



**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

**WHEREAS**, the tax payment from the Title Company, ServiceLink, LLC was posted to Block 92 lot 26 and the mortgage company, Suntrust Bank paid the August taxes, and

**WHEREAS that** the title company, ServiceLink, LLC paid the August quarter and is due a refund in the amount of \$1,621.58.

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund ServiceLink, LLC in the amount of \$1,621.58.

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

2. Resolution #75-21 – Refund Resolution – Mark and Doreen Zyskowski for Block 81, Lot 21 – 22 W Shore Trail

**RESOLUTION #75-21**

**WHEREAS**, Block 81 Lot 21 also known as 22 W Shore Trail owned by Mark and Doreen Zyskowski and

**WHEREAS**, the tax payment from the homeowner was posted to Block 81 lot 21 and the mortgage company, Provident Funding paid the August taxes, and

**WHEREAS**, the homeowner, Mark and Doreen Zyskowski paid the August quarter and is due a refund in the amount of \$1,455.42.

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund Mark and Doreen Zyskowski in the amount of \$1,455.42.

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

3. Resolution #76-21 – Refund Resolution – Suburban Title Examiners, Inc. for Block 19, Lot 22.01 – 65 Sand Pond Road

**RESOLUTION #76-21**

**WHEREAS**, Block 19 Lot 22.01 also known as 65 Sand Pond Road owned by Gina and Peter Brunda, and

**WHEREAS**, the tax payment from the title company, Suburban Title Examiners, Inc. was posted to Block 19 lot 22.01 and the mortgage company, Homepoint Financial paid the August taxes, and

**WHEREAS**, the title company, Suburban Title Examiners, Inc. paid the August quarter and is due a refund in the amount of \$1,875.43.

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund Suburban Title Examiners, Inc. in the amount of \$1,875.43.

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

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

4. Resolution #77-21 – Refund Resolution – Vantage Point Title, Inc. for Block 17.01, Lot 58 – 27 Tannery Hill Drive

**RESOLUTION #77-21**

**WHEREAS**, Block 17.01 Lot 58 also known as 27 Tannery Hill Drive owned by Carol McNally, and

**WHEREAS**, the tax payment from the title company, Vantage Point Title, Inc. was posted to Block 17.01 lot 58 and the mortgage company, New American Funding paid the August taxes, and

**WHEREAS**, the title company, Vantage Point Title, Inc. paid the August quarter and is due a refund in the amount of \$2,350.06.

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund Vantage Point Title, Inc. in the amount of \$2,350.06.

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

5. Resolution #78-21 – Refund Resolution – States Title for Block 67, Lot 9 – 3421 Rt. 94

**RESOLUTION #78-21**

**WHEREAS**, Block 67 Lot 9 also known as 3421 RT 94 owned by James Sollers, et al, and

**WHEREAS**, the tax payment from the title company, States Title was posted to Block 67 lot 9 and the mortgage company, Select Portfolio Services paid the August taxes, and

**WHEREAS**, the title company, States Title paid the August quarter and is due a refund in the amount of \$1,011.56.

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund States Title in the amount of \$1,011.56.

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

6. Resolution #79-21 - Refund Resolution – Konstantina Vlachos, Esq. for Block 67.04, Lot 1.04 – 7 Meadow Pond Road

**RESOLUTION #79-21**

**WHEREAS**, Block 67.04 Lot 1.04 also known as 7 Meadow Pond Road owned by Piotr Zaborny, and

**WHEREAS**, the tax payment from Konstantina Vlachos, Esq. was posted to Block 67.04 lot 1.04 and the mortgage company, Select Portfolio Services paid the August taxes, and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

**WHEREAS**, Konstantina Vlachos, Esq. paid the August quarter and is due a refund in the amount of \$1,313.11.

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to refund Konstantina Vlachos, Esq. in the amount of \$1,313.11.

