

**TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY**

APRIL 1, 2020

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 7:01PM by the Township Clerk Judith Fisher who noted that this meeting was being held in compliance with the "Open Public Meetings Act":

Mayor Duffy noted that since the Municipal Building is closed to the Public, this is a virtual meeting being done through Zoom because of the Coronavirus Pandemic.

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 on the Township Web page and 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

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

Absent: None

Mayor Duffy thanks those that joined us tonight using Zoom. The other Board meeting will also be done using Zoom. He apologized for any glitches as this is our pilot session tonight.

Payment of the Bills:

A motion was made by Mr. Duffy, seconded by Mr. Perry and carried to authorize the payment of the bills in the amount of \$28,16.13.

Roll Call

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

Nays: None

Abstentions: None **Absent:** None

The Township Committee tonight will be taking care of critical items that need to be done.

REPORTS

Engineer: Mr. Rodman reported that the guiderails for Sunset Lake road have been completed. His office is trying to finish up the paperwork to close out this file. As soon as the change orders are prepared, Mayor Duffy will need to sign them. His office is just waiting for the final numbers. Mr. Perry motion to authorized Mayor Duffy to sign the change orders for Tilcon, seconded by Mr. Duffy. Motion carried and a voice vote was unanimous.

A formal request was sent to the Warren County Engineer's office to request an engineering inspection into placing a 4-way stop at the intersection of County Route 521 (Stillwater Rd) and Spring Valley Road. The County Engineer said that a traffic count should be done in spring or summer. So far, Ted has not had any feedback yet.

The preliminary paperwork for Millbrook Stillwater paving for this year has been started. They should be submitting the specs and engineering estimates this week. He will keep the Township posted on this.

CFO: Mrs. Rolef monthly report was reviewed

RESOLUTIONS

A motion was made by Mr. Perry, seconded by Mr. Duffy and carried to approve the following **Resolution 2020-18**. Motion carried. A voice vote was unanimous.

2020-81 RESOLUTION REQUESTING AN ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE ROUTE 80 ROCKFALL MITIGATION PROJECT IN KNOWLTON & HARDWICK TOWNSHIPS

WHEREAS, as the recipient of federal transportation funds for the Route 80 Rockfall Mitigation Project, the New Jersey Department of Transportation (NJDOT) is required to comply with the Federal Highway Administration's (FHWA) implementation of the National Environmental Protection Act (NEPA) regulations; and

WHEREAS, NEPA requires the full disclosure of both positive and negative impacts for a project; and

WHEREAS, an Environmental Impact Statement (EIS) is a rigorous level of study that can be applied to large, complex NJDOT projects and is required by NEPA (under 23 CFR 771.123-127) for actions “significantly affecting the quality of the human environment;” and

WHEREAS, an EIS is intended to ensure regulatory compliance for federally funded projects and prevent legal actions against the Federal agency; and

WHEREAS, the NJDOT is not currently calling for an EIS on this project and is instead opting for a less substantial review called an Environmental Assessment or EA; and

WHEREAS, this project may cause social, economic, and environmental impacts that are long-term and/or permanent such as:

Restriction of ability to fight forest fires in an area that is heavily frequented by campers and visitors. As the forest fire within the project area that occurred in February 2020 and burned 80 acres shows, firefighting is essential to prevent fires from spreading to nearby communities

Permanent damage to a culturally and historically significant area

Permanent loss of the viewshed of a unique geologic landmark, the Delaware Water Gap, on the East Coast of the United States

Permanent impact to recreational climbing use of Mount Tammany, one of the best climbing areas in the state of New Jersey

Loss of visitors and income to the Delaware National Water Gap Recreation Area, one of the most visited National Park properties in the United States and entrance to the Appalachian Trail

Loss of livelihood for area families-- According to the Pocono Mountain Visitors Bureau, 25% of all jobs in the region are due to travel and tourism, which creates \$3.3 *billion* in economic activity for the region. Four to five years of construction on the main thoroughfare may have serious and long-term consequences for the families involved in this industry.

WHEREAS, in letters dated July 12, 2018 and September 4, 2019, the NJDOT denied the request for a study of economic impacts asserting that four lanes of traffic will be maintained throughout the four- to five year construction period and there will be “unimpeded traffic flow...without direct impact to the local economy;”

WHEREAS, “unimpeded traffic flow...without direct impact to the local economy” may not be an accurate depiction and thus fulfill the requirement for full disclosure of negative impacts required by NEPA; and

WHEREAS, AUTOCAD design software has subsequently shown that tractor trailers cannot pass through the proposed construction zone’s narrowed and curving lanes without contact and that it is therefore extremely unlikely that “unimpeded traffic flow” will occur; and

WHEREAS, alert residents have subsequently shown that a substantial crater exists under Route 80, believed to be caused by erosion, in the area where traffic would be routed and this crater has necessitated immediate NJDOT repair; and

WHEREAS, these issues were brought to the NJDOT’s attention by the public, local officials, and the media, and there may be other issues the NJDOT is currently unaware of; and

WHEREAS, the NJDOT asserts that detours will not be necessary, yet high traffic volume, duration of construction, and requisite blasting with explosives make it likely that congestion will occur; and

WHEREAS, navigation systems reroute drivers to Route 611 when congestion occurs, which is a road prone to rockfall and that the PA Department of Transportation prohibits standard tractor trailers from traveling on in parts; and

WHEREAS, federal and state elected officials from New Jersey and Pennsylvania including Representative Josh Gottheimer, Senator Steven Oroho, Assemblyman Parker Space, Assemblyman Hal Wirths, Senator Mario Scavello, Representative Rosemary Brown, Representative Joe Emrick have all documented their concerns with this project; and

WHEREAS, there has been substantial outcry from the public as documented by more than two dozen municipalities, the NJ League of Municipalities, a coalition of organized residents, and thousands of citizens who follow the issue on web page devoted to the project; and

WHEREAS, groups voicing opposition and concern include the NJ Sierra Club, the National Parks Conservation Association, the New Jersey Highlands Association, Access Fund, Pocono Mountain Visitors’ Bureau, several Native American tribes and others; and

WHEREAS, more than 50 newspaper articles in 5 different newspaper and several dozen television and radio have been published on the proposed project illustrating a substantial public interest;

WHEREAS, all the above illustrate the critical need for an EIS, which will provide a deeper level of study regarding the impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED, the Township of Hardwick hereby requests an Environmental Impact Statement (EIS) for the Route 80 Rockfall Mitigation Project in Knowlton and Hardwick Townships.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the following agencies, representatives, and consulting parties:

John Miller, Federal Highway Administration, NJ Division
Lauren Baker, Office of the Administrator, USDOT, Federal Highway Administration
Commissioner Gutierrez-Scaccetti, NJ Department of Transportation
NJ Governor Phil Murphy
US Senator Cory Booker
Congressman Josh Gottheimer
Senator Steven Oroho
Assemblyman Hal Wirths
Assemblyman Parker Space
Representative Rosemary Brown
Senator Mario Scavello
Representative Joe Emrick
Dr. Ruth Foster, NJDEP
Kathryn Marcopul, Deputy State Historic Preservation Officer, NJDEP
Andrea Lowery, Executive Director, PA State Historic Preservation Office
Deborah Dotson, President, Delaware Nation
Bonney Hartley, Stockbridge Munsee Community, WI
Sula Jacobs, National Park Service
Chris Jacobs, President, Pocono Mountain Visitors' Bureau
Freeholders of Warren County
Mr. David Behrend, NJ Transportation Planning Authority
Mayor Lance Prator, Portland Borough
Mayor Larry Freshcorn, Delaware Water Gap Borough
Forks Township Board of Supervisors
Sandra Newman, Supervisor, Lower Mount Bethel Township
John Birmingham, Supervisor, Upper Mount Bethel Township
Corey Tierney, Administrator Warren County Dept. of Land Preservation
Susan Bachor, Delaware Tribe Preservation Representative
Brice Obermeyer, Delaware Tribe Representative, OK
Edwina Butler-Wolfe, Absentee-Shawnee Tribe, OK
Ron Sparkman, Chief, Shawnee Tribe, OK
Wally Miller, Chairman, Stockbridge-Munsee, WI
Barbara Bluejay Michalsky, Lenape Nation of PA
Suzanne Dixon, President Appalachian Trail Conservancy
Wendy Janssen, Superintendent, Appalachian National Scenic Trail
Kevin Duffy, Mayor, Hardwick Township
Hardwick Township Historical Society
Hal Bromm, President, Knowlton Township Historic Commission
Elliott Ruga, NJ Highlands Coalition
Sergio Moncada, National Parks Conservation Association
Greg Gorman, NJ Sierra Club
Tara Mezzanotte, I80DWGCoalition
Brittney Kohler, Legislative Director, Transportation and Infrastructure, National League of Cities

