

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
MARCH 24, 2021**

The meeting was called to order by Mayor Kaminski at approximately 8:30 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 on the Township webpage. 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 Cicerale, Councilman Kula, Councilman Miller, Councilman Verrilli, Manager Carrine Piccolo-Kaufer, and Clerk Jane Bakalarczyk. Township Attorney Robert Rossmeissl of Dorsey & Semrau was present via Zoom.

**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 – February 2021
2. Tax Collector Report – February 2021
3. Construction Certificate Activity Report – February 2021
4. Construction Permit Activity Report – Hardyston – February 2021
5. Construction Permit Activity Report – Hamburg – February 2021
6. Construction Permit Activity Report – Franklin – February 2021
7. Construction Permit Activity Report – Newton – February 2021
8. Construction Permit Activity Report – Sussex – February 2021
9. Construction Permit Activity Report – Wantage – February 2021
10. Municipal Court Report – February 2021
11. Police Department Report – February 2021
12. Sussex County Health Department Report – January 2021
13. Sussex County Health Department Report – February 2021
14. Land Use Report – February 2021

**Agreements/Applications/Licenses:**

1. Fire Department – New Member Applications – Joseph Ionta, Jr. and Robert Codner

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

**ORDINANCES**

**1st READING:**

**2021-03**

**CALENDAR YEAR 2021  
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. 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 1.00% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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**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 Council of the Township of Hardyston in the County of Sussex finds it advisable and necessary to increase its CY 2021 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 Council hereby determines that a 2.50% increase in the budget for said year, amounting to \$200,902.30 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Council 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 Council of the Township of Hardyston, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of Hardyston shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$281,263.22, and that the CY 2021 municipal budget for the Township of Hardyston 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.

A motion was made by Miller to approve Ordinance 2021-03 on first reading, seconded by Cicerale. All in favor. Motion carried.

**2021-04**

**AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF  
HARDYSTON AUTHORIZING THE SALE OF REAL  
PROPERTY KNOWN AS BLOCK 67.07, LOT 1.11 AS PART OF  
THE TOWNSHIP'S MARKET TO AFFORDABLE HOUSING  
PROGRAM**

**Purpose Statement:**

The purpose of this Ordinance shall be to authorize the sale of real property known as 22 Sundance Terrace, Block 67.07, Lot 1.11 in the Township of Hardyston to Buyer(s) Kayla D'Angelo & Joshua Reed, as part of the Township's market to affordable housing program.

**WHEREAS**, the Township owns Block 67.07, Lot 1.11, 22 Sundance Terrace ("the property") in the Township of Hardyston ("Township" or "Hardyston"); and

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**WHEREAS**, the property is a moderate-income housing unit that the Township desires to convey to Kayla D’Angelo, 627 Canistear Road, Highland Lakes, New Jersey 07422 (“the Buyer”) as part of the Township’s Market to Affordable Housing Program; and

**WHEREAS**, the Township Council has determined that it should convey the property to the Buyer as part of the Township’s Market to Affordable Housing Program for the purpose of addressing the Township’s affordable housing obligations pursuant to the Township’s Housing Element and Fair Share Plan and the New Jersey Council on Affordable Housing (“COAH”) Substantive Rules (N.J.A.C. 5:97-1 et seq).

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Hardyston that the Township shall convey 22 Sundance Terrace, Block 67.07, Lot 1.11 in the Township to Buyer(s) Kayla D’Angelo & Joshua Reed, for consideration in the amount of \$119,368.00, and in accordance with the terms of a Contract for Sale to be executed by the Buyer and the Township.

**NOW, THEREFORE, BE IT FURTHER ORDAINED**, that the Mayor and Council of the Township of Hardyston, the Township Manager and Clerk, the Township Housing Liason, and Vogel, Chait, Collins and Schneider, P.C., as Special Counsel to the Township of Hardyston are hereby authorized to prepare and execute any and all documentation to effectuate the sale of the property described herein.

**Severability.**

If any section, paragraph, subdivision clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, sub-division, clause or provision and the remainder of the Ordinance shall be deemed valid and effective.

**Effective Date.**

This ordinance shall take effect after publication and passage in accordance with law.

A motion was made by Miller to approve Ordinance 2021-04 on first reading, seconded by Kula. All in favor. Motion carried.

**ORDINANCES**

**2nd READING:** **None**

**NEW BUSINESS:**

- A. Proclamation – Child Abuse Prevention Month

**PROCLAMATION**

**CHILD ABUSE PREVENTION MONTH**

**WHEREAS**, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

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**WHEREAS**, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

**WHEREAS**, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior;

**WHEREAS** the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community;

**NOW THEREFORE**, be it resolved that the Township Council of the Township of Hardyston, Sussex County does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

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

B. Proclamation Honoring Robert S. Neubig

Mayor Kaminski read the proclamation and presented the plaque to the Neubig family at the workshop meeting that was held prior to this regular meeting.

C. Resolution #23-21 – Resolution Opposing New Jersey State Assembly Bill A4843 as Written

**Resolution #23-21**

**RESOLUTION OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY OPPOSING NEW JERSEY STATE ASSEMBLY BILL A4843 AS WRITTEN**

**WHEREAS**, the New Jersey State Assembly has introduced Bill A4843, which would require local governments to write Forest Stewardship Plans for all forests in their ownership that had been acquired for conservation or recreation; and

**WHEREAS**, the Forest Stewardship Plans would need to be researched, developed and submitted by a trained Forester and the Township at the Township's cost; and

**WHEREAS**, the Township of Hardyston is already under financial pressure due to the Highlands Act; and

**WHEREAS**, Assembly Bill A4843 amounts to an unfunded mandate; and

**WHEREAS**, the financial pressure caused by this unfunded mandate would force the Township to engage heavily in the logging industry and exposing our forest ecosystems to invasive plant and insect species and risking degradation of our soil and water quality; and

**WHEREAS**, logging would compromise the recreational experiences in our forests, which we rely on for ecotourism; and

**WHEREAS**, tourists of Hardyston can easily opt to visit neighboring parks across the NY State line, where aggressive logging is not practiced.

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**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey hereby opposes this bill, as it is written, and further opposes the imposition of any unfunded mandate, especially one such as A4843, which would adversely affect the fiscal and environmental health of the Township of Hardyston.

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

D. Resolution #24-21- Shared Service Agreement – Use of Jefferson Township Gun Range

**RESOLUTION #24-21**

**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. Shared Services Agreement between and among the Township of Jefferson, Township of Parsippany-Troy Hills, Township of Hardyston, County of Morris, NJ State Police Troop B Barracks and United States Department of Defense for Use of the Jefferson Township Gun Range

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

E. 2021 Municipal Budget Introduction

Township Manager gave an overview of the 2021 Municipal Budget. A motion was made by Verrilli to approve the 2021 Municipal Budget as introduced, seconded by Miller. All in favor. Motion carried. Public hearing and adoption of the budget is scheduled for April 28, 2021.

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F. Resolution #25-21 – 2021 Salary Resolution

**BE IT RESOLVED** by the Hardyston Township Council that the annual salaries and wages effective January 1, 2021 shall be paid as follows:

Title	2021
<b>Annual Salary</b>	
<b>Salaried:</b>	
Township Council	\$ 5,000.00
Mayor/Deputy Mayor:	
Marriage/Civil Union Ceremony Stipend (per ceremony for residents)	\$ 50.00
(per ceremony for non-residents)	\$ 200.00
Township Manager	\$ 72,000.00
Municipal Clerk/Registrar/Search Officer	\$ 84,828.14
Deputy Registrar	\$ 1,530.00
Chief of Police	\$ 171,471.05
Public Works Director	\$ 131,643.00
Zoning Officer	\$ 41,111.10
Computer Technician	\$ 56,657.55
Tax Assessor	\$ 60,545.78
Tax Collector	\$ 80,000.00
Municipal Planner	\$ 85,000.00
Land Use and Grants Administrator	\$ 71,083.00
Construction Official	\$ 114,294.13
Building Inspector/Subcode Official	\$ 83,232.00
Fire Official	\$ 28,426.39
Fire Prevention Inspector	\$ 8,616.61
Housing Rehabilitation Program Inspector	\$300.00/unit
Municipal Court Administrator	\$ 65,842.66
Municipal Court Magistrate	\$ 35,308.51
Temporary Municipal Court Magistrate (per session)	\$925.00/session
Deputy Court Clerk	
For first three hours of court session	\$ 100.00
For each hour of court session exceeding three hours	\$17/hour
Emergency Management Coordinator	\$ 9,993.36
<b>Hourly:</b>	
Municipal Court Officer	\$ 25.00
Winter Seasonal Laborer/Driver	\$ 20.00
Winter Seasonal Laborer/Driver with 5+ years experience	\$ 25.00
Secretary/Clerical - Construction	\$ 17.50
Secretary/Clerical - Administration	\$ 15.00
Secretary/Clerical Temporary	\$ 12.00
Secretary/Administration - Technical Assistant to Construction Official	\$ 24.89
Secretary/Administration - Construction	\$ 24.54
Secretary/Administration - Administration/MUA	\$ 25.54
Secretary/Administration - Tax Collector	\$ 24.54
Confidential Assistant - Police Chief	\$ 28.01
Confidential Assistant - Township Manager	\$ 26.44
Secretary/Administrator - Assistant to the Chief Financial Officer	\$ 25.08
Recreation Director	\$ 24.54
Recreation On-Call Staff	\$ 12.00
Recreation Program Presenter Without Certification	\$ 15.00
Recreation Program Presenter With Certification	\$ 25.00
Electrical Subcode Official	\$ 54.49
Plumbing Subcode Official	\$ 43.51
Plumbing Subcode Inspector	\$ 34.00
Building Inspector - Part Time	\$ 31.83

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

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**G. Special Assessment Commission Appointments – Fire Suppression System – North Church Technical Center**

A motion was made by Kula to appoint the following to a one-year term:

MaryAnn Murphy – Full Member  
Candace Leatham – Full Member  
Ellis Marples – Full Member  
John Bazelewich - Alternate

seconded by Verrilli. All in favor. Motion carried.

**H. Correspondence**

1. Hamburg Borough
2. Ogdensburg Borough
3. Franklin Borough
4. Hampton Township
5. Hampton Township
6. Hampton Township
7. Sparta Township
8. Sparta Township
9. State of NJ
10. Anthony Pignataro/Tony's Pizza
11. Capricorn Engineering

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

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

**PUBLIC PORTION:** A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public comment. 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 8:55 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk