

Motion made by Mr. Carrazzone, seconded by Mr. Perry and carried to approve the following **Ordinance 2019-03** for Second reading and Public hearing reading

2019-03 An Ordinance Adopting Offenses Against Public Peace and Amending Chapter III, Police Regulations, of the Hardwick Municipal Code to Include Section 3-9, Offenses Against Public Peace

WHEREAS, the Mayor and the Township Committee of the Township of Hardwick, in the County of Warren, New Jersey, find and determine that it is necessary to prohibit nuisance creating conduct for the preservation of the public health, safety and welfare of the Township’s residents.

WHEREAS, the Mayor and the Township Committee of the Township of Hardwick, in the County of Warren, New Jersey, find and determine that its necessary to amend the Municipal Code to include prohibition on conduct that disturbs, annoys, or otherwise threaten public peace.

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

Section 1

Chapter III, Police Regulations, of the Hardwick Municipal Code is amended to include Section 3-9 and title of said section shall read as follows:

“Offenses Against Public Peace”

Section 2

Section 3-9, Offenses Against Public Peace, of Chapter III, Police Regulations, is hereby adopted and shall be read as follows:

§ 3-9.1 **Definitions.** As used in the Section, the following definitions shall apply in the interpretation and enforcement of this Section:

- a. Disorderly Assemblage: Any two or more persons gathered together and acting in a boisterous, noisy, riotous, offensive, disorderly or threatening manner toward each other or others or committing any acts which in any way breach or disturb the peace or tend to breach or disturb the peace.
- b. Parent or Guardian: Any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court, or otherwise.
- c. Public Place: Any place to which the public has access, including but not limited to any street, highway, road, alley or sidewalk. This definition shall also include the front or neighborhood of any store, shop, restaurant, tavern or other place of business, public grounds, public areas, parks, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this chapter or, in the case of a minor, not owned or under the control of the minor's parent or guardian.

§ 3-9.2 **Unlawful Acts.**

- a. Conduct. All acts constituting lewd, immoral or indecent conduct, unlawful destruction of property, willful injuries to or unlawful interference with persons, hazards to the public health and breaches or disturbances of the peace are prohibited.
- b. Placing Obscene Words or Figures on Buildings; Graffiti. No person shall write or cause to be written any lewd, indecent or obscene word or mark whatsoever or draw or cause to be drawn any lewd, indecent or obscene figure upon any house, building, wall, fence or other place in the Township. No person shall deface or damage any building or other structure owned by any person or public entity by placing thereon any graffiti, epigraph, or inscription without the consent of the owner of the building or structure.
- c. Disturbing Lawful Assemblies. No person shall at any time or place willfully disquiet, interrupt or disturb any assembly of people met for a lawful purpose, either by making a noise or by rude, disorderly or indecent behavior or profane language, either within the place of meeting or out of it, so near as to disturb the order and solemnity of the meeting.
- d. Obstructing or Threatening Persons. No person shall willfully obstruct, molest, hinder, annoy, frighten, threaten, insult or interfere with any other person lawfully upon any public thoroughfare, in any public place, or in any automobile, bus, or other public or private conveyance which is lawfully upon any public thoroughfare.
- f. Public Drinking; Open Container. It is unlawful for any person to consume alcoholic beverages in any public place, or to carry open bottles or containers of any alcoholic beverage for consumption in any public place. This shall not apply to persons consuming alcoholic beverage or carrying open bottles or containers of any alcoholic beverage for consumption in a public place where such use or consumption is conducted in compliance with a license permitting such use or consumption.

§ 3-9.3 **Violations and Penalties.** Violations of any of the provisions of Section 3-9 shall, upon conviction, be a disorderly persons offense and punishable by one or more of the following penalties: (1) a fine not exceeding one thousand (\$1,000) dollars; (2) imprisonment for any term not exceeding ninety (90) days; or (3) a period of community services not exceeding ninety (90) days. Separate offenses shall be deemed committed on each during or on which a violation occurs or continues.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hardwick held on April 8, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 1, at 7:00 PM, 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.

Judith Fisher, R.M.C.
Township of Hardwick

Mr. Perry moved to open this portion of the meeting to the Public for any questions on this Ordinance, second by Mr. Carrazzone. Motion carried. Seeing there was no public comments, Mr. Carrazzone then moved to closed this portion of the meeting to the Public, second by Mr. Perry. Mr. Carrazzone then moved to adopt Ordinance 2019-03, second by Mr. Perry. Motion carried and a voice vote was unanimous.

ORDINANCE 1st Reading

Motion made by Mr. Perry, seconded by Mr. Carrazzone and carried to approve introduce the following **Ordinance 2019-04** for first reading

2019-04 An Ordinance of the Township of Hardwick, County of Warren, State of New Jersey, Amending the Hardwick Municipal Code and Adopting Chapter XXIV Entitled "Fire Insurance Claims".

WHEREAS, New Jersey statutes permit municipalities to enact an ordinance preventing insurance companies from issuing payment on claims in excess of certain dollar amounts unless certain requirements have been met; and

WHEREAS, it is the determination of the Township Committee of the Township of Hardwick that enactment of such an ordinance, pursuant to N.J.S.A. 17:36-9 is in the best interest of the Township; and

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

Section 1

Chapter XXIV is hereby adopted and shall be entitled as follows:
"Fire Insurance Claims"

Section 2

Chapter XXIV, Fire Insurance Claims, of the Hardwick Township Municipal Code is hereby adopted and established to read as follows:

§ 24-1 Purpose. Pursuant to N.J.S.A. 17:36-9, the Township may, by ordinance, prohibit the payment to a claimant by an insurance company on any claim in excess of \$2,500 for fire damages on any real property located within the municipality prior to satisfaction of certain statutory requirements.

§ 24-2 Payment of Fire Insurance Claims Restricted. No insurance company authorized to issue fire insurance policies in the State of New Jersey shall pay an insured any claim in excess of \$2,500 for fire damages on any real property located within the Township of Hardwick, pursuant to any fire insurance policy issued or renewed after the adoption of this section and the filing of this section with the State Commissioner of Insurance, until such time as:

(1) All taxes and assessments and all other municipal liens or charges due and payable appearing on an official "certificate of search for municipal liens" pursuant to *N.J.S.A. 54:5-12*, shall have been paid either by the owner of such real property or by the insurance company; or

(2) The Township submits to the insurance company a copy of a resolution adopted pursuant to N.J.S.A. 17:36-11 (installment payments), provided that if an appeal is taken on the amount of any lien or charge, other than an appeal on the assessed valuation of real property, pursuant to *N.J.S.A. 54:3-21*, the insurance company shall withhold 75 percent of the full amount of the lien or charge being contested pending termination of all proceedings.

§ 24-3 Agreement with Owner; Restoration of Property. The Township Committee may, by resolution, enter into an agreement with the owner of any fire damaged property situated in the Township to pay in full all delinquent taxes, assessments or other municipal liens by installments, pursuant to *N.J.S.A. 54:5-19*, or for the redemption of a tax sale lien by installments, pursuant to *N.J.S.A. 54:5-7*, if the Township Committee is satisfied that the claim for fire damages is to be used to restore or improve the fire damaged property.

In the event of such resolution, a certified copy of the resolution shall be sent to the insurance company authorizing the insurance company to make full payment on the claim to the insured.

§ 24-4 Mortgagee as Named Insured. Notwithstanding the provision of this Section, an insurance company may pay proceeds of a fire insurance policy to a mortgagee of a fire damaged real property where the fire insurance policy, at the time of the loss, listed the mortgagee as a named insured; provided the payment may not be in an amount which exceeds that due and payable to the mortgagee under the mortgage contract.

Section 3

This ordinance shall take effect immediately after passage.

Section 4

All ordinances or parts of ordinances of the Township of Hardwick inconsistent herewith are repealed to the extent of such inconsistency

Section 5

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 to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hardwick held on May 1, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on June 5,

2019 at 7:00 PM, 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.

Judith Fisher, R.M.C.
Township of Hardwick

Second Reading and Public Hearing is scheduled for June 5, 2019

OLD BUSINESS:

Appointments: Land Use Board: Alternate #2 and #3 Vacant

Mayor Duffy appointed Mr. **Lou Rossi** to the **Land Use Board** as **Alternate #2**. Term expire 12/2019.

Desiree Dunn: Proposal for Grant Writer

Mayor Duffy noted that she has sent in her resume for a Grant Writer. He talked with her about this position and if she is requesting a salary. She asked for \$800 to \$1000. The Committee discussed and agreed on \$800 for this year. If this works out and she is able to get a grant for the Township, then the Committee will talk about doing the same for 2020. Motion was then made by Mr. Perry to hire Desiree Dunn as the Grant Write for 2019 with a salary of \$800, seconded by Mr. Carrazzone. Motion carried followed by a roll call vote:

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

APPROVAL OF THE MINUTES: January 16, 2019, February 6, 2019, March 6, 2019, March 20, 2019, March 23, 2019, April 8, 2019, April 17, 2019

Executive Session, February 6, 2019, March 6, 2019, April 8, 2019

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

PUBLIC COMMENTS:

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

Mr. Hughes talked about the Verizon Nodes.

Seeing there was no other public comments, a motion was then made by Mr. Carrazzone, seconded by Mr. Perry and carried to close this portion of the meeting to the Public.

COMMITTEE REPORTS

Mr. Perry – No report at this time

Mr. Carrazzone – Talked about having a referendum question on the ballot for the General Election. Question would be to modify the 2002 question for Historic Preservation.

Mayor Duffy – talked about a meeting at the Library this Thursday talking about the bugs that are damaging trees in the area. Open Space will be doing the trail markers next week. May 7, Ridge and Valley will be dedicating the dock at White Lake 6PM. Rich Ohl has been nominated by the Court as Outstanding Citizen. The event will be held in Phillipsburg May 3rd. JCP&L will be trimming trees back in June along their right of way. There will be a meeting with Josh Gottheimer and the DOT regarding Route 80 Rock Wall sometime towards the end of June.

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 8:33PM

Respectfully submitted,

Judith M. Fisher, RMC