

**TOWNSHIP OF HARDWICK  
TOWNSHIP COMMITTEE MEETING MINUTES  
WEDNESDAY DECEMBER 7, 2022**

Meeting was called to order by Mayor Jacksic at 7:00 pm. Those present were Committeeman Duffy, Deputy Mayor Lovell, and Mayor Jacksic.  
Also present were Clerk Shipps, DPW Supervisor Campbell and Township Attorney Bykov.

**FLAG SALUTE**

**Mayor Jacksic requested a moment of silence in remembrance of Pearl Harbor Day.**

**SUNSHINE STATEMENT**

“Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231 setting forth the time, date, place, and purpose of this Public Meeting through a legal notice published in New Jersey Herald and The Express times following the Township’s Annual Reorganization Meeting at which the 2022 meeting schedule was adopted.

**Acknowledgement of Kevin Duffy's Years of Service on the Hardwick Township Committee**

Mayor Jacksic and Deputy Mayor Lovell thanked Committeeman Duffy for all of his years of service.

**PUBLIC COMMENT**

**NO public comment**

**DEPARTMENT REPORTS**

Bob Wolff-reported on forest fires for the month of November.  
DPW Supervisor Tom Campbell reported that the fuel shed is almost completed. Butler cul-de-Sac is almost complete as well. Three wreaths were donated by Cindy and Jim Kimmel.

**MINUTE MEETINGS**

September 7, 2022, Executive Session Meeting Minutes  
September 7, 2022, Public Session Meeting Minutes  
October 5, 2022, Executive Session Meeting Minutes  
October 5, 2022, Public Session Meeting Minutes  
November 2, 2022, Executive Session Meeting Minutes  
November 2, 2022, Public Session Meeting Minutes  
Motion made by Lovell, second by Jacksic and carried to approve the above minutes.

**ORDINANCE**

Public Hearing/ Adoption:  
**2022-09- An Ordinance for Improvements to Municipal Building Within and for the Township of Hardwick and to Provide for the Funding Thereof.**

BE IT ORDAINED the Township Committee of the Township of Hardwick, County of Warren and State of New Jersey, that the following be properly authorized:

Improvements to Municipal Building	\$82,000.00
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BE IT FURTHER ORDAINED that the financing for the above is as follows:

AMERICAN RESCUE PLAN	\$ 82,000.00
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BE IT FURTHER ORDAINED that the period of usefulness of the improvements is in excess of the five (5) year statutory requirement, and that no debt shall be incurred by the Township for this improvement authorization.

The capital budget conforms with the provisions of this ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full details of the Capital Budget and Capital Program as approved by the Director, Division of Local Government Services as on file with the Municipal Clerk is available for public inspection.

This ordinance shall take effect immediately upon passage and publication in accordance with the law.

**Motion made by Lovell, second by Duffy and carried to open to public hearing.**

**No public comment**

**Motion made by Jacksic, second by Lovell and carried to close public hearing**

**Motion made by Lovell, second by Duffy and approved by roll call vote: Duffy==yes, Lovell—yes, Jacksic—yes adoption of 2022-09.**

Public Hearing/ Adoption:

**2022-10 Bond Ordinance to Authorize the Resurfacing of Primrose Road (Section 1) in, By and For the Township of Hardwick, In the County of Warren, State of New Jersey, to Appropriate the Sum of \$200,000 to Pay the Cost Thereof, to appropriate a State Grant, To Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation Notes In Anticipate of Issuance of such Bonds.**

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

Section 1. The Township of Hardwick, in the County of Warren, State of New Jersey (the "Township"), is hereby authorized to resurface Primrose Road (Section 1) in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said road being improved is of "Class B"

or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$200,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the State grant appropriated by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Township, and (2) it is necessary to finance said purpose by the issuance of obligations of the Township pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$200,000, and (4) \$122,000 of said sum is to be provided by the State grant hereinafter appropriated, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$78,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$20,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$122,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of such purpose.

Section 5. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$78,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$78,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to

said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$78,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Warren, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purpose, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township

shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

**Motion made by Lovell, second by Duffy and carried to open to public hearing.**

**No public comment**

**Motion made by Jacksic, second by Duffy and carried to close public hearing.**

**Motion made by Jacksic, second by Lovell. and approved by roll call vote: Duffy=yes, Lovell=yes, Jacksic=yes adoption of 2022-10.**

**CONSENT AGENDA**

1. 2022-76 Refund of 2022

**WHEREAS**, the 4<sup>th</sup> quarter property taxes were received as part of a bulk transmission payment, and was applied to the tax quarter resulting in an overpayment,

Block 304 Lot 10.02  
109 Millbrook Road  
Assessed to: Betts, Christopher Allen  
2022 Taxes paid       \$18,143.42  
2022 Taxes due        \$14,445.87  
Overpayment         \$ 3,697.55

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Committee of Hardwick Township that the Municipal Finance Officer is hereby authorized to issue a refund check to:

Corelogic – Refund Unit  
PO Box 9202  
Coppell, TX 75019-9760  
Amount       \$3,697.55

2. 2022-77 Resolution Authorizing the Award of Contract for Professional Service -Right to Know Consultant.

WHEREAS, the Township of Hardwick in the County of Warren, State of New Jersey, requires that a resolution authorizing the award if contract for Professional Services without bid be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hardwick as follows:

1. Rullo & Julliet Associates, INC, 878 Pompton Avenue, Suite A1, Cedar Grove, New Jersey 07009 as Municipal Right to Know and Hazard Communication Consultant.

BE IT FURTHER RESOLVED that these appointments are awarded without competitive bidding as a Professional Service under the provision of the Local Public Contract Law, and

BE IT ALSO RESOLVED that the Township Committee of the Township of Hardwick is hereby authorized to execute this resolution and advertise the same according to law.

3. 2022-78 Resolution Authorizing Mayor and Clerk to execute a Shared Services Agreement with Knowlton Township for Nixle Community Services  
WHEREAS, the Township of Hardwick has entered into a contract with Everbridge, Inc. for Nixle community information services for a period of one year; January 1, 2023, to December 31, 2023, and

WHEREAS Hardwick's portion of such services shall be \$1,250.00 year; and  
WHEREAS it is in the best interest of the Township to continue to share such service with the Township of Knowlton; and

WHEREAS copies of the Shared Services Agreement between the Township of Knowlton and the Township of Hardwick will be available for public inspection upon the adoption of this Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Hardwick, County of Warren, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement for Community Information Services Between Knowlton Township and Hardwick Township in substantially the same form as attached hereto as Exhibit A.

4. 2022-79 Transfer of 2021 Budget Appropriations  
**WHEREAS**, NJSA 40A:4-59 permits appropriation transfers during the first 3 months of the succeeding year; and;  
**WHEREAS**, there are certain appropriations requiring transfers of 2021 appropriation reserves:

**NOW, THEREFORE, BE IT RESOLVED**, confirmation 2/3 of the full

**Transfer From:**

Municipal Clerk S&W	\$ 14,174.99
Legal	\$ 4,290.50

**Transfer To:**

Financial Administration O/E	\$ 1,133.30
Admin -Other Expenses	\$ 205.49
Building and Grounds	\$ 450.00
Gasoline and Diesel	\$ 803.45
Utility – Heating Oil	\$ 556.36
Interlocal – Municipal Court	\$15,316.89



5. 2022-80 Authorizing the Transfer of Funds

**WHEREAS**, NJSA 40A:4-58 permits transfers between current year budget appropriations during the last two months of the municipal fiscal year; and;  
**WHEREAS**, there are certain Budget Year 2022 appropriations that require transfers to meet the charges and obligations that will be incurred by the end of this fiscal year.  
**NOW, THEREFORE, BE IT RESOLVED**, that the transfer below is hereby authorized by a 2/3 vote of the full Governing Body

**Transfer From:**

Streets and Roads S/W \$ 12,218.00

**Transfer To:**

Audit Services \$ 218.00  
Admin – Other Expense \$ 7,000.00  
Fuel Oil \$ 3,000.00  
Building and Grounds \$ 2,000.00

6. 2022-81 Resolution to Cancel/ Re-Issue Reconciling Items Greater than 180 days.

**WHEREAS**, there are outstanding checks and reconciling items greater than 180 days old in various accounts; and  
**WHEREAS**, it has been determined that checks and reconciling items over 180 days old should be cancelled to the appropriate funds or re-issued to applicable vendors,  
**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Hardwick, County of Warren, and State of New Jersey that reconciling items over 180 days be cancelled to the appropriate funds or re-issued to applicable vendors.

7. 2022-82 Payment of Vouchers

**WHEREAS** all claims as reviewed and listed on the attached bill list are approved as reasonable and proper claims against the Township of Hardwick to be paid from its current fund; and  
**WHEREAS**, the CFO has certified that funds are available to pay such claims.  
**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey that the bills on the attached bill listed are authorized to be paid

**Motion made by Lovell, second by Duffy. and approved by roll call vote: Duffy=yes, Lovell=yes, Jacksic=yes consent agenda December 7, 2022.**

**UNFINISHED BUSINESS**

**Voice Over IP Service quotes** -No update at this time

**Spring Valley Rd.** No update at this time.

**Mallard Pond Rd.**

Discussion took place regarding vacating the road. Township Attorney Bykov will research to see if all adjacent property owners need to agree to vacating.

**Town Hall Meeting Room Ventilation** -no update at this time

**DEP Stormwater Tier Change.**

Mayor Jacksic spoke with Township Engineer Denis Keenan who will prepare a memo on what is needed from township due to the change.

**Flood Damage and Prevention Ordinance**

Township Attorney Bykov sent the draft ordinance to NJDEP for review and comments.

**NEW BUSINESS**

**Reorganization Meeting**

Meeting will be held on January 4, 2023, at 5 p.m.

**2023 Hardwick Township Committee Meeting Dates**

Discussion took place on keeping the workshop meetings for the year. Committee agreed to keep the workshop meeting for the first half of the year for budget preparation.

**January date for presentation of Open Space Plan**

Bob Canace would like to present the open space plan in January during the workshop meeting. Deputy Mayor Lovell will invite Mr. Canace to the January 18, 2023, township workshop meeting.

**PAIC Claims Sweep Letter**

Deputy Mayor Lovell stated that a new liability carrier is joining PAIC and explained when there is a new carrier the township must list any claims. The letter is prepared by the attorney.

**CORRESPONDENCE**

NO Correspondence

**TOWNSHIP ATTORNEY**

Nothing to report.

**TOWNSHIP CLERK**

Clerk Shipp stated that the backup batteries for the computers are outdated. Two new batteries will cost \$650.00.

**Motion made by Jacksic, second by Lovell approved by roll call vote: Duffy—yes, Lovell—yes, Jacksic—yes to order the new batteries for \$650.00.**

**TOWNSHIP COMMITTEE REPORTS**

Committeeman Duffy asked Township Attorney Bykov if the COAH credit that was given to Sussex County has been credit to Warren County. Attorney Bykov will look into the matter.

Committeeman Duffy requested that the committee to continue to work with the other municipalities to oppose the Route 80 Rockwall mitigation.

Committeeman Duffy thanked everyone that he has ever served with and all the employees.

Deputy Mayor Lovell spoke on the proposal of the development of a national park and was wondering if the committee will meet with Congressman Tom Kain should be discussed about this issue.

Deputy Mayor Lovell asked the Township Attorney a clarification on a violation of the Sunshine Law?

Deputy Mayor Lovell questioned on why emails from the committee cannot be sent to all without violating sunshine law?

Christmas Tree is up at the Vass Farmstead and there will be a gather on December 11, 2022.

Mayor Jacksic read the call outs from the Blairstown Ambulance Corp and the Blairstown Hose Company.

### **PUBLIC COMMENT**

Antionette Paccione- complemented the DPW department on keeping the roads clear.

Ms. Paccione also commented that she was asked to have a standpipe on her property because of her pond and if she needs to contact her insurance company. Mr. Hughes from the Stillwater Hose Company stated that having a standpipe helps your insurance. Deputy Mayor Lovell asked if there is a concern it should be put in writing.

Ms. Paccione also commented on her neighbors house which seems to be vacant and there is a lot of broken down cars. Ms. Paccione main concern is if fluid from the broken down cars are seeping into the ground and effecting her well water which she states there is brown film in her water and can not get clean water. Deputy Mayor Lovell requested Ms. Paccione email and he will talk with the zoning officer.

### **EXECUTIVE SESSION**

Motion made by Lovell, second by Duffy and carried to go into executive session at 7:45 pm.

2022-83- Authorizing Executive Session for the Purpose of

**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. Contract Negotiations
  - B. Attorney Advice

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.

Motion made by Lovell, second by Duffy and carried to come out of executive session at 8:30 pm.

Attorney Bykov stated wherein the township committee discussed two matters one involving contract negotiation and the other regarding attorney advice. No official action has been taken and it's of these minutes of this meeting will become available as soon as the committee determines there will be no harm to the public interest.

**ADJOURNMENT**

Motion made by Duffy, second by Lovell and carried to adjourn tonight.