CERTIFICATION

I, Judith Fisher, Clerk of the Township of Hardwick do hereby certify that this is a true and accurate copy of a Resolution Adopted by the Township Committee of the Township of Hardwick, Warren County, New Jersey at a Regular Meeting held on the 1st day of April, 2020.

Judith M. Fisher, RMC
Township Clerk

ORDINANCE: FIRST READING

Motion was made by Mr. Perry, second by Mr. Duffy to introduce Ordinance 2020-02 on First Reading. Motion carried and a voice vote was unanimous

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARY ADDING THE SALARY FOR SUMMER HELP FOR THE DEPARTMENT OF PUBLIC WORKS OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY". 2020-02

WHEREAS, the Township Committee of the Township of Hardwick wishes to establishing the salary and compensation for Summer Help for the Department of Public Works
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick wishes to set the salary for Summer Help for the Department of Public Works as follows:
SECTION II: Department of Public Works (DPW)
Extra Help (April – October) \$19.00 per hour

The salary set forth in this ordinance shall be effective as of April 1, 2020
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 April 1, 2020 and will be considered for final reading and adoption at the Business Meeting of the Township Committee held on May 6, 2020 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

Judith M. Fisher, RMC
Township Clerk

Second Reading and Public Hearing will be held on Wednesday, May 6, 2020

OLD BUSINESS: NONE

NEW BUSINESS:

Service Electric: Consent under the Municipal Consent/Ordinance – Certificate of Approval
Mayor Duffy noted that Service Electric has been purchased by Altice. Hope, Knowlton, Frelinghuysen and Hardwick has not signed the Certificate of Approval yet. There are several items that need to be addressed first like reduced cost for hook=up, reduced density per mile and more lines. The contract issues are being reviewed by the attorneys and as of now, the BPU has not agreed to this buy-out yet.

Mr. Perry updated the Committee on what is going on with Century Link – DSL.

DISCUSSION

APPROVAL OF THE MINUTES: Will be done at a later date

PUBLIC COMMENTS:

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

Mr. Dennis Butterfield asked about the Resolution for the 2 Amendment that was submitted back in March. Mayor Duffy noted that it is not on the agenda tonight, but that it will be discussed at a future meeting.

Seeing there was no 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. Carrazzone: No Report at this time

Mr. Perry: reminded everyone of safe distancing and that everyone should be working on this to stay safe.

Christine Rolef, CFO: talked about the memo on adjusting of the interest rate for late tax payments and the extension of the May tax payment. The Committee will have an answer by the next meeting, after the Attorney reviews.

Mayor Duffy: Reviewed the statistics that he receives from the County on the numbers of Covid-19 positives for Warren County. He reminded all that the best prevention is safe distancing and stay home. He thanked our 1st Responders and asked that if possible, we should support our local businesses.

He reminded the Committee that we still need to schedule a budget date as soon as possible.

Adjournment:

A motion was made by Mr. Perry, seconded by Mr. Duffy and carried to adjourn tonight's meeting of the Hardwick Township Committee at 7:43PM

Respectfully submitted,

Judith M. Fisher, RMC