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

- B. Resolution #80-21 – Resolution authorizing the display of fireworks by Crystal Springs Resort on September 5, 2021 (Rain Date: October 10, 2021)

**RESOLUTION #80-21**

**RESOLUTION AUTHORIZING THE DISPLAY OF FIREWORKS  
BY CRYSTAL SPRINGS RESORT ON SEPTEMBER 5, 2021  
(RAIN DATE OCTOBER 10, 2021)**

**WHEREAS**, Crystal Springs Resorts has submitted an application to the Hardyston Township Council for permission for the display of fireworks on September 5, 2021 (rain date - October 10, 2021) in conjunction with the Labor Day weekend holiday celebration to be held at Crystal Springs Resort, Grand Cascades Lodge; and

**WHEREAS**, Garden State Firework Inc. will be the display company providing the fireworks; and

**WHEREAS**, Garden State Firework Inc. has also submitted proof of proper insurance coverage.

**NOW, THEREFORE, BE IT RESOLVED** by the Hardyston Township Council, in accordance with Chapter 94 of the Hardyston Township Code regarding “Fire Prevention” and the Uniform Fire Code, that permission is hereby granted to Crystal Springs Resort for the display of fireworks on September 5, 2021 (rain date - October 10, 2021); and

**BE IT FURTHER RESOLVED** that Crystal Springs Resort must obtain a permit from the Hardyston Township Fire Official and comply with all requirements imposed by the Hardyston Township Fire Official. Failure to obtain a permit or adhere to all of the said requirements will render this permission null and void and subject Crystal Springs Resort to enforcement proceedings, fines and penalties as permitted by law. A certified copy of this Resolution shall be provided to the Hardyston Township Fire Official.

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

- C. Resolution #81-21 – Emergency Appropriation Resolution

**RESOLUTION #81-21  
EMERGENCY RESOLUTION – NJSA 40A:4-48  
(Under 3% limitation)**

**WHEREAS**, an emergency has arisen with respect to *Legal, Other Expense Litigation Resolution* and, no adequate provision was made in the 2021 budget for the aforesaid purpose, and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$20,000.00 and three (3) percent of the total operating appropriations in the budget for 2021 is \$281,731.21 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating in the budget for 2021

NOW, THEREFORE, BE IT RESOLVED, Mayor and Council of the Township of Hardyston, County of Sussex that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for *LEGAL, OTHER EXPENSES, LITIGATION RESOLUTION* in the amount of \$20,000.00
2. That said emergency appropriation shall be provided for in full in the 2022 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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

D. Resolution #82-21 – 2021 Salary Resolution Amendment

**RESOLUTION #82-21**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF  
NEW JERSEY AUTHORIZING THE TEMPORARY PART-TIME  
HIRING OF LAUREN MITCHENER AS TEMPORARY COURT  
ADMINISTRATIVE ASSISTANT**

WHEREAS, Lauren Mitchener is an experienced Court Administrator, CMA in the State of New Jersey; and

WHEREAS, the Township is in need of assistance due to a leave of absence of an employee of the Municipal Court; and

WHEREAS, the Administration recommends the temporary hiring of Lauren Mitchener at \$30 an hour, not to exceed an average of 29 hours per week between now and the end of this year, along with \$100 per court session.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, as follows:

1. Lauren Mitchener is hereby authorized to be hired at the rate of \$30 an hour for not more than an average of 29 hours a week between the date of this Resolution and the end of this year, along with \$100 per court session.

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

E. Resolution #83-21 – Resolution authorizing the disposal of Surplus Property

**RESOLUTION # 83-21**

**A Resolution Authorizing the Disposal of Surplus Property**

---

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

WHEREAS, the Hardyston Township is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Hardyston Township Council is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Hardyston Township Council, as follows:

- (1) The sale of the surplus property shall be conducted through Municibid pursuant to State Contract T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Municibid is available online at Municibid.com and also available from Hardyston Township.
- (2) The sale will be conducted online and the address of the auction site is Municibid.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

1999	Case Super L	JJ60285083
2001	Pierce Fire Truck	11842
1980	Pettibone Roller	R134
2012	GMC Pick Up	1GT522CG4CZ127886
2016	Ford Explorer	1FM5KAR7HGA95005
2013	Ford Explorer	1FM5K8AR6EGA04155
2015	Ford Taurus	1FAHP2MK8FG189041
2012	Ford Explorer	1FM5K8AR7DGA13526
2008	Chevy Impala	2G1WS553281327562

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) Hardyston Township reserves the right to accept or reject any bid submitted.

This Resolution shall take effect immediately upon adoption.

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

**F. Eastern Concrete Materials, Inc. – 10 Year Quarry Removal Permit and 2021 Annual Quarry License Renewal**

After a brief discussion between the Council and the Township Engineer, Michael Vreeland, a motion was made by Miller to approve the extension of the permit for 10 years (through Calendar Year 2031) and issuing an annual operating license for Calendar Year 2021, per the recommendation of the Township Engineer as stated in his memo dated August 25, 2021, seconded by Verrilli. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

G. Resolution #84-21 - Apollo Edison – Procurement of Electricity Supply & Delivery

**RESOLUTION #84-21**

**A RESOLUTION OF THE TOWNSHIP OF HARDYSTON, COUNTY OF  
SUSSEX AND STATE OF NEW JERSEY, AUTHORIZING THE AWARD  
OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE  
BIDDING TO APOLLO EDISON LLC, TO ADVISE ON THE PROCUREMENT, ON A  
COMPETITIVE BASIS, OF ELECTRICITY, NATURAL GAS, AND RENEWABLE  
ENERGY COMMODITIES**

**WHEREAS**, the Township of Hardyston has a need to retain the professional services of a consultant who can assist the Township by advising as to the procurement of certain energy supply and delivery ('Consultation Services'); and

**WHEREAS**, the Mayor and Township Council of the Township of Hardyston wish to retain the services of Kenneth S. Antos of Apollo Edison LLC for the purpose of assisting the Township of Hardyston with regard to such Consultation Services; and

**WHEREAS**, the total amount of the contract shall not exceed \$10,000; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, Apollo Edison LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of Hardyston with the elected officials in the previous one year, and that the contract will prohibit Apollo Edison LLC from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) et. seq.) requires that a resolution authorizing the award of contracts for "Extraordinary, Unspecifiable 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, County of Sussex and State of New Jersey as follows:

1. The Township of Hardyston hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Kenneth S. Antos of Apollo Edison LLC, with offices located at 310 Nottingham Drive, Spring City, PA, 19475, to assist the Township by providing professional consulting services regarding the procurement of certain electricity supply and delivery in an amount not to exceed \$10,000.
2. This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i)) because the services defined cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training and proven reputation in the field of endeavor are obtained.
3. The total fee authorized for this contract shall not exceed \$10,000 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
AUGUST 25, 2021**

6. A copy of this resolution shall be provided to the Township Treasurer, and to Kenneth S. Antos of Apollo Edison LLC, 310 Nottingham Drive, Spring City, PA, 19475, for their information and guidance.

Kenneth Antos from Apollo Edison discussed the energy market with the Council. A motion was made by Cicerale to authorize entering into a professional service agreement with Apollo Edison to procure a third party supplier, seconded by Verrilli. All in favor. Motion carried.

H. Correspondence

1. Jefferson Township
2. Jefferson Township
3. Jefferson Township
4. Lafayette Township
5. Lafayette Township
6. Vernon Township
7. West Milford Township
8. West Milford Township
9. JCP&L

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

At this time, Township Manager updated the Council regarding the Bond Anticipation Note Sale that was held on August 17, 2021. She stated that seven (7) bids were received and the winning bid was from Piper Sandler & Co.

**BILLS TO BE PAID:** A motion was made by Verrilli to approve the bill list as presented, seconded by Miller. 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. June Ionta, Susan Verso and Matthew Wolley, residents of Walden Village II, were present and stated that Walden Village II homeowners were notified that township snow removal services will cease on all roads with the exception of Wits End Road effective September 2021. They requested that Rolling Brook Way be included along with the Wits End Road snow removal services for the safety of the residents and students, and presented the Council with a petition requesting the same. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

**ADJOURNMENT:** A motion was made by Verrilli to adjourn at approximately 7:55 p.m., seconded by Miller. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk