

**TOWNSHIP OF HARDWICK
TOWNSHIP COMMITTEE MEETING MINUTES
TUESDAY, MAY 2, 2023**

OPENING ROLL CALL

The meeting was called to order by Mayor Jacksic at 7:00 pm those present were Committeeman Lovell, and Deputy Mayor Meuse. Also present were DPW Supervisor Campbell, Chief Financial Officer Rolef, Township Auditor Kucinski, Township Auditor Mooney and Municipal Clerk Shipps.

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 2023 meeting schedule was adopted.

PROCLAMATION

Princeton- Blairstown Center 115th Anniversary

Mayor Jacksic read the proclamation.

Whereas this year marks the 115th anniversary of the Princeton-Blairstown Center; and

Whereas for more than 115 years, the Princeton-Blairstown Center has provided adventure-based, experiential education to youth from historically marginalized communities; and

Whereas what began in 1908 as a summer camp run by Princeton University students and faculty has evolved into an outdoor education center with a wide variety of year-round programs serving 8,000 young people each year: and

Whereas today, their award-winning Summer Bridge Program as well as their Venture Out and Leader-in-Training Programs serve as the centerpieces of the Center's work, providing educational programs designed to lessen summer learning loss to approximately 500 students from disadvantaged communities in Trenton, Newark, and Camden, NJ free of charge.

Now therefore be it resolved that the Township Committee of the Township of Hardwick acknowledges the 115th anniversary of the Princeton- Blairstown Center. Residents and visitors are encouraged to read more about the Center’s unique history of the Princeton-Blairstown Center, see: [The Princeton Summer Camp Story by William K. Selden.](#)

PRESENTATION

Dr. Dutt Superintendent of North Warren Regional High School was present with Business Administrator Jennifer Kerr. Dr. Dutt explained that she would like to rebuild the community relationship and along with Ms. Kerr wanted to discuss the 2023/2024 school budget. Dr. Dutt stated that North Warren has lost almost 4 million dollars in state aid within the last few Years. Dr Dutt stated to run the academic and educational programs, grants were applied for and most of them they were approved which will help with maintenance of the school that is long
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overdue.

No staff members or programs have been cut this year for the 2023/2024 school year. Committeeman Lovell requested that information be sent to the township so it could be posted on the township website.

Deputy Mayor Meuse questioned the low enrollment numbers and if Dr. Dutt knows how many children were lost to private schools. Dr. Dutt explained that they are getting that list together and she is hoping to reach out to those parents to see why they left. Dr. Dutt explained that during COVID they did lose some students to schools that were teaching on site in school. Some of these students have come back but not all.

Deputy Mayor Meuse asked how many students from this graduating class are going to Ivy leagues and why there are not more. Dr. Dutt explained that there are 2 graduates going to Ivy League schools and she can not explain why there are not more. She does believe that it is by personal choice. There are children that have decided to go to a Community College because they do not know what they want to do or where they would like to go and for financial reasons agree that this is the best thing for them.

The committee thanked Dr. Dutt and Ms. Kerr for attending and their presentation.

PUBLIC COMMENT

Frederick White of 66 Sand Pond asked if there are any updates on his complaint from last months meeting. Deputy Mayor Meuse explained that she did look at the area and sees his concern. Deputy Mayor Meuse stated that there will be a meeting with Ridge and Valley in the next few weeks and it will be discussed

DEPARTMENT REPORT

DPW Supervisor Campbell reminded residents that clean up week is May 8- May 13th.

Old debris blower was sold to Stillwater Township for \$1,400.00.

Campbell received prices for a new fire alarm system from Abcode System. The current fire system is antiquated and becomes inoperable when the phone lines are down.

Motion made by Lovell, second by Meuse and approved by roll call vote: Lovell—yes, Meuse—yes, Jacksic—yes for Abcode fire alarm system with a cost of \$2040 for first set up.

DPW Supervisor Campbell also provided the committee with a quote for flooring throughout the entire municipal building which was under \$16,000.00 for plank flooring. The quote included plank flooring on the dais, but it was agreed that it should be carpeted. CFO Rolef asked if the quote was prevailing wages which it was not. There was a discussion on not doing the lobby to cut the cost. DPW Supervisor will talk to the company to see about getting a new quote.

MINUTES

February 1, 2023, Executive Session Meeting Minutes

February 1, 2023, Public Session Meeting Minutes

Motion made by Lovell, second by Meuse and carried to approve the above minutes.

ORDINANCE

Public Hearing/ Adoption

2023-06 Calendar Year 2023 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Hardwick Township in the County of Warren finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 2.5% increase in the budget for said year, amounting to \$22,191.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Hardwick Township, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Hardwick Township shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$31,068.07 and that the CY 2023 municipal budget for the Hardwick Township be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

No public comment.

Motion made by Meuse, second by Lovell and carried to close public hearing.

Motion made by Lovell, second by Meuse and approved by roll call vote: Lovell—yes,

Meuse—yes, Jacksic=yes, the adoption of Ordinance 2023-06.

Public Hearing/ Adoption

2023-07 An Ordinance of the Township of Hardwick, County of Warren, State of New Jersey Authorizing the Lease and Management of Cellular Tower Site in the Township of Hardwick.

WHEREAS, the Township of Hardwick is the owner of Lot 1, Block 1103.01 (street address: One Riverview Drive, Hardwick, New Jersey) in the Township of Hardwick, County of Warren; and

WHEREAS, the Township does not presently need all of Lot 1, Block 1103.01 and wishes to lease a portion thereof for the siting of a wireless telecommunications tower (hereinafter referred to as “Tower Site”) to the highest bidder for public use; and

WHEREAS, the Township wants to lease the Tower Site to the highest bidder, by submission of sealed bids, in accordance with N.J.S.A. 40A:12-14 and N.J.S.A. 40A:12-24; and

WHEREAS, the Township is interested in minimizing the number of cellular tower sites within its borders and believes that the best cellular tower site in the Township is the Tower Site in question.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey, that the lease of a portion of Lot 1, Block 1103.01 for use as a Tower Site, as well as equipment, buildings and other appurtenances to be located thereon shall be publicly bid upon the following terms and conditions listed below:

1. The term of the lease shall be for a period of twenty (20) years.
2. The minimum annual rental amount shall be thirty-six thousand dollars (\$36,000.00) per year. The annual rental amount shall increase at a rate of three percent (3%) per year. In addition to the minimum annual rental, there shall be paid a percentage (%), set at fifty percent (50%), per year of the gross revenue from other users of the Tower Site who sublease and/or co-locate from the successful bidder. The successful bidder shall negotiate and manage new and renewal rentals with sublessors and/or co-locators with copies of all such contracts provided to the Township within seven (7) calendar days of execution of such contract(s).
3. The successful bidder shall meet all requirements, obligations, and mandates of the Notice to Bidders, Information to Bidders, Proposal Sheets and Proposed Lease, among other documents, which will be available once this Ordinance is adopted and published in accordance with law.
4. The successful bidder shall be required to obtain all applicable permits, approvals, and licenses at its own expense.
5. The successful bidder shall, at its own expense, plan, develop, construct, and maintain the communication tower, antennae, equipment buildings and appurtenances on the Tower Site. The Tower shall be large enough to serve antennae, but not higher than that prescribed by the Township Ordinance.
6. The Township reserves the right to reject any and/or all bids.
7. The bid shall be awarded to the highest bidder based upon the annual base rental payment only (or all bids shall be rejected) at a Township Committee meeting subsequent to the adoption of said Ordinance, pursuant to the bid documents. The Township shall award the contract for the

lease of a Cellular Tower Site within sixty (60) days after the opening of the bid documents received by the Township.

8. The lease bid shall be advertised by the Township Clerk in accordance with State law.

9. Copies of Lease/Management Bid Document, which shall, in large part, consist of the proposed Form of Lease, Information to Bidders and Notice to Bidders will be available on Thursdays, between the hours of 10:00 AM and 2:00 PM, at the office of the Township Clerk, located at 40 Spring Valley Road, Hardwick, New Jersey 07825, after final passage of this Ordinance.

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

No public comment.

Motion made by Lovell, second by Meuse and carried to close public hearing.

Motion made by Lovell, second by Jacksic and approved by roll call vote: Lovell—yes, Meuse —yes, Jacksic—yes, the adoption of Ordinance 2023-07.

Public Hearing/ Adoption

2023-08 An Ordinance of the Township of Hardwick, County of Warren, State of New Jersey Authorizing the Acquisition of a Portion of Real Property by Negotiation, purchase, Condemnation

or Eminent Domain, for a Portion of the Property Known as Block 1103, Lot 9, the Address of which is 48 Paulinskill Road, Hardwick, New Jersey.

WHEREAS, the Mayor and the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey (hereinafter referred to as the “Township”) have concluded that it is necessary, desirable and appropriate for the Township to undertake acquisition of a portion of property known and designated as Block 1103, Lot 9, commonly known as 48 Paulinskill Road, Township of Hardwick, County of Warren, New Jersey; and

WHEREAS, subject portion of the property, which the Township believes it must acquire, is currently in private ownership; and

WHEREAS, by adoption of this Ordinance the Township authorizes the taking of a fee acquisition of a portion of the property, which is currently privately owned, by condemnation/eminent domain so that the Township and other entities or agents acting on behalf of the Township shall have access onto, over and through said privately owned real property; and

WHEREAS, the Township further finds that public use and purpose would be served for the benefit of the Township and surrounding communities by acquiring the aforesaid portion of the property, including, but not limited to, the promotion, protection, and preservation of the public health, safety and welfare of the Township and its inhabitants by the acquisition of certain interests in said real property for additional safety and protection; and

WHEREAS, the Township is authorized by the New Jersey State Constitution, N.J.S.A. 40A:12-5(a), N.J.S.A. 20:3-1, et seq., and/or any other provision of applicable law to proceed with acquiring certain property interests by condemnation/eminent domain, as long as just compensation is paid for the same.

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

SECTION I.

Recitals Incorporated: The above recitals are incorporated into this Section of the Ordinance as if specifically set forth at length herein.

SECTION II.

Specific Findings: The Mayor and Township Committee find that the acquisition will promote and protect the health, safety, and welfare of residents of the Township, and further find that any purchase or taking by eminent domain of any and all property interests necessary for the same are all in the furtherance of a public use and purpose.

SECTION III.

Authorize Condemnation: The Mayor and the Township Committee specially authorize any and all necessary and appropriate actions by Township officials including the Mayor, Township Clerk, Township Attorney, and/or any qualified designee, for the taking and obtaining of certain portion of the property interests in the property as set forth herein through negotiation, purchase, or condemnation/eminent domain, including, but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this Ordinance, the making of any offer by the Township to the property owner(s) in the full amount of the appraised value of the property interest that the Township seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that the negotiations for the voluntary acquisition of the property interest are unsuccessful for any reason to commence a condemnation action by the filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this Ordinance.

SECTION IV.

Identification of Property: The portion of the property for which a taking of property interests is authorized by negotiation, purchase, or condemnation/eminent domain pursuant to this Ordinance is located in the Municipality and listed on the Municipal tax map, the legal description of which is attached as Exhibit A to this Ordinance and specifically incorporated into this Ordinance by reference. The property interests to be acquired are irrevocable, perpetual, permanent easements and acquisition of certain parcels in fee, in the properties identified herein.

SECTION V.

Officials Authorized: All appropriate officials of the Municipality, including, but not limited, to the Mayor, Municipal Clerk, Municipal Attorney, and any qualified designee, and any and all experts or others acting on behalf of the Municipality are authorized by this Ordinance to sign any and all documentation and take any and all action necessary to effectuate the purposes and intention of this Ordinance.

SECTION VI.

Purchase of Property: If a determination is made by a majority vote of the Township Committee that the purchase of the portion of the property is more appropriate than the obtaining said property interest through condemnation/eminent domain, then all appropriate officials of the Township, including, but not limited to, the Mayor, Municipal Clerk, Municipal Attorney, and any qualified designee are authorized by this Ordinance to sign any and all documentation to effectuate the purchase of the property interests by the Township.

SECTION VII.

Repealer: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION VIII.

Severability: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION IX.

Effective Date: This Ordinance shall take effect immediately upon final adoption and publication, as required by law.

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

No public comment.

Motion made by Meuse, second by Lovell and carried to close public hearing.

Motion made by Lovell, second by Meuse and approved by roll call vote: Lovell—yes,

Meuse

—yes, Jacksic—yes, the adoption of Ordinance 2023-08.

CONSENT AGENDA

1. 2023-32 Resolution to Amend Introduced Budget.
2. 2023-33 Resolution of the Township of Hardwick, County of Warren, State of New Jersey, Appointing Mr. Robert B. McBriar of Schenck, Price, Smith & King, LLP as Conflict Counsel to Address Certain Personnel Issues.

WHEREAS, the Township Committee of the Township of Hardwick has been made aware of certain personnel issues present in the Township; and
WHEREAS, the Township Attorneys currently representing the Township are faced with a conflict of interest; and
WHEREAS, such conflict of interest precludes the Township Attorneys from adequately representing the Township to the full extent necessary; and
WHEREAS, the Township Committee is desirous of appointing a conflict counsel to address the personnel matter referenced herein; and
WHEREAS, the Township Committee has selected Mr. Robert B. McBriar, Esq. of the law firm Schenck, Price, Smith, and King, LLP as conflict counsel for the purpose of representing the Township in this personnel matter.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey that Mr. Robert B. McBriar, Esq. be appointed as the Conflict Counsel to represent the Township in a personnel matter.

3. 2023-34 Approving 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 Meuse, second by Jacksic and approved by roll call vote: Lovell—yes, Meuse—yes, Jacksic—yes, the May 2, 2023, Consent Agenda.

Public Hearing/ Adoption of the 2023 Budget

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

No public comment.

Motion made by Meuse, second by Lovell and carried to close public hearing.

Motion made by Lovell, second by Meuse and approved by roll call vote: Lovell—yes, Meuse—yes, Jacksic—yes, the 2023 Budget adoption.

UNFINISHED BUSINESS

Spring Valley Rd.

New Jersey Department of Environmental Protection (NJDEP) is requesting to have a 60-inch tunnel under the road which will elevate the road. Warren County is speaking with NJDEP to revisit the project.

Sample Ordinance required by New Jersey Department of Environmental Protection.

Samples were sent to the committee that all townships are required to adopt. Introduction of ordinance will be done starting in August.

Personnel Manual

Marked up personnel manuals were submitted to the committee. Committee members were requested to look through the manual and report back with any changes or additions.

Hardwick Clean-up Week-reminder

Discussed during Department Reports.

Shredding Event-reminder

Will take place on Saturday May 13, 2023, at the municipal parking lot from 1 pm – 4 pm.

June, July & August Meeting dates.

Reminder that meeting dates have changed to June 21, July 19, and August 16th.

Primrose Road Work

Committeeman Lovell would like to move forward on this project with eliminating guide rails and stripping with the exception of a stop line. Committeeman Lovell will reach out to the township engineer to get a new pricing on the project.

NEW BUSINESS

Charging and Fueling Infrastructure Discretionary Grant

Deputy Mayor Meuse spoke about a grant that she received information on having a charging station at the municipal parking lot. After discussion it was concluded that there will not be enough interest in Hardwick Township.

Warren County Bicentennial Initiative

Committeeman Lovell discussed that Warren County Bicentennial is next year and would like to incorporate Hardwick Day as a celebration to possibly receive some funding. Committeeman Lovell also discussed new markers for Historic plaques which the county will provide \$500 for the plaque.

NJDEP - Community Assistance Visit - JUNE 7th 2PM

TOWNSHIP ATTORNEY

Nothing to report.

TOWNSHIP CLERK

Nothing to report.

TOWNSHIP COMMITTEE REPORTS

Committeeman Lovell is working on steep slope wording.

Deputy Mayor Meuse read the fire reports for Stillwater and Blairstown Hose Company and the Office of Emergency Management (OEM) report. Deputy OEM Paul Horsey has been approved and will be attending classes with Deputy Mayor Meuse in the next few months.

Mayor Jacksic reported that Optimum will be working on Evergreen for internet service. Planet Network will be running underground cable on Riverview Rd.

PUBLIC COMMENT

No public comment

Executive Session

Motion made by Meuse, second by Jacksic and carried to go into Executive Session at 8:15 pm 2023-35 Resolution 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. 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 Meuse, second by Jacksic and carried to come out of Executive Session at 8:45.

Clerk Shipps stated that personnel and contract negotiations were discussed during Executive Session and no action will be taken at this time

ADJOURNMENT

Motion made by Meuse and second by Jacksic and carried to adjourn the meeting at 8:48 pm

Respectfully submitted by:

Kristin Shipps