

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 4, 2021

The meeting was called to order by Mayor Kula at approximately 6:00 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, Councilman Cicerale, Manager Carrine Piccolo-Kaufer, and Clerk Jane Bakalarczyk. Township Attorney Fred Semrau of Dorsey & Semrau was present via Zoom.

SALUTE THE FLAG:

STATEMENT OF DETERMINATION: Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman Brian J. Kaminski and Councilman Frank Cicerale.

OATH OF OFFICE: Township Attorney Fred Semrau issued the Oath of Office to Councilman Kaminski and Councilman Cicerale.

2021 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:

MAYOR - A motion was made by Verrilli to appoint Brian J. Kaminski, seconded by Cicerale. All in favor. Motion carried.

DEPUTY MAYOR - A motion was made by Kaminski to appoint Frank Cicerale, seconded by Verrilli. All in favor. Motion carried.

ATTORNEY - A motion was made by Kaminski to appoint Fred Semrau, seconded by Cicerale. All in favor. Motion carried.

LABOR COUNSEL - A motion was made by Kaminski to appoint Methfessel & Werbel, seconded by Cicerale. All in favor. Motion carried.

MUNICIPAL JUDGE – A motion was made by Kaminski to appoint Paris Eliades to a **three-year term**, seconded by Cicerale. All in favor. Motion carried.

TOWNSHIP ENGINEER – A motion was made by Kaminski to appoint Michael G. Vreeland of Van Cleef Engineering Associates, LLC to a **three-year term**, seconded by Cicerale. All in favor. Motion carried.

EMERGENCY MANAGEMENT COORDINATOR – A motion was made by Kaminski to appoint William Hickerson to a **three-year term**, seconded by Cicerale. All in favor. Motion carried.

PROSECUTOR - A motion was made by Kaminski to appoint Jonathan McMeen, seconded by Cicerale. All in favor. Motion carried.

PUBLIC DEFENDER - A motion was made by Kaminski to appoint Janine M. Cerra, seconded by Cicerale. All in favor. Motion carried.

AUDITOR - A motion was made by Kaminski to appoint Wielkotz & Co, LLC, seconded by Cicerale. All in favor. Motion carried.

BOND COUNSEL – A motion was made by Kaminski to appoint Robert H. Beinfield, Esq. of Hawkins, Delafield and Wood, LLP, seconded by Cicerale. All in favor. Motion carried.

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CONTINUING DISCLOSURE AGENT & INDEPENDENT REGISTERED MUNICIPAL ADVISOR – A motion was made by Kaminski to appoint Phoenix Advisors, LLC, seconded by Cicerale. All in favor. Motion carried.

DEPUTY MUNICIPAL CLERK – A motion was made by Kaminski to appoint Carrine Piccolo-Kaufer, seconded by Cicerale. All in favor. Motion carried.

DEPUTY REGISTRAR - A motion was made by Kaminski to appoint Patricia Egan, seconded by Cicerale. All in favor. Motion carried.

ASSESSMENT SEARCH OFFICER - A motion was made by Kaminski to appoint Jane Bakalarczyk, seconded by Cicerale. All in favor. Motion carried.

9-1-1 COORDINATOR – A motion was made by Kaminski to appoint William Hickerson, seconded by Cicerale. All in favor. Motion carried.

TOWNSHIP PHYSICIAN - A motion was made by Kaminski to appoint Jeffrey Merkle, seconded by Cicerale. All in favor. Motion carried.

SWCF COMMISSIONER - A motion was made by Kaminski to appoint Carrine Piccolo-Kaufer, seconded by Cicerale. All in favor. Motion carried.

RISK MANAGEMENT CONSULTANT - A motion was made by Kaminski to appoint the Morville Agency, A Division of Gallagher/Bollinger, Inc., seconded by Cicerale. All in favor. Motion carried.

SENIOR CITIZEN COORDINATOR - A motion was made by Kaminski to appoint June Eisenecker, seconded by Cicerale. All in favor. Motion carried.

PUBLIC AGENCY COMPLIANCE OFFICER - A motion was made by Kaminski to appoint Grant Rome, seconded by Cicerale. All in favor. Motion carried.

208 REPRESENTATIVE (PAC) - A motion was made by Kaminski to appoint Carrine Piccolo-Kaufer, seconded by Cicerale. All in favor. Motion carried.

