

TOWNSHIP OF HARDWICK  
WARREN COUNTY, NEW JERSEY

**MAY 19, 2021**

Municipal Building, 40 Spring Valley Road, Hardwick, New Jersey. This meeting was called to order at 6:30PM 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. Mayor Kevin Duffy then led the public in the pledge of allegiance.

**Roll Call:**

**Present:** Mayor Kevin Duffy, Deputy Mayor John Lovell, Jr. and Committeewoman Jodi Butler

**Also present:** Township Attorney Michael Lavery, CPWM, CPWM Thomas Campbell, and CMFO Christine Rolef

**Absent:** None

Mayor Duffy thanks those that joined us tonight using Zoom. The other Board meetings will also be using Zoom. He apologized for any glitches.

**Roll Call:**

**Present:** Mayor Kevin Duffy, Deputy Mayor John Lovell, Jr. and Committeewoman Jodi Butler

**Also present:** Township Attorney Michael Lavery, CPWM, CPWM Thomas Campbell and CMFO Christine Rolef

**Absent:** None

**EXECUTIVE SESSION: RESOLUTION**

A motion was made by Ms. Butler, seconded by Mr. Lovell, and carried to adopt the Resolution to go into Closed Session at 6:31PM.

**RESOLUTION**

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P. L 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

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 Matter -
  - B. Contractual/Paulinskill Road - Attorney Client

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:** 6:31PM

Present: Mr. Lovell, Ms. Butler, Mr. Duffy

Also Present: Attorney Michael Lavery and Township Clerk Judith Fisher

**Time Out:** 6:58PM

Motion was made by Ms. Butler, seconded by Mr. Lovell, and carried to come out of closed session. Motion carried and a voice vote was unanimous.

At 7:00pm the Township Clerk, Mrs. Fisher call this Work Meeting to order.

Present were Mr. Duffy, Mr. Lovell, Ms. Butler, Attorney Mr. Lavery, CFO Mrs. Rolef, CPWM Mr. Campbell and Clerk Mrs. Fisher

Mr. Lavery, Township Attorney noted that he met with the Committee and discussed three issues, contractual/litigation – Paulinskill Road, Personnel – salary and contractual – Emex Energy. 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. Lovell, seconded by Ms. Butler to pay the April bills that totaled, \$1,994.33. Motion carried followed by a roll call vote:

**Roll Call**

**Ayes:** Mr. Lovell, Ms. Butler, Mr. Duffy

**Nays:** None

**Abstentions:** None      **Absent:** None

**RESOLUTION**

Motion was made by Ms. Butler, seconded by Mr. Lovell to adopt **Resolution 2021-33** as presented tonight. Motion carried followed by a roll call vote:

**Roll Call**

**Ayes:** Mr. Lovell, Ms. Butler, Mr. Duffy

**Nays:** None

**Abstentions:** None     **Absent:** None

**2021-33 Self Examination Resolution – Budget 2021**

**WHEREAS**, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

**WHEREAS**, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

**WHEREAS**, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Hardwick has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Hardwick meets the necessary conditions to participate in the program for the 2021 budget year, so now therefore,

**BE IT RESOLVED**, by the Township Committee of the Township of Hardwick that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

**CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Hardwick at a meeting held on May 19, 2021.

Judith M. Fisher  
Municipal Clerk

**BUDGET 2021 - 2<sup>nd</sup> Reading, Pubic Hearing and Adoption**

**2021 HARDWICK TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 222,996.00
Total Miscellaneous revenue	224,274.00
Receipts from Delinquent Taxes	69,000.00
Local Property Taxes	807,743.00
Total General Revenues	<u>\$1,324,013.00</u>
Total Operations	
Salaries and Wages	\$ 354,369.00
Other Expenses	472,471.00
Capital Improvements	150,000.00
Debt Service	66,000.00
Statutory Expenditures	68,503.00
Reserve for Delinquent Taxes	<u>212,670.00</u>
Total 2021 Municipal Budget	<u>\$1,324,013.00</u>
2021 Municipal Tax Rate (Estimated)	\$0.5159

Ms. Butler motioned to open this portion of the meeting to the Public for any questions on the 2021 Municipal Budget, second by Mr. Lovell. Motion carried and a voice vote was unanimous. Seeing there were no public comments, this portion of the meeting was then closed to the public on a motion made by Ms. Butler, second by Mr. Lovell. Motion carried and a voice vote was unanimous.

Committee Comments: Mr. Lovell reviewed for the public the various line items. The Committee was able to reduce employee health insurance. They are also working on the internet service for the Township and Municipal Building and a new website design. For the Road Department, the purchase of a new dump truck and the hiring of a new employee to replace Mr. Ahlers. Lastly, a small increase to the Municipal Open Space tax.

With that, he was happy to support this Budget. Mr. Duffy pointed out that our Tax Collection rate was great again this year. He then thanked everyone for their work on this 2021 Budget.

A motion was then made by Mr. Lovell to adopt the 2021 Municipal Budget on 2<sup>nd</sup> Reading, seconded by Ms. Butler. Motion carried followed by a roll call vote:

**Roll Call**

**Ayes:** Mr. Lovell, Ms. Butler, Mr. Duffy

**Nays:** None

**Abstentions:** None     **Absent:** None

**RESOLUTION**

The following Resolution 2021-32 was reviewed by the Township Attorney and after the Committee heard that there was no guarantee that if JCPL price dropped that Hardwick would benefit. He also informed them that if they wanted to pull out of this agreement that there would be a penalty to the Township.

A motion was then made by Mr. Lovell, seconded by Ms. Butler to pull the following **Resolution 2021-32 Authorizing the Purchase of Electricity for Pubic Use on an online Auction Website and not adopt.** Motion carried and a roll call vote followed:

**Roll Call**

**Ayes:** Mr. Lovell, Ms. Butler, Mr. Duffy

**Nays:** None

**Abstentions:** None     **Absent:** None

Motion was made by Ms. Butler, seconded by Mr. Lovell to adopt **Resolution 2021-34** as presented tonight. Motion carried followed by a roll call vote:

**Roll Call**

**Ayes:** Mr. Lovell, Ms. Butler, Mr. Duffy

**Nays:** None

**Abstentions:** None     **Absent:** None

**2021-34 Urging the Warren County Commissioners to Establish a Recreational Trails Grant Program Funded by the County Open Space Trust**

**WHEREAS,** Hardwick Township has an active Open Space and Recreation Program, and;

**WHEREAS**, the Township is host to numerous recreation trails created and maintained by the Township and variety of federal, state, county, and nonprofit entities, and;

**WHEREAS**, the public has shown an interest in taking advantage of public recreational trails during the recent pandemic, and;

**WHEREAS**, hiking and other trail-related physical activities have been shown to contribute to the physical health and general well-being of people, and;

**WHEREAS**, the Township would like to increase the number of trails and trail access points within its borders, and;

**WHEREAS**, the establishment and maintenance of access and trails is essential to maximize the value of funds spent to protect open space, and;

**WHEREAS**, at the present time, the County of Warren's Open Space and Historic Preservation Program does not provide for funding of trail-related capital expenses but does provide for funding capital expenses on historic properties.

**NOW, THEREFORE BE IT RESOLVED** that the Hardwick Township Committee urges the Warren County Commissioners to:

1. Determine what steps would be necessary to qualify the expenditure of County Open Space Trust Funds on trails, trailhead, and associated improvements;
2. Take the necessary steps to amend its enabling legislation to provide for the funding of trail projects;
3. Assign the establishment guidelines for making application for funding for trail creation and improvement to the Warren Country Municipal and Charitable Trust Fund Committee.

**CERTIFICATION:** It is hereby certified that this is a true and accurate copy of a Resolution adopted by the Township Committee of the Township of Hardwick, Warren County, NJ at a meeting held on May 19, 2021.

Judith M. Fisher, RMC, Municipal Clerk

**OLD BUSINESS:**

**Fall Clean Up – Scheduled for September 20 – 25, 2021 at the Township Garage.**

**Altice/Optimum:** Attorney noted that all they are waiting for the Township's check for \$2500.00 for the permit fee.

**Web Site:** Update Committee is actively looking at several vendor demos. They want to compare apples to apples. Hoping to have a vendor recommendation soon.

**Knowlton Fire Service:** Request contribution for additional monies for equipment repair. Knowlton covers our portion of Route 80. Their renewal contract would be for 6 years and a total contribution from Hardwick of \$30,000. Since they are asking for a sump sum, Mr. Lovell questioned if there was a limit/cap on what we can give them. The Attorney research this question and reported that the limits were taken away.

**Broadband Funding Grant Opportunity:** Mr. Duffy noted that several townships are discussing maybe other townships partnering together for this Grant. He has also been working with Congressman Gottheimer about monies being awarded to local municipalities. He submitted a proposal to redo the web and a new server with equipment. He was notified that Hardwick made the cut of 1 out of 10 who applied.

**NEW BUSINESS:**

**Freedom Business Machines:** Maintenance Agreement – Canon Copier - \$62.00/month Ms. Butler motioned to renew the maintenance agreement for the Canon Copied, seconded by Mr. Lovell. Motion carried and a voice vote was unanimous.

**Happiness is Camping:** 50/50 Raffle December 31, 2021 Drawing, Application RA2021-02 Ms. Butler motioned to approve the raffle application RA2021-02, seconded by Mr. Lovell. Motion carried and a voice vote was unanimous.

**DISCUSSION**

**New Hire – Equipment Operator/Laborer F/T Resolution 2021-35**

Motion was made by Mr. Lovell to adopt Resolution 2021-35 hiring Mr. David Quick, Jr. as the Equipment Operator/Laborer for the Department of Public Works, seconded by Ms. Butler. Motion carried and a voice vote was unanimous.

**Resolution 2021-35 New Full Time Employee for the Department of Public Work**

**Whereas** the Township of Hardwick operates a Department of Public Works with two full time employees, and

**Whereas** the Equipment Operator / Laborer position was vacated earlier this year due to the retirement of an employee, and

**Whereas** the Hardwick Township Committee authorized the recruitment of a qualified individual to fill this title, and

**Whereas** the vacancy was advertised in three editions of the New Jersey Herald, and

**Whereas** the Township Committee authorized CPWM Tom Campbell, Municipal Clerk Judy Fisher and Deputy Mayor John Lovell to undertake applicant interviews and to offer the position to the most qualified applicant, and

**Whereas** said interviews were conducted in the Hardwick Municipal Building and a unanimous consensus was reached to recruit one of the applicants, and

**Whereas** Deputy Mayor John Lovell immediately advised the Town Committee of the results of said interviews by email dated May 10, 2021, and

**Whereas** a formal offer letter was presented to the applicant on May 11, 2021, and

**Whereas** the applicant signed the formal offer letter on May 11, 2021 accepting the terms and conditions outlined within same;

**Now Therefore Be It Resolved** on this 19th day of May, 2021 as follows:

The Township Committee does hereby appoint David A. Quick, Jr. as an Equipment Operator/Laborer in the Hardwick Township Road Department

The terms of employment, salary and all benefits are outlined in a letter dated May 11, 2021 executed by Deputy Mayor Lovell and Mr. Quick

The start date and anniversary date for Mr. Quick shall be May 26, 2021

Mr. Quick shall serve as a probationary employee for six months. Upon successfully completing six months of service and the receipt of a favorable evaluation as prepared by Mr. Campbell, the Township Committee shall consider a resolution at the meeting of November 3, 2021 to modify Mr. Quick's status and upgrade same to a regular full time Equipment Operator/Laborer within the Hardwick Township Department of Public Works

Date: May 19, 2021

Motion: Lovell

Second: Butler

Roll Call: Lovell – yes, Butler – yes, Duffy – yes

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Judith M. Fisher, RMC  
Municipal Clerk

**Job Description:** DPW and Zoning No update at this time

**Vass Farmstead Lease:** No update at this time. Lease agreement will be expiring soon. The Township sent a revised lease to the State DEP that rejected it and sent it back with revisions. We have heard nothing back from them yet.

**Spring Valley Road** – no new update at this time

**Municipal Building Opening:** Update The Committee is hoping to open the Municipal Building June 2<sup>nd</sup> or June 16<sup>th</sup>. No new cases have been reported for Hardwick according to Mayor Duffy.

**C-1 Designation for the Paulinskill River and tributaries in Hardwick** – Mapping this This is a sensitive designation. According to DEP, there is a 300' set back at the bank and this limits what can be done. Township Engineer Ryan Brownell is working on map over-lay. This designation makes it harder to develop unless modifications are made.

**North Warren Regional Tax Increase** Hardwick is going to be hit hard. It was reported that there are 17 new students to the High School but that the Elementary School enrollment is down.

Suggestion was made to invite the High School Administrators to our June meeting to talk about their budget. Mayor will contact them and invite them to our June 2<sup>nd</sup> meeting.

**Open Space Committee:** Pilot deer harvest project for the tower site on River View Request was to ask them to take a look at this suggestion. Hopefully there might be some support to look into this.

**Newsletter for the June Tax Bill:** suggestion is to do a one-page letter to the resident to get information out to them. Mr. Lovell will be working on this.

**Green Acres Public Hearing Date:** Set date contingent upon Mr. Canace's progress Right now, this hearing date looks like it might be June 16 Work Meeting date. Will check with Mr. Canace to see if this date will work for him.

**APPROVAL OF MINUTES:** None at this time

**PUBLIC COMMENTS:**

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

Mr. Campbell questioned the opening of meetings. Mr. Duffy noted that at the beginning of the meeting, the only person in the waiting room was Mr. Campbell. The Clerk opening the meeting and then motion was made to go into closed session. Again, Mr. Campbell was the only person at that time in the waiting room and was not allowed into meeting until 7PM.

Motion was made by Ms. Butler, seconded by Mr. Lovell to close this portion of the meeting to the public. Motion carrier and a voice vote was unanimous.

**Committee Reports:**

**Ms. Butler:** Nothing new to report on. All was done at the May 5<sup>th</sup> Business meeting

**Mr. Lovell:** Nothing to report on at this time

**Mr. Duffy:** No opening date to Slabtown Creek Park as been set yet.

**Adjournment:**

A motion was made by Ms. Butler, seconded by Mr. Lovell, and carried to adjourn tonight's meeting of the Hardwick Township Committee at 8:15PM

Respectfully submitted,  
Judith M. Fisher, RMC