

**TOWNSHIP OF HARDWICK  
TOWNSHIP COMMITTEE MEETING MINUTES  
WEDNESDAY JUNE 12, 2024**

**OPENING ROLL CALL:**

The meeting was called to order by Mayor Jacksic at 6:00 pm. Present was Deputy Mayor Meuse, Committeeman Lovell, Also, present were DPW Supervisor Campbell, Chief Financial Officer Rolef, Township Attorney Igor Bykov, and Municipal Clerk Shipps.

**FLAG SALUTE:**

**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 time the 2024 meeting schedule was adopted.”.

**PUBLIC COMMENT:**

Jim Vough asked if he was in compliance with the summons from the Zoning officer. Mayor Jacksic stated that the court case still needs to move forward, and it will be the township’s recommendation that there is no fine as long as Mr. Vough is in compliance.

**EXECUTIVE SESSION:**

**Motion made by Meuse, second by Lovell and carried to go into Executive Session at 6:10 pm.**

2024-46 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. Personnel/Interview
  - B. Land Acquisition/ Open Space

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 Lovell and carried to go out of Executive Session at 7:11 pm.**

Attorney Bykov stated that the Hardwick Township Committee returned from executive session at 7:11 pm where personnel matters with specific interviews were discussed, as well as land acquisition related to open space. Copies of these minutes shall be available at such time as the committee determines that there is no harm to the public interest. No official action is being taken.

**PUBLIC COMMENT:**

Paul Avery from the Blairstown Rotary is requesting a donation for this year's fireworks. Motion made by Lovell, second by Meuse and approved by roll call vote: Lovell—yes, Meuse—yes, Jacksic—yes to donate \$1000 to the Blairstown Rotary fireworks.

**DEPARTMENT REPORTS:**

DPW Supervisor Campbell stated that there were a few dead ash trees cut down. Discussion took place regarding bids for the roof. Township Attorney Bykov stated that the roof and gutters can be done at separate times and are not considered one project. DPW Supervisor Campbell stated he has been in contact with a company for a cost of \$42,250 with no changes and includes up to 5 pieces of plywood. 30% is due at signing of contract, 30% when started and 40% after completion. CFO Rolef requested that there be no changes to the cost in the contract.

**Motion made by Lovell, second by Meuse and approved by roll call vote: Lovell—yes, Meuse—yes, Jacksic to allow DPW Supervisor to sign the contract without attorney review and for CFO Rolef to pay the signed contract in the amounts and times as advised by DPW Supervisor Campbell.**

Bob Wolff stated that the month of June is training for Forest Fire Services.

**MINUTES:**

April 17, 2024, Public Session Meeting Minutes

**Motion made by Lovell, second by Jacksic and carried to approve April 17, 2024, public Session meeting minutes. Deputy Mayor Meuse abstained.**

**ORDINANCE:**

**Introduction:**

2024-01-Ordinance of the Township of Hardwick, County of Warren, State of New Jersey Amending and Supplementing Section 13-90A Entitled "Application Requirements" of Chapter 13- Land Development-to Establish a Procedure by which a Party can Submit a Zoning Map Change Request.

**WHEREAS**, the Township Committee of the Township of Hardwick has been made aware that no procedure or policy exists pertaining to a Zone Change request made by a party, seeking a change and/or an amendment to the Township's Zoning Ordinance; and

**WHEREAS**, the Township Committee believes that by establishing such procedure, the Township staff and professionals will be better equipped to accommodate such a request; and

**WHEREAS**, the Township Committee further believes that such amendment is in the best interest of the Township and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey, that Section 13-90A entitled “Fees Enumerated” of Chapter 13 – Land Development –to establish a procedure instructing a party, seeking a change and/or an amendment to the Township’s Zoning Ordinance, on how to make a Zone Change request as follows:

#### **SECTION I:**

Additions to this Section shall be delineated by underlined text thusly.

#### **§ 13-81. Application Requirements.**

a. [. . .]

f. Request to Amend Zoning Map. Any party requesting a zone change shall do so on a Zone Change Request form available at the Township Clerk's office, accompanied by an application fee of two hundred and fifty dollars (\$250.00), as well as a one-thousand-dollar (\$1,000.00) escrow fee. Any such request shall be submitted to the Township Clerk. Attached to the request shall be an appropriate scaled map identifying the area to be rezoned in specific relation to the neighborhood area and in relation to the entire Township. Zone boundary lines shall be provided in an accurately and clearly drawn format for an area within 1,500 feet of the proposed zone change area.

#### **SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Hardwick inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

#### **SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

#### **SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**Motion made by Lovell, second by Meuse and carried to introduce Ordinance 2024-01**  
**Introduction:**

#### **2024-04-Capitol Ordinance- Purchase of DPW Equipment**

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:

Various Equipment for the Department of Public Works Equipment

\$240,000.00

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

CAPITAL IMPROVEMENT FUND \$ 209,000.00

GENERAL CAPITAL – FUND BALANCE \$ 31,000.00

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, second by Meuse and carried to introduce Ordinance 2024-02.**

**CONSENT AGENDA:**

1. 2024-47-Renewal of Krave Café & Caterers, LLC Inactive Liquor License.

WHEREAS application for Plenary Retail Consumption License has been received from the following:

Krave Café & Caterers, LLC.

WHEREAS all conditions set forth by the New Jersey State Division of Alcoholic Beverage has been complied with to the best personal knowledge of this Committee, and

WHEREAS, the Hardwick Tavern has renewed their Alcoholic Beverage Retail Licensee Tax Clearance Certification, and the Municipality has received a copy of the said renewal from the Division of Taxation, and

WHEREAS, the Township has received the Special Ruling to permit renewal of inactive license pursuant to N.J.S.A. 33:1-12.39 dated August 5, 2022, from the Director of Law & Public Safety, Division of Alcoholic Beverage Control authorizing the renewal of License No. 2109-33-004-004 for the 2024-2025 license term. According to this SPECIAL RULING, the Director has reviewed the petition filed in this matter and having considered all the facts and circumstances related to the inactive status of this license finds that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2024-2025 license period. Should the owner wish to activate said license at the premises during the license

terms referenced above, they must file an amendment to their license application pursuant to N.J.A.C. 13:2-2.14 transferring the license from “INACTIVE” status to the intended premises.

NOW, THEREFORE, BE IT RESOLVED, that the Plenary Retail Consumption License be issued for the period of July 1, 2024, to June 30, 2025, as follows:

|                             |                             |
|-----------------------------|-----------------------------|
| License No. 2109-33-004-004 | Krave Café & Caterers, LLC. |
| Fee Paid Township \$622.00  | 47 Spring Valley Road       |
| Fee Paid State \$200.00     | Hardwick, New Jersey 07825  |

2. 2024-48-Redemption of Certification of Sale No. 2023-001 (Block 202, Lot 4).  
**WHEREAS**, the Tax Collector of Hardwick Township has been paid the amount necessary to redeem with interest calculated in accordance with the New Jersey Statutes and said payment has been deposited in the current account of Hardwick Township on lands known on the Tax Maps and in the Tax Duplicate as the following:

Block 202, Lot 4  
Certificate Number 2023-001  
Assessed to: Bayberry Holdings LLC  
4 Gaisler Road  
Hardwick, NJ 07825

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Committee of Hardwick Township that the Municipal Finance Officer is hereby authorized to issue two checks one for \$12,438.61 (lien) the other for \$1,300.00 (premium) payable to lien holder:

CHRISTIANA T C/F CE1/FIRSTTRUST  
PO Box 5021  
Philadelphia, PA 19111-5021

and that the Tax Collector is hereby authorized to cancel said lien from records and forward cancelled Tax Sale Certificate to redeeming party.

Information for Finance Officer

|                          |          |
|--------------------------|----------|
| Tax Cert. Amount         | 4260.20  |
| Subsequent Payment       | 7401.35  |
| *Redemption Fee          | 85.20    |
| *interest on certificate | 0.00     |
| *interest on subsequent  | 629.86   |
| Other fees               | 62.00    |
| Premium                  | 1300.00  |
| Total to lien holder     | 13738.61 |
| *to be reported on 1099  | 715.06   |

3. 2024-49 Governing Body Certification of Annual Audit.

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *(name of governing body)* of the *(name of local unit)*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit

a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

4. 2024-50 Purchase of 2024 Pickup with Plow.

**WHEREAS**, the Township of Hardwick is a member of the Morris County Cooperative Pricing System and wishes to utilize the contracts for Purchase of Pickup Truck with Plow; and

**WHEREAS**, Nielsen Ford, New Jersey has been awarded Contract #15-C Item #13. This has been awarded through the Morris County Cooperative Pricing Council of which the Township of Hardwick is an active participant; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available with the General Capital Fund

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Hardwick, County of Warren, and State of New Jersey that the Purchase of a 2024 Pickup with Plow not to exceed \$60,100.00 be awarded to Nielsen Ford 170 Ridgedale Avenue Morristown, New Jersey 07960.

5. 2024-51 Purchase of Kubota Tractor with Attachments.

**WHEREAS**, the Township of Hardwick is a member of the Educational Services Commission of New Jersey and wishes to utilize the contracts for Purchase of a Kubota M7060HDC 4WD Utility Cab Tractor with Attachments; and

**WHEREAS**, Cherry Valley Tractor Sales, New Jersey has been awarded Contract 22/23-12 Grounds Equipment. This has been awarded through the Educational Services Commission of New Jersey of which the Township of Hardwick is an active participant; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available with the General Capital Fund

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Hardwick, County of Warren, and State of New Jersey that the Purchase of a Kubota M7060HDC 4WD Utility Cab Tractor with Attachments not to exceed \$78,750.00 be awarded to Cherry Valley Tractor Sales 35 Route 70 West Marlton, NJ 08053

6. 2024-52 Purchase of Tractor with Sickle Bar Mower.

**WHEREAS**, the Township of Hardwick is a member of the Educational Services Commission of New Jersey and wishes to utilize the contracts for Purchase Paladin Tractor with Sickle Bar Mower; and

**WHEREAS**, Cherry Valley Tractor Sales, New Jersey has been awarded Contract 22/23-12 Grounds Equipment. This has been awarded through the Educational Services Commission of New Jersey of which the Township of Hardwick is an active participant; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available with the General Capital Fund

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Hardwick, County of Warren, and State of New Jersey that the Purchase of a Paladin Tractor with Sickle Bar Mower not to exceed \$100,200.00 be awarded to Cherry Valley Tractor Sales 35 Route 70 West Marlton, NJ 08053.

7. 2024-53 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 Lovell, second by Meuse and approved by roll call vote: Lovell—yes, Meuse—yes, Jacksic—yes June 12, 2024, Consent Agenda.**

**UNFINISHED BUSINESS:**

**Spring Valley Road update-**

Waren County has bids out for construction and the bid opening will be held later this month.

**Cell Tower Lease-**

Attorney Bykov emailed Gaelic Communications who stated they are still reviewing the lease.

**Tree Removal Sample Ordinance-**

Attorney Bykov stated that he reached out to the New Jersey Department of Environmental Services to confirm that the sample ordinance had been approved so the committee could move forward. He was advised that it is approved. Discussion took place on recommendations that were made by the Zoning officer. Attorney Bykov will revise the Tree ordinance for introduction at the next meeting.

**Vass Farmstead Lease-**

Attorney Bykov stated that an email has been received by Judith Yeane from the New Jersey Department of Environmental Service stating that everything is proceeding in a productive manner.

**Municipal Building Roof-**

This matter was discussed during the department report.

**Website Update-**

Deputy Mayor Meuse provided the committee with an update on the website which should go live soon.

**NEW BUSINESS:**

**Sussex-Warren Area Energy Cooperative Auction results-**

Mayor Jacksic read the auction result of the new Energy Cooperative with lowest bid going to Iet Energy. It will be a 15-month contract starting in September 2024. Residents must opt-out if they are not interested in the co-op.

**OEM Plan-**



Deputy Mayor Meuse stated that the plan is due in July. There are a few updates to be made after which the plan will be submitted.

**CORRESPONDENCE:**

**No Correspondence at this time.**

**TOWNSHIP ATTORNEY:**

Attorney Bykov stated that there is new legislation that has been passed regarding Affordable Housing and that a report will be due in June with a breakdown of non-residential fees collected.

Attorney Bykov stated a pre-trial conference has been scheduled for the second week in July for the Anderson matter.

**TOWNSHIP CLERK:**

No report at this time.

**TOWNSHIP COMMITTEE REPORTS:**

Committeeman Lovell stated there will be a senior luncheon on June 13, 2024, at the Vass Farmstead.

Committeeman Lovell reported that on June 20, 2024, there will be a moonlight paddle at White Lake and Friday July 19, 2024, there will be a square dance at Vass Farmstead.

Committeeman Lovell and Mayor Jacksic spoke at a prior time regarding a citizen award of Hardwick. There will be more discussion of this matter at a later date.

Deputy Mayor Meuse and Mayor Jacksic attended the Alina Lodge annual event and felt that it was a huge success.

**PUBLIC COMMENT:**

Bob Wolff asked about the tree ordinance and what will be exempt.

**EXECUTIVE SESSION:**

**Motion made by Lovell, second by Meuse and carried to go into Executive Session at 8:12 pm.**

2024-54 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:

3. The public shall be excluded from that portion of this meeting.
4. The general nature of the subject matter to be discussed is as follows:
  - C. Personnel/Compensation

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 go out of Executive Session at 8:25 pm.**

Attorney Bykov stated that the Hardwick Township Committee returned from executive session at 8:25 PM where one matter was discussed pertaining to annual raises no official action will be taken at this time. Copies of these minutes shall be available at such time as the committee determines there is no harm to the public interest and no official action is being taken.

**ADJOURNMENT:**

Motion made by Jacksic second by Lovell and carried to adjourn the meeting at 8:28 pm.

Respectfully submitted by:

Kristin Shipps, RMC