ALTERNATE 208 REPRESENTATIVE (PAC) –A motion was made by Kaminski to appoint Robert F. Schultz, seconded by Cicerale. All in favor. Motion carried.

SC SOLID WASTE ADVISORY COMMITTEE (SWAC) – A motion was made by Kaminski to appoint Robert F. Schultz, seconded by Cicerale. All in favor. Motion carried.

SWCF SAFETY LOSS PREVENTION REPRESENTATIVE - A motion was made by Kaminski to appoint Jane Bakalarczyk, seconded by Cicerale. All in favor. Motion carried.

COUNCIL LIAISON TO HTBOE - A motion was made by Cicerale to appoint Brian Kaminski, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE COUNCIL LIAISON TO HTBOE - A motion was made by Kaminski to appoint Frank Cicerale, seconded by Cicerale. All in favor. Motion carried.

OATH OF OFFICE – Fire Department 2021 Officers will be sworn in at another time.

SERVICE AWARD PRESENTATION:

Mayor Kaminski presented the following service awards:

1. **Larry Babcock – Department of Public Works – 10 Years**
2. **James Homa – Zoning Board – 10 Years**
3. **Candace Leatham – Zoning Board – 20 Years**

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4. **Robert Meeker – Fire Department – 10 Years**
5. **Stuart Cohen – Fire Department – 12 Years (Life Member)**
6. **Anthony Ceglia – Fire Department – 20 Years**

Resolution #01-21 - Resolution authorizing the award of non-fair and open contracts for professional services: Attorney, Labor Counsel, Engineer, Prosecutor, Auditor, Bond Counsel, Continuing Disclosure Agent and Independent Registered Municipal Advisor, Public Defender and Risk Management Consultant

#01-21

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, Hardyston Township has a need to acquire professional services to be provided under non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Hardyston Township has determined that the anticipated value of each contract will exceed \$17,500.00; and

WHEREAS, the anticipated term of each contract is one (1) year; and

WHEREAS, each of the following individuals and/or business entities has submitted a proposal indicating a willingness to provide professional services as described below and for the price stated; and

WHEREAS, each individual/business entity named herein has completed and submitted a Business Entity Disclosure Certification which certifies that no reportable contributions have been made to a political or candidate committee in the Township of Hardyston in the previous one year, and that the contract will prohibit the individual/business entity from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Hardyston has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston as follows:

1. The Township of Hardyston is authorized to engage Fred Semrau of Dorsey & Semrau as municipal attorney for the year 2021 at the rate of \$163.00 per hour not to exceed \$100,000.00;
2. The Township of Hardyston is authorized to engage Methfessel & Werbel as labor counsel for the year 2021 at the rate of \$150.00 per hour not to exceed \$15,000.00;
3. The Township of Hardyston is authorized to engage Van Cleef Engineering Associates, LLC as municipal engineer for the year 2021 at the rate of \$130.00 per hour not to exceed \$200,000.00;
4. The Township of Hardyston is authorized to engage Jonathan McMeen, Esq. as municipal prosecutor for the year 2021 at the rate of \$17,700.00 not to exceed \$20,000.00;
5. The Township of Hardyston is authorized to engage Wielkotsz & Company, LLC as municipal auditor for the year 2021 at a rate ranging from \$75.00 to \$200.00 per hour not to exceed \$35,000.00;

6. The Township of Hardyston is authorized to engage the Law Office of Hawkins, Delafield and Wood, LLP as municipal bond counsel for the year 2021 at a rate not to exceed \$50,000.00;
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7. The Township of Hardyston is authorized to engage Phoenix Advisors, LLC as Continuing Disclosure Agent and Independent Registered Municipal Advisor for the year 2021 at a rate not to exceed \$2,500.00.

8. The Township of Hardyston is authorized to engage Janine M. Cerra, Esq. as public defender for the year 2021 at the rate of \$200.00 per case not to exceed \$20,000.00;

9. The Township of Hardyston is authorized to engage The Morville Agency, a division of Gallagher/Bollinger, Inc., as municipal risk management consultant for the year 2021 at the rate specified in the 2021 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement;

BE IT FURTHER RESOLVED that these appointments are awarded without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value for each of the individual/business entities named herein shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage. This Resolution and each referenced contract are on file and available for public inspection in the office of the Hardyston Township Clerk.

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

Resolution #02-21 - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

RESOLUTION #02-21

BE IT RESOLVED by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation, providing that all settlements are approved by the Township Manager.

BE IT FURTHER RESOLVED that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$10,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

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

Resolution #03-21 - Resolution authorizing the Tax Collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 or less for the calendar year 2020

RESOLUTION #03-21

BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, County of Sussex and State of New Jersey, to authorize the tax collector to cancel of record any overpayment or

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underpayment of taxes in the amount of \$10.00 (ten dollars) or less for the calendar year 2020, in accordance with the provisions of N.J.S.A. 54:4-99.

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

Resolution #04-21 - Resolution setting interest rate for non-payment of taxes

RESOLUTION #04-21

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, that the rate of interest to be charged for non-payment of taxes on or before the date that they would become delinquent shall be set at the rate of 8% per annum on the first \$1500 of the delinquency, and 18% per annum on any amount in excess of \$1500, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of N.J.S.A. 54:4-67, a six percent (6%) penalty shall be charged to a taxpayer with a delinquency in excess of Ten Thousand and no/100 Dollars (\$10,000) who fails to pay the delinquency prior to the end of the calendar year. Delinquency in this instance means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or tax years.

BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installation is made within ten days after the date which same became payable.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

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

Resolution #05-21 designating official depositories:

RESOLUTION #05-21

WHEREAS, Title 40A:5-14 requires that the governing bodies shall designate official depositories for its monies and:

WHEREAS, the Township Council of the Township of Hardyston wishes to designate the following banks for said purposes:

NOW THEREFORE BE IT RESOLVED by the Township Council that the following depositories be designated as official depositories for the Township of Hardyston:

Provident Bank
Wells Fargo Bank
Lakeland Bank
NJ Cash Management Fund
TD Bank

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

OFFICIAL NEWSPAPERS - A motion was made by Verrilli to appoint the New Jersey Herald and New Jersey Sunday Herald as Official Newspapers of the Township of Hardyston and the Star Ledger, and Advertiser News as Alternates, seconded by Miller. All in favor. Motion carried.

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OFFICIAL HOLIDAYS - A motion was made by Miller to approve the following holidays:

New Year's Day	Independence Day	Day After Thanksgiving
Martin Luther King Day	Labor Day	Christmas Eve Day
Presidents' Day	Columbus Day	Christmas Day
Good Friday	Veterans' Day	
Memorial Day	Thanksgiving Day	

seconded by Verrilli. All in favor. Motion carried.

2021 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS

January 27, 2021
February 24, 2021
March 24, 2021
April 28, 2021
May 26, 2021
June 23, 2021
July 28, 2021
August 25, 2021
September 22, 2021
October 27, 2021
November 10, 2021
December 8, 2021

WORKSHOP MEETINGS

January 27, 2021
February 24, 2021
March 24, 2021
April 28, 2021
May 26, 2021
June 23, 2021
July 28, 2021
August 25, 2021
September 22, 2021
October 27, 2021
November 10, 2021
December 8, 2021

REORGANIZATION MEETING – MONDAY, JANUARY 3, 2022 – 6:00 PM

A motion was made by Miller to approve the above Hardyston Township Council meeting dates, seconded by Cicerale. All in favor. Motion carried.

PLANNING BOARD - The following appointments were made:

MAYOR - CLASS I - A motion was made by Miller to appoint Brian J. Kaminski, seconded by Verrilli. All in favor. Motion carried.

CLASS II - A motion was made by Miller to appoint Robert F. Schultz, seconded by Verrilli. All in favor. Motion carried.

CLASS III - A motion was made by Verrilli to appoint Carl B. Miller, seconded by Cicerale. All in favor. Motion carried.

CLASS IV – A motion was made by Miller to appoint Sally Anne Goodson to a **four-year term**, seconded by Verrilli. All in favor. Motion carried.

CLASS IV – A motion was made by Miller to appoint Ed Zinck to a **four-year term**, seconded by Verrilli. All in favor. Motion carried.

ZONING BOARD - The following appointments were made:

FULL MEMBER - A motion was made by Miller to appoint James Homa to a **four-year term**, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE 1 - A motion was made by Miller to appoint Vally Cicerale to a **two-year term**, seconded by Verrilli. All in favor. Motion carried.

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ALTERNATE 2 - A motion was made by Miller to appoint Douglas Grayson to a **two-year term**, seconded by Verrilli. All in favor. Motion carried.

MUNICIPAL UTILITIES AUTHORITY - The following appointments were made:

FULL MEMBER - A motion was made by Cicerale to appoint Ellis Marples to a **five-year term**, seconded by Miller. All in favor. Motion carried.

FULL MEMBER - A motion was made by Kula to appoint Candace Leatham to the **five-year unexpired term** of Brian Kaminski, seconded by Verrilli. All in favor. Motion carried.

RECREATION COMMITTEE: A motion was made by Kula to appoint:

Robert Califano
Stanley J. Kula
MaryAnn Murphy
Jodi Mix
Kathleen Judd
David Van Ginneken
Mary Purcell
Heidi Coscia
Ashley Sheldon

seconded by Miller. All in favor. Motion carried.

ECONOMIC DEVELOPMENT COMMISSION: A motion was made by Miller to appoint:

Carl Miller
Stanley Kula
Gil Roessner
David Van Ginneken

seconded by Verrilli. All in favor. Motion carried.

MUNICIPAL DRUG ALLIANCE COMMITTEE: A motion was made by Verrilli to appoint:

Robert Zicarelli
Elaine Tizzano
Jill Helmstetter
Carrine Kaufer
Larissa Potosnak
Cynthia Rock
Mark Sena
Fred Moses

seconded by Miller. All in favor. Motion carried.

EMERGENCY MANAGEMENT COUNCIL - A motion was made by Miller to make the following appointments:

Council	Carl Miller
Council	Frank Cicerale
Council	Santo Verrilli
Council	Brian Kaminski
Council	Stan Kula

Manager Carrine Piccolo-Kaufer
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Police Chief	Scott Lobban
Police Liaison	Scott Lobban
Construction Official	Joe Butto
DPW	Bob F. Schultz
Fire Chief	Robert Washer
Asst. Fire Chief	Anthony Rosta
Deputy Coordinator	Ray Marion
Fire Dept. Liaison	Frank Lacatena
Chaplain/Mental Health	Robert Meeker
School Nurse	Elizabeth Burdzy

seconded by Verrilli. All in favor. Motion carried.

Resolution #06-21 - 2021 TEMPORARY MUNICIPAL BUDGET

**RESOLUTION #06-21
TOWNSHIP OF HARDYSTON 2021 TEMPORARY BUDGET**

WHEREAS, 40A:4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2021 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2021; and

WHEREAS, the total appropriations in the 2020 budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

General
9,728,021

WHEREAS, 26.25 percent of the total appropriations in the 2020 budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in said 2020 budget is as follows:

General
2,553,606

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Hardyston, County of Sussex that the above temporary appropriations are made and that a certified copy of this resolution is transmitted to the Chief Financial Officer for his records.

A motion was made by Miller to approve the 2021 Temporary Municipal Budget, seconded by Kula. All in favor. Motion carried.

Resolution #07-21 – Resolution appointing Risk Management Consultant

**RESOLUTION #07-21
RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

WHEREAS, Hardyston Township (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and
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NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Sussex and State of New Jersey, as follows:

1. Hardyston Township (Local Unit) hereby appoints George Morville, ASVP of Arthur J. Gallagher Risk Management Services Inc., its Risk Management Consultant.
2. The Administrator (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2021 in the form attached hereto.

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

Resolution #08-21 – Resolution appointing Statewide Insurance Fund Commissioner

**STATEWIDE INSURANCE FUND
RESOLUTION #08-21
RESOLUTION APPOINTING FUND COMMISSIONER**

WHEREAS, Hardyston Township (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Hardyston (Local Unit) that Carrine Piccolo-Kaufer (*entity’s elected official or employee*) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that Becky Westra (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

PUBLIC PARTICIPATION - The Council opened the meeting to the public. No public comment. The Council closed the meeting to the public.

ADJOURN - A motion was made by Kaminski at approximately 6:35 p.m. to adjourn, seconded by Miller. All in favor. Motion carried.

Attest _____
Jane Bakalarczyk, Municipal Clerk