

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 9, 2020**

The meeting was called to order by Mayor Kula at approximately 7:05 P.M. with the opening statement that *the notice requirements of the Open Public Meetings Act were satisfied with respect to this meeting of the Mayor and Council of the Township of Hardyston which was held both in person and via Zoom webinar. Specifically, the time, date, and public call-in information were included in the meeting notice, posted in the Municipal Building, and sent to the official newspapers of the Township, the NJ Herald and the NJ Sunday Herald. Additionally, the agenda and public call-in information for this meeting was posted in the Municipal Building and on the Township website.* Also present were: Deputy Mayor Miller, Councilman Verrilli, Councilman Kaminski, Manager Carrine Piccolo-Kaufer, and Clerk Jane Bakalarczyk. Township Attorney Fred Semrau of Dorsey & Semrau was present via Zoom. Councilwoman Hamilton was absent from this meeting.

SALUTE THE FLAG

CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

Monthly Reports:

1. Municipal Clerk Report – November 2020
2. Tax Collector Report – November 2020
3. Construction Certificate Activity Report – November 2020
4. Construction Permit Activity Report – Hardyston – November 2020
5. Construction Permit Activity Report – Hamburg – November 2020
6. Construction Permit Activity Report – Franklin – November 2020
7. Construction Permit Activity Report – Newton – November 2020
8. Construction Permit Activity Report – Sussex – November 2020
9. Construction Permit Activity Report – Wantage – November 2020
10. Sussex County Health Department Report – October 2020
11. Land Use Report – November 2020
12. Municipal Court Report – November 2020
13. Police Department Report – November 2020

Agreements/Applications/Licenses:

1. Trailer Court License Renewal – Stanley Tabaka

A motion was made by Miller to approve the consent agenda as presented, seconded by Kaminski. All in favor. Motion carried.

ORDINANCES

1st READING: None

ORDINANCES

2nd READING: None

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NEW BUSINESS:

A. Tax Collector Resolutions

1. Resolution #94-20 – Overpayment Refund – 3 Country Lane – Block 16.04, Lot 25 – Robert & Terry Vanderyajt

RESOLUTION # 94-20

WHEREAS, Block 16.04 Lot 25 for 3 Country Lane and owned by Robert & Terry Vanderyajt, and

WHEREAS, for the November 1, 2020 tax quarter a payment in the amount of \$ 2,889.40 was made in error to this property by Lereta Corporation, and

WHEREAS, their Mortgage Company Wells Fargo had already paid their taxes in a timely manner,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund Lereta Corporation the amount of \$ 2,889.40 paid in error.

2. Resolution #95-20 – Disabled Veteran Refund – 36 Big Spring Road – Block 72, Lot 3.05 – Glenn R. Hooks

RESOLUTION # 95-20

WHEREAS, Block 72, Lot 3.05 also known as 36 Big Spring Road, Hardyston, and owned by Glenn R Hooks, and

WHEREAS, on March 24, 2020 Mr. Hooks was approved for a permanently Disabled Veteran and has full exempt status, and

WHEREAS, Navy Federal Bank has paid the November 1, 2020 tax quarter in error in the amount of \$ 2,878.98,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund Mr. Hooks in the amount of \$ 2,878.98 for the November 1, 2020 tax quarter paid in error.

3. Resolution #96 -20 – Disabled Veteran – Cancel Taxes – Block 88, Lot 6.01 – 11 Lake Shore Road East – Samuel & Charlene Messina

RESOLUTION # 96-20

WHEREAS, Block 88, Lot 6.01, 11 Lake Shore Road East and owned by Samuel & Charlene Messina, and

WHEREAS, on November 2, 2020 Mr. Messina was approved by Scott Holzhauser, Tax Assessor to be 100% Permanently Disabled Veteran and has full Exempt status, and

WHEREAS, the balance of November taxes in the amount of \$ 913.24 need to be cancelled.

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NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to cancel the balance of the November 1st 2020 taxes in the amount of \$ 913.24 as the property is now exempt.

A motion as made by Verrilli to approve all of the above Tax Collector resolutions, seconded by Miller. All in favor. Motion carried.

- B. Resolution #97-20 – Shared Service Agreement – Animal Control – Wantage Township

RESOLUTION #97-20

**RESOLUTION AUTHORIZING THE EXECUTION OF THE
FOLLOWING SHARED SERVICE AGREEMENT**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreement is hereby authorized:

1. Animal Control – Wantage Township

A motion was made by Verrilli to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

- C. Resolution #98-20 – Shared Service Agreement – Secretarial/Billing & Administration Services and Maintenance & Service - HTMUA

RESOLUTION #98-20

**RESOLUTION AUTHORIZING THE EXECUTION OF THE
FOLLOWING SHARED SERVICE AGREEMENT**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreement is hereby authorized:

1. Secretarial/Billing & Administration Services – HTMUA
2. Maintenance & Service – HTMUA

A motion was made by Miller to approve the resolution as presented, seconded by Kaminski. All in favor. Motion carried.

- A. Resolution #99-20 – Shared Service Agreement – Park Maintenance and Solid Waste and Recycling Removal – Hardyston Township Board of Education

RESOLUTION #99-20

**RESOLUTION AUTHORIZING THE EXECUTION OF THE
FOLLOWING SHARED SERVICE AGREEMENTS**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreements is hereby authorized:

1. Park Maintenance – Hardyston Township Board of Education
2. Solid Waste and Recycling Removal – Hardyston Township Board of Education

A motion was made by Miller to approve the resolution as presented, seconded by Verrilli. All in favor. Motion carried.

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- B. Resolution #100-20 – Shared Service Agreement – Fire Prevention – Wantage Township

RESOLUTION #100-20

**RESOLUTION AUTHORIZING THE EXECUTION OF THE
FOLLOWING SHARED SERVICE AGREEMENT**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following agreement is hereby authorized:

1. Fire Prevention Services – Wantage Township

A motion was made by Kaminski to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

- C. Resolution #101-20 – 2020 – 2021 Annual Liquor License Renewal

1. Hamburg Golf Course Beverage, Inc. - #1911-33-002-010 (Pocket License)

**RESOLUTION #101-20
HARDYSTON TOWNSHIP
LIQUOR LICENSE RENEWAL**

WHEREAS, the following Liquor License is to be renewed effective July 1, 2020, for a one year period; and

WHEREAS, all necessary fees and documentation have been properly filed with the Hardyston Township Municipal Clerk; and

NOW THEREFORE BE IT RESOLVED that the Liquor License shall be renewed for a period of one year effective July 1, 2020 for the following license holder pursuant to N.J.S.A. 33:1-12.39.

1. Hamburg Golf Course Beverage, Inc. - #1911-33-002-010

A motion was made by Miller to approve the resolution as presented, seconded by Verrilli. All in favor. Motion carried.

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D. Resolution #102-20 – 2020 Budget Transfers

**Hardyston Township
Resolution #102-20**

Now, Therefore be it Resolved, by the Township Council of the Township of Hardyston, State of New Jersey, that the following 2020 Budget appropriation transfers be authorized:

Transfer to Account	Account #	Amount	Transfer from Account	Account #	Amount
Finance S&W	01-201-20-130-001	\$ 1,100.00	Unemployment Insurance	01-201-23-225-020	\$ 1,100.00
Tax Assessor S&W	01-201-20-150-001	\$ 200.00	Unemployment Insurance	01-201-23-225-020	\$ 200.00
Tax Assessor OE	01-201-20-150-021	\$ 5,000.00	Social Security	01-201-36-472-020	\$ 5,000.00
Land Use S&W	01-201-21-180-001	\$ 100.00	Unemployment Insurance	01-201-23-220-020	\$ 100.00
Planning OE	01-201-21-180-021	\$ 2,000.00	Disability Insurance	01-201-23-226-020	\$ 2,000.00
Planning OE	01-201-21-180-021	\$ 1,000.00	Waiver Health Insurance	01-201-23-221-020	\$ 1,000.00
Zoning Official S&W	01-201-22-196-001	\$ 1.00	Unemployment Insurance	01-201-23-225-020	\$ 1.00
OEM S&W	01-201-25-252-001	\$ 1.00	Unemployment Insurance	01-201-23-225-020	\$ 1.00
Fire Safety S&W	01-201-25-265-001	\$ 1.00	Unemployment Insurance	01-201-23-225-020	\$ 1.00
LCC OE	01-201-28-374-020	\$ 11,747.75	Recreation S&W	01-201-28-370-001	\$ 11,747.75
Streets & Roads OE	01-201-26-290-021	\$ 20,000.00	Employee Group Insurance	01-201-23-220-020	\$ 20,000.00
Defined Contribution Plan	01-201-36-476-020	\$ 200.00	Unemployment Insurance	01-201-23-225-020	\$ 200.00
Buildings & Grounds	01-201-26-310-021	\$ 5,000.00	Social Security	01-201-36-472-020	\$ 5,000.00
Police OE	01-201-25-240-021	\$ 15,500.00	Police S&W	01-201-25-240-001	\$ 15,500.00
Purchase of Police Cars OE	01-201-25-241-020	\$ 12,000.00	Police S&W	01-201-25-240-001	\$ 12,000.00
Communations OE	01-201-25-250-020	\$ 1,000.00	Police S&W	01-201-25-240-001	\$ 1,000.00
Computers OE	01-201-20-140-020	\$ 5,000.00	Police S&W	01-201-25-240-001	\$ 5,000.00
Insurance Other Insurance	01-201-23-210-020	\$ 2,160.64	Fire Department OE	01-201-25-255-021	\$ 2,160.64
Total		\$ 82,011.39	Total		\$ 82,011.39

A motion was made by Kaminski to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

E. Resolution #103-20 – Resolution authorizing release of the performance bond for MUA Water and Sewer work performed at Indian Field – Phase III, Block 67, Lot 16.01

RESOLUTION #103-20

**A RESOLUTION OF THE TOWNSHIP OF HARDYSTON, IN THE
COUNTY OF SUSSEX AND STATE OF NEW JERSEY, AUTHORIZING
RELEASE OF THE PERFORMANCE BOND FOR MUA WATER AND
SEWER WORK PERFORMED AT INDIAN FIELD – PHASE III, BLOCK
67, LOT 16.01**

WHEREAS, the developer, Beazer Homes Corp., has requested release of the performance bond #104307972 being held by the Township of Hardyston for water and sewer improvements to be transferred to the Hardyston Township Municipal Utility Authority (MUA); and

WHEREAS, the MUA has accepted the project and does authorize the release of the performance bond #104307972 posted in connection with water and sewer improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, that it does hereby authorize performance bond #104307972 posted in connection with this project be released together with remaining cash bond.

This Resolution shall take effect immediately.

A motion was made by Verrilli to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

F. Resolution #104-20 – Resolution to authorize settlement of tax appeal for property known as Block 36, Lot 11.05, Qualifier T01 (formerly known as Block 36, Lot 11.01, Qualifier Cell) – 12 Laurel Drive - Uryniak, Ronald S. & Linda J.

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RESOLUTION #104-20

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE SETTLEMENT OF
TAX APPEAL FOR PROPERTY KNOWN AS BLOCK 36, LOT 11.05, QUALIFIER T01
(FORMERLY KNOWN AS BLOCK 36, LOT 11.01, QUALIFIER CELL)**

WHEREAS, a tax appeal was filed by Uryniak, Ronald S & Linda J for the tax years 2010, 2011, 2012, 2013, 2014, 2015 & 2016 and by Uryniak Tower LLC c/o American Twr for the tax years 2017, 2018, 2019 & 2020 for property known as Block 36, Lot 11.05, Qualifier T01 (formerly known as Block 36, Lot 11.01, Qualifier CELL) and commonly known as 12 Laurel Drive, Hardyston, New Jersey; and

WHEREAS, settlement of the appeal is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, that the settlement of the above referenced tax appeal filed at the Tax Court of New Jersey is hereby authorized as follows:

Uryniak, Ronald S & Linda J/Uryniak Tower LLC c/o American Twr
12 Laurel Drive
Block 36, Lot 11.05, Qualifier T01 (formerly known as Block 36, Lot 11.01, Qualifier CELL)

Year	Assessment	Proposed Assessment
2010	\$1,563,000	\$1,100,000
2011	\$1,563,000	\$1,100,000
2012	\$1,563,000	\$1,325,000
2013	\$1,563,000	\$1,400,000
2014	\$1,656,600	\$1,656,600
2015	\$1,656,600	\$1,656,600
2016	\$1,656,600	\$1,656,600
2017	\$1,656,600	\$1,656,600
2018	\$1,656,600	\$1,656,600
2019	\$1,656,600	\$1,656,600
2020	\$1,656,600	\$1,656,600

BE IT FURTHER RESOLVED, that the municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

A motion was made by Miller to approve the resolution as presented, seconded by Kaminski. All in favor. Motion carried.

G. Correspondence

1. Franklin Borough
2. Long Hill Township
3. County of Sussex
4. Sussex County Municipal Utilities Authority
5. State of NJ
6. State of NJ
7. Public Service Electric & Gas Company

A motion was made by Verrilli to approve the correspondence as presented, seconded by Miller. All in favor. Motion carried.

BILLS TO BE PAID: A motion was made by Kaminski to approve the bill list as presented, seconded by Verilli. All in favor. Motion carried.

At this time, Township Manager updated the Council on the status of tax collection and stated that the collection rate is at 98%. She stated that no bids were received for Snow Removal Services, and that no applications have been received to date for part-time snow removal drivers.

PUBLIC PORTION: A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. Bohdan Senyszyn, via Zoom, inquired as to the status of the Brecia Farms development. Township Attorney stated that the Township is still in the process of calling the Letter of Credit provided by the developer due to the fact that certain improvements have not yet been completed. He stated that the process should be completed by the end of the year. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Miller to adjourn at approximately 7:30 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk