

**TOWNSHIP OF HARDWICK
TOWNSHIP COMMITTEE MEETING MINUTES
WEDNESDAY NOVEMBER 2, 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 Shipp and DPW Supervisor Campbell.

FLAG SALUTE

EXECUTIVE SESSION

Motion made by Lovell, second by Duffy and carried to go into Executive Session at 7:01 pm.
2022-75- Authorizing Executive Session for the Purpose of

1. Possible Litigation
2. Attorney Advice

Motion made by Duffy, second by Lovell and carried to come out of Executive Session at 7:14 Pm.

Attorney Bykov stated that the committee met in Executive session to discuss possible litigation and attorney advice not official action will be taken at this time.

PUBLIC COMMENT

David Prezioso President of North Warren Little League requested a donation of up to \$2,500, from the township to the organization, to help with equipment expenses. Committee thanked Mr. Prezioso for attending and explained that it will need to be discussed next year during budget hearing to see if they can donate.

Michael J. Lacken, a contractor from Newton, NJ wanted to advise the committee of a possible illegal disturbance that is being done on a new development at 34 Riverview Drive driveway. Mr. Lacken proceeds to inform the committee that other New Jersey permits should be issued for the work that is being done.

Deputy Mayor Lovell stated that the committee needs to speak to the zoning officer and the township engineer regarding this matter and requested Mr. Lacken information.

DEPARTMENT REPORTS

DPW Supervisor Tom Campbell reported that the fuel shed has been delivered. Tree work has been completed for the cul-de-sac project on Butler Rd. Construction will continue the following week.

CFO Christine Rolef passed out a 5-year summary of the Open Space, COAH and PSE&G Accounts.

ORDINANCE

Introduction:

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

BE IT FURTHER ORDAINED that the financing for the above is as follows:

AMERICAN RESCUE PLAN \$ 82,000.00

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, seconded by Duffy and carried to introduce Ordinance 2022-09

Introduction:

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 introduce Ordinance 2022-10

CONSENT AGENDA

1. 2022-70- Resolution Authorizing the Execution of a Shared Services Agreement with the Township of Blirstown for Tax Assessor Services Through June 30, 2027.

WHEREAS, N.J.S.A. 40A:9-146 allows municipalities to share services for a Tax Assessor, in order to promote and effectuate the sharing of a service; and

WHEREAS Hardwick Township desires to contract with Blirstown Township for the furnishing of the services of Tax Assessor as set forth in N.J.S.A. 40A:9-146; and

WHEREAS, the Township of Hardwick has determined that the sharing of a Tax Assessor will provide a cost savings to the taxpayers of Hardwick while not putting any additional burden on the taxpayers of Hardwick Township; and

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

1. The Township Committee is hereby authorized and directed to execute the attached Shared Services Agreement with the Township of Blirstown for a Tax Assessor in accordance with the terms and provisions set forth.
2. A copy of the Agreement shall be filed with the Township Clerk and shall be open for public inspection at the Township Municipal Building upon adoption of this Resolution.
3. The Agreement shall take effect on October 5, 2022.
4. A copy of the Agreement shall be sent by Township of Blirstown to the State of New Jersey, Division of Local Government Services in the Department of Community Affairs.
2. 2022-71 -Resolution of the Township of Hardwick, county of Warren, state of New Jersey, amending and Supplementing to Incorporate Storm Overtime Policy for Full Time and Part Time Employees.

WHEREAS, the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey believes that the Hardwick Township Personnel Policy Manual must be updated to incorporate a Storm Overtime Policy; and

WHEREAS, said Policy will allow for employees working during a storm to be properly compensated for the work performed and efforts expended; and

WHEREAS the Township Committee believes that such amendment to the Township's Personnel Policy Manual is in the best interest of the Township and its employees.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hardwick that the following changes made to the Personnel Policies and Procedures Manual are incorporated and adopted to Page 23 of the Hardwick Township Personnel Policies and Procedures Manual:

Storm Overtime Policy

For Permanent Full-Time employees, the overtime rate shall be computed at time and one half (1.5x). Time and one half shall be paid for all hours worked outside the normal workday (currently, weekdays from 7:00 AM to 3:00 PM).

The holiday overtime rate for a designated Hardwick holiday shall be double time (2x) during the normal workday hours (includes regular pay for the holiday plus one hour pay for each hour worked). Hours worked before and after the designated holiday workday hours shall be computed at time and one half.

Should an employee be called in three (3) hours prior to the regular shift, the overtime rate shall continue through the normal work day until such time that that employee is sent home for a minimum of a four (4) hour break.

Illustrative Examples:

1. Employee gets called in at 11:00 PM on Sunday and works through the next regular workday until 3:00 PM. Time and one half is provided for all hours worked during the period: a total of twenty four (24) hours of pay.
2. Employee gets called in at 11:00 PM on Sunday and works to 3:00 PM. The employee returns to work at 7:00 AM on Monday. Time and one half is paid from 11:00 PM to 3:00 AM; straight time is paid on Monday from 7:00 AM to 3:00 PM: a total of fourteen (14) hours of pay.
3. Employee gets called in at 5:00 AM on Monday and works to 5:00 PM. Time and one half is applied from 5:00 AM to 7:00 AM, straight time is applied from 7:00 AM to 3:00 PM, time and one half is applied from 3:00 PM to 5:00 PM: a total of fourteen hours of pay.

4. Employee is called in on Thanksgiving Day at 3:00 AM and works through 5:00 PM on Thanksgiving. The employee receives eight (8) hours for the holiday plus time and one half from 3:00 AM to 7:00 AM, plus an additional eight (8) hours from 7:00 AM to 3:00 PM, and time and one half from 3:00 PM to 5:00 PM: a total of twenty-five (25) hours of pay.

For Part Time Snow Plow Operators, time and one half (1.5x) after eight (8) hours of continuous work until sent home for a minimum of a four (4) hour break.

Holidays – Time and one half (1.5x) for all hours worked on a designated Hardwick Holiday.

3. 2022-72-Enabling Resolution (Green Acres Program)

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS the Township of Hardwick desires to further the public interest by obtaining a grant of \$265,000 from the State to fund the following project(s):

#2109-21-003 White Lake Natural Resource Area Addition

NOW, THEREFORE, the governing body resolves that Chris Jacksic or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above-named applicant; and

WHEREAS the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee of the Township of Hardwick THAT:

1. The Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as White Lake Natural Resource Area Addition, and **[Note: Please authorize only one official to sign the project agreement on behalf of the local government or nonprofit.]**
2. The applicant has its matching share of the project, if a match is required, in the amount of \$265,000.

3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

4. 2022-73- Resolution to Assign Tax Sale Certificate.

WHEREAS, on October 18, 2022, the Tax Collector had conducted the Annual Tax Sale for delinquent 2021 taxes; and

WHEREAS, at the Annual Tax Sale two Tax Sale Certificates were struck off to the municipality.

Cert #2022-001, Block 401 Lot 16.06, Deerwood Drive, Cocka, Gazmend

WHEREAS, a lien holder has requested assignment of the two Tax Sale Certificates.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of Hardwick Township that the Tax Collector is hereby authorized to assign Tax Sale Certificate Number 2022-001 and Tax Sale Certificate Number 2022-002 to:

5. 2022-74- 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 the November 2, 2022, Consent Agenda.

UNFINISHED BUSINESS

Voice Over IP Service

Discussion took place on moving forward with the Voice Over IP Service. Clerk Shipps will call around to some companies to get quotes.

American Rescue Plan Funds-no update

Spring Valley Rd.-no update

Mallard Pond Rd.

Deputy Mayor Lovell stated there is no evidence to vacate Mallard Pond Rd. Discussion took place on Mallard Pond Rd being a right -of-way and not dedicated improved road of Hardwick

Township, Once the road is improved then the township will maintain it. The committee agreed that a resolution should be passed at a later meeting regarding this discussion.

Town Hall Meeting Room Ventilation

DPW Supervisor Tom Campbell needs to contact another contractor for a quote.

DEP Stormwater Tier Change-no update

Flood Damage and Prevention Ordinance

Ordinance is with the New Jersey Department of Environmental for approval. Once approved, an ordinance will be introduced in January.

Route 80 Rockwall Mitigation

Committeeman Duffy will discuss during committee comments.

Hardwick Day Summary

Approximate 150 people attended Hardwick Day. Committeeman Duffy felt the day was very successful. Committeeman Duffy and Mayor Jacksic thanked everyone that helped make it possible.

NEW BUSINESS

911 Coordinator

Motion made by Jacksic, second by Lovell and approved by roll call Duffy—yes, Lovell—yes, Jacksic—yes to have Rich Motyka Hardwick Townships 911 Coordinator.

Best Practice Inventory

CFO Christine Rolef stated that the Best Practice Inventory needs to be submitted to the state within the next week. No discussion is needed.

2023 Right to Know Survey

A resolution will be placed on the next agenda for a professional service contract to Rullo & Juillet Associations.

CORRESPONDENCE

TOWNSHIP ATTORNEY

No Report

TOWNSHIP CLERK

Clerk Shippo acknowledged the shredding event was a success and is looking to set one up in May.

Rabies Clinic will be held in Blairstown this year on December 10th from 8:30 am- 11:00 am at the DPW building on Lambert Rd.

The November workshop meeting will be cancelled for this month.

TOWNSHIP COMMITTEE REPORTS

Committeeman Duffy responded to the NJDEP on a permit request regarding the Route 80 Rockwall mitigation. Committeeman Duffy stated that he attended a zoom meeting with the Federal Highway Authority to express his concerns with the misleading information that himself, Knowlton Township Mayor Starrs received. The zoom meeting was to recertify the New Jersey Transportation Authority.

Deputy Mayor Lovell discussed a COAH home that the township did not get credit for, which is located on Millbrook-Stillwater Rd and was done with Sussex County. Committeeman Duffy stated that he spoke to the township Attorney Mike Lavery and he is looking into this matter.

Deputy Mayor Lovell stated that Mrs. Van Beek did receive the township's letter and had a few questions for Deputy Mayor Lovell, which he answered and prepared a written statement which was handed to the clerk to file.

The Deputy Mayor would like to obtain a Christmas Tree for the town hall. Discussion took place on getting a tree from Ace Hardware. Deputy Mayor Lovell offered to draft a one-page newsletter to mail out to residents on topics that residents should know about.

Deputy Mayor Lovell would like a Hardwick email account for the committee- elect person after the results of the election.

Deputy Mayor Lovell requested guidance on how emails should be sent out to the committee and guidance if two members of a 3-man committee could have dinner together for a celebration. Township Attorney Igor Bykov would research and report back at a later date.

Mayor Jacksic reported that Al Carrazzone celebrated his 96th Birthday. Mayor Jacksic also reported that he attended the Blairstown Hose Company meeting where they appointed the 2023 officers which have not changed from 2022,

Mayor Jacksic read the call outs from Blairstown and Stillwater Fire Department.

EXECUTIVE SESSION

Motion made by Lovell, second by Duffy and carried to go into Executive Session at 8:44 pm

2022-76- 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
 - C. Possible Litigation

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 9:43 pm.

Attorney Bykov stated that the committee met in Executive session to discuss possible litigation and attorney advice not official action will be taken at this time.

ADJOURNMENT

Motion made by Lovell, second by Duffy to adjourn tonight's meeting.

Respectfully submitted.

Kristin Shipps