

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
OCTOBER 27, 2021**

The meeting was called to order by Mayor Kaminski at approximately 8:15 P.M. with the opening statement that the meeting had been duly advertised and met all the requirements of the Sunshine Law. Also present were: Deputy Mayor Cicerale, Councilman Kula, Councilman Miller, Councilman Verrilli, Manager Carrine Piccolo-Kaufer, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau of Dorsey & Semrau.

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

Minutes:

1. Regular Minutes of 8/25/21

Agreements/Applications/Licenses:

1. Raffle License – Hardyston Township PTA

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

ORDINANCES

1ST READING: 2021-09

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON TO AMEND SECTION 147-8(O) OF CHAPTER 147 TO AMEND THE REQUIREMENTS FOR FIRE SUPPRESSION SYSTEM INSTALLATION AND MAINTENANCE

BE IT ORDAINED by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

SECTION 1. Chapter 147, Site Plan and General Development Plan Review, Section 8, Design Standards and Required Site Improvements, Subsection (O) of the aforesaid Revised General Ordinances is hereby repealed and replaced to read as follows:

O. Fire protection facilities. The purpose of this subsection is to insure that adequate fire protection facilities are provided within residential and non-residential developments. Fire protection facilities shall be provided as follows:

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
OCTOBER 27, 2021**

(1) In the CR and R-4 Zones, a public potable and fire suppression water system shall be provided in accordance with the Residential Site Improvements Standards (RSIS), N.J.A.C. 5:21-1 et seq., for residential developments utilizing sewage collection and treatment.

(2) In all other zones, a fire suppression water system shall be provided for all residential preliminary major subdivisions. The system shall be installed in accordance with the following standards:

(a) Where an adequate central water system is available and has been approved by the Township of Hardyston, fire hydrants shall be installed to provide a source of water for firefighting. Where an adequate central water system is not available for a residential subdivision, underground water storage tanks shall be located and installed within the development. The location of the tank shall be approved by the reviewing board with input from the Hardyston Fire Department. Any fire-suppression tank provided shall be located such that the distance from the proposed suction point for the tank to the required building setback line of each proposed lot shall not exceed 2,000 feet. This length shall be measured along the center line of the right-of-way. This distance shall also include the length of the driveway, measured along the driveway for flag lots and lots with common driveways. When more than one tank is required to meet this requirement, the spacing between tanks shall not exceed 3,000 feet. Each tank shall be located within the public right-of-way or an easement acceptable to the Township of Hardyston.

[1] Tanks constructed to service residential subdivisions that will not have a homeowners' association shall be dedicated to the Township. Regular, quarterly inspections shall be performed by the Township Fire Official pursuant to Chapter 94 of the Township Code to ensure operability.

[2] The maintenance for tanks constructed to service residential subdivisions in which the roads have not been dedicated to the Township will be the responsibility of the developer or the community association (whichever has majority interest in the property) until it is formally dedicated to the Township. Regular, quarterly inspections shall be performed by the Township Fire Official pursuant to Chapter 94 of the Township Code to ensure operability.

(3) In all other zones, exclusive of the R-4 and CR zones, Non –residential development requiring site plan approval shall be required to provide fire protection facilities as follows: (Non-residential development requiring minor site plan approval shall be exempt from this section).

(a) Where an adequate central water system is available and has been approved by the Township of Hardyston, fire hydrants shall be installed to provide a source of water for firefighting.

(b) Where an adequate central water system is not available

[1] Approval for a new building of a 1,000 square feet or larger shall require the location and installation of an underground storage tank in accordance with the design standards of this section.

[2] Approval for amended preliminary site plan to increase the building footprint of an existing building by 1,000 square feet or greater up to 50%

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
OCTOBER 27, 2021**

of the existing building footprint shall be required to provide an easement to the Township that provides the Township the ability to install and maintain an underground fire suppression tank in the future should the Township deem an underground fire suppression tank is necessary. The

easement shall be subject to review and approval by the Township with input from the Township Fire Department.

[3] Approval to increase the building footprint greater than 50% of the existing footprint or site plan applications seeking approval to change from a non-life hazard to a life hazard use shall require the location and installation of an underground storage tank in accordance with the design standards of this section.

[a] The hydrants, tank size, design and location in conjunction with a site plan application for a nonresidential structure shall be approved by the reviewing board with input from the Hardyston Fire Department.

[b] Regular maintenance and certifications shall remain the responsibility of the property owner. Regular, quarterly inspections shall be performed by the Township Fire Official pursuant to Chapter 94 of the Township Code to ensure operability.

(4) Design standards for fire suppression tanks:

(a) All tanks must have paved access within seven linear feet of its suction point. Alternate materials may be utilized to provide access to the tank after approval by the Township Engineer and Hardyston Fire Department. A protective barrier must be placed in front of the tank in order to prevent damage to the tank, subject to approval by the Township Engineer. A permanent sign, in accordance with the requirements of Chapter 94, § 94-15, of the Township Code, shall be installed at every tank location to show the existence and capacity of such tank. In addition, when tanks are located in the vicinity of a roadway or parking area, fire lanes shall be established and maintained pursuant to the requirements of Chapter 94 of the Township Code.

(b) The minimum capacity of every underground storage tank within a residential subdivision shall be 20,000 gallons. Tank capacities for nonresidential developments shall be based on the highest degree of hazard of the principal structures to be protected but in no case shall the tank capacity be less than 20,000 gallons. The fire protection systems shall be approved by the reviewing board with input from the Hardyston Fire Department. Unless an equivalent alternate fire protection system in compliance with the Uniform Construction Code is provided, underground water storage tanks will be provided and shall be constructed and installed as follows. All underground water storage tanks shall be (minimum) single-walled fiberglass construction. The tank shall be installed in accordance with the manufacturer's recommendations and NFPA standards. Tanks shall, at a minimum, include the following features:

[1] One flange with six-inch draw tube.

[2] Four four-inch flanges.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
OCTOBER 27, 2021**

[3] Six-inch dry hydrant NST female connection; each connection must have internal conical strainer, snap ring, and yellow dust cap. PVC pipe must pass through all adapters into tank.

[4] A functional and operational water level gauge of suitable design shall be provided. The gauge shall be of a size that insures it is legible from the street.

[5] Four-inch fill connection with two two-and-one-half-inch NST female connections with dust caps.

(5) This water supply is intended solely for minimal first-attack storage.

(6) In all subdivisions where a fire protection system is required, no building permit shall be issued for a principal structure upon any lot within the subdivision or development until fire protection to the extent necessary for such structure is installed and its operability has been tested, approved by the Hardyston Township Fire Department, and it meets the requirements of this subsection. In addition, all residential subdivision applicants shall submit to the Township, prior to the issuance of any building permit, a certification from the applicant's engineer that the fire suppression system is operational and meets the requirements of this subsection.

A motion was made by Miller to approve Ordinance 2021-09 on first reading, seconded by Kula. All in favor. Motion carried.

2021-10

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CERTAIN PORTIONS OF CHAPTER 88, SUBSECTION 3, LAND USE FEES, OF THE REVISED GENERAL ORDINANCES TO AMEND THE PERMIT FEES FOR NEW RESIDENTIAL STRUCTURES AND TO AMEND THE TAX MAP MAINTENANCE FEES TO REQUIRE A FEE FOR LOT LINE/BOUNDARY ADJUSTMENTS WHEN NO SUBDIVISION APPLICATION IS REQUIRED

BE IT ORDAINED by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

SECTION 1. Chapter 88, Fees Section 88-3, Land Use Fees, Subsection A. (5) of the aforesaid Revised General Ordinances is hereby amended to read as follows:

(5) Tax Map maintenance fees: The following fees shall be paid by the applicant for the cost of making updates and modifications to the Township Tax Maps as the result of subdivision applications approved by the Planning and Zoning Board and/or lot line and boundary adjustments resulting for lot mergers when no subdivision application is required. The fee shall be paid at the time the deed and/or plot plan is signed on behalf of the board.

Type of Approval	Fee
Minor subdivision	\$250
Boundary/Lot Line Adjustment	\$250
Major Subdivision	\$250, plus \$25 per lot
Subdivision involving condominium units	\$250, plus \$25 per unit

SECTION 2. Chapter 88, Fees, Section 88-3, Land Use Fees, Subsection L. (2) of the aforesaid Revised General Ordinances is hereby amended to read as follows:

(2) Zoning permit for new residential structures: \$250

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON OCTOBER 27, 2021

SECTION 3. All ordinances of the Township of Hardyston which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 5. This Ordinance may be renumbered for purposes of codification.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

A motion was made by Miller to approve Ordinance 2021-10 on first reading, seconded by Verrilli. All in favor. Motion carried.

2021-11

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CERTAIN PORTIONS OF CHAPTER 185,

ZONING, OF THE REVISED GENERAL ORDINANCES TO PERMIT FARMING AS A PRINCIPAL USE IN CERTAIN ZONES

A motion was made by Miller to carry the above ordinance to a future meeting for further discussion, seconded by Kula. All in favor. Motion carried.

ORDINANCES

2ND READING: None

NEW BUSINESS:

A. Tax Collector Resolutions

1. Resolution #90-21 –Refund – FHH Associates c/o Imperatore – Block 18, Lot 1.01 QFARM – 15 Mountain Road

RESOLUTION #90-21

WHEREAS, Block 18 Lot 1.01 Qualification QFARM also known as 15 Mountain Road owned by FHH Associates C/O E Imperatore, and

WHEREAS, FHH Associates C/O E Imperatore paid taxes for February and May 2021, and was granted Farmland Assessment, and

WHEREAS, Mr. Scott Holzhauser, Tax Assessor for Hardyston Township has approved this assessment for 2021, and therefore their tax payments for August 2021 be credited in the amount of \$940.02 and for November 2021 be credited in the amount of \$939.80, leaving a refund in the amount of \$1,876.11

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund taxes totaling \$1,876.11 for 2021.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON OCTOBER 27, 2021

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

2. Resolution #91-21 – Refund – Lam Development Group, LLC – Block 16.33, Lot 1 – Wild Turkey Way

RESOLUTION #91-21

WHEREAS, Block 16.33 Lot 1 also known as Wild Turkey Way owned by Lam Development Group, LLC, and

WHEREAS, Lam Development Group, LLC paid taxes for February 2021, and was given an assessment of \$0.00 for 2021, and

WHEREAS, Mr. Scott Holzhauser, Tax Assessor for Hardyston Township has approved this assessment for 2021, and therefore their tax payments for February 2021 be credited in the amount of \$2,388.38, for May 2021 be credited in the amount of \$2,388.37, for August 2021 be credited in the amount of \$2,388.38 and for November 2021 be credited in the amount of \$2,388.37, leaving a refund in the amount of \$2,388.38

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund taxes totaling \$2,388.38 for 2021.

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

3. Resolution #92-21 – Refund – Michael Peer – Block 61, Lot 35 M02 – 197 Hamburg Turnpike

RESOLUTION #92-21

WHEREAS, Block 61 Lot 35 Qualification M02 also known as 197 Hamburg Turnpike owned by Michael Peer and

WHEREAS, Michael Peer paid taxes for February 2021, and May 2021 and was given a lower assessment for 2021, and

WHEREAS, Mr. Scott Holzhauer, Tax Assessor for Hardyston Township has approved this assessment for 2021, and therefore his tax payments for August 2021 be credited in the amount of \$139.91 and for November 2021 be credited in the amount of \$139.78, leaving a refund in the amount of \$279.69.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund taxes totaling \$279.69 for 2021.

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

4. Resolution #93-21 – Refund – HMS Day Farm, LLC – Block 69, Lot 1 QFARM – 95-111 Big Spring Road

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON OCTOBER 27, 2021

RESOLUTION #93-21

WHEREAS, Block 69 Lot 1 Qualification QFARM also known as 95-111 Big Spring Road owned by HMS Day Farm, LLC, and

WHEREAS, HMS Day Farm, LLC paid taxes for February and May 2021, and was granted a farmland assessment acreage change, and

WHEREAS, Mr. Scott Holzhauer, Tax Assessor for Hardyston Township has approved this assessment for 2021, and therefore their tax payments for August 2021 be credited in the amount of \$44.56 and for November 2021 be credited in the amount of \$44.47, leaving a refund in the amount of \$89.03

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund taxes totaling \$89.03 for 2021.

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

5. Resolution #94-21 – Refund – 174 Realty, LLC, c/o Todd Applebaum – Block 71, Lot 1.01 QFARM

RESOLUTION #94-21

WHEREAS, Block 71 Lot 1.01 Qualification QFARM also known as 70 Big Spring Road owned by 174 Realty, LLC, C/O Todd Applebaum and

WHEREAS, 174 Realty, LLC, C/O Todd Applebaum paid taxes for February and May 2021, and was granted a farmland assessment acreage change, and

WHEREAS, Mr. Scott Holzhauer, Tax Assessor for Hardyston Township has approved this assessment for 2021, and therefore their tax payments for August 2021 be credited in the amount of \$80.61 and for November 2021 be credited in the amount of \$80.31, leaving a refund in the amount of \$160.92

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund taxes totaling \$160.92 for 2021.

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

B. Request for Waiver from Septic Permit Renewal Fees for Emerald Estates – CJS Investments

Manager Carrine Piccolo-Kaufer stated that CJS Investments, the developer of the Emerald Estates project on Wheatsworth Road, has contacted the Township to request a waiver from the \$40.00 per septic system renewal fee required by the County Health Department. She stated that the County Health Department has advised them that the Township must grant the waiver from the renewal fees.

She stated that CJS Investments has requested a waiver from the same fees for the last ten years citing the economy and the status of the project as the need for the extension and waiver from the

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON OCTOBER 27, 2021

fees. She stated that there is a balance of 22 lots left in the project and the total waiver of fees would be \$880.00.

A motion was made by Kula to grant the waiver, seconded by Verrilli. All in favor. Motion carried.

C. Resolution #95-21 – Certification of Annual Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT FORM OF RESOLUTION #95-21

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 2020 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 *Township Council* of the Township of Hardyston, 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.

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

- D. Resolution #96-21 – Resolution authorizing release of the performance bond for MUA Water and Sewer work performed at the Oaks East & Wentworth at Crystal Springs

RESOLUTION #96-21

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 THE OAKS EAST & WENTWORTH AT CRYSTAL SPRINGS

WHEREAS, the developer, Crystal Springs Builders, LLC., has requested release of the performance bond #6021087795 being held by the Township of Hardyston for water and sewer improvements to be transferred to the Hardyston Township Municipal Utility Authority (MUA); and

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON OCTOBER 27, 2021

WHEREAS, the Township and MUA Engineer has inspected said improvements and has no objection to the release of the performance bond; and

WHEREAS, the Township shall retain the cash portion of the performance guarantee until such time as the developer has cleaned, repaired, and coated the sewer force main manhole; and

WHEREAS, the MUA has accepted the project and does authorize the release of the performance bond #6021087795 posted in connection with water and sewer improvements; and

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 the release of performance bond #6021087795 posted in connection with this project.

This Resolution shall take effect immediately.

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

- E. Resolution #97-21 – Resolution authorizing release of performance bonds/driveway bonds to Ryan Homes, Inc.

RESOLUTION #97-21

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BONDS/DRIVEWAY BONDS TO RYAN HOMES, INC.

WHEREAS, the Hardyston Township Council received escrow money for the following driveways:

12 Devon Court	\$2,500
16 Devon Court	\$2,500
20 Devon Court	\$2,500
24 Devon Court	\$2,500
26 Devon Court	\$2,500
30 Devon Court	\$2,500
18 Lam Drive	\$2,500
27 Lam Drive	\$2,500
31 Lam Drive	\$2,500
32 Lam Drive	<u>\$2,500</u>

TOTAL **\$25,000**

WHEREAS, said balance for the above driveway bonds is \$25,000 as of October 27, 2021 and certification from the Township Engineer has been received to release said escrows;

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that Ryan Homes, Inc. be refunded \$25,000 as of October 27, 2021.

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

- F. Resolution #98-21 – Resolution awarding Professional Services Contract to Associated Appraisal Group for Real Estate Appraisal Services

RESOLUTION #98-21

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, AND STATE OF
NEW JERSEY AWARDING PROFESSIONAL SERVICES CONTRACT
TO ASSOCIATED APPRAISAL GROUP FOR REAL ESTATE
APPRAISAL SERVICES**

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
OCTOBER 27, 2021**

WHEREAS, there exists a need for professional appraisal services to be rendered to the Township of Hardyston relating to a real estate appraisal for property in the Township; and

WHEREAS, the Township wishes to retain the services of Associated Appraisal Group, in an amount not to exceed \$1,500.00 and in accordance with its proposal dated October 20, 2021; and

WHEREAS, 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 bid and the contract itself must be made available for public inspection.

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. The Township of Hardyston hereby awards and authorizes the Mayor and Township Manager to execute an agreement with Associated Appraisal Group, 6 Commerce Drive, Third Floor, Cranford, New Jersey, 07016, for professional appraisal services related to performing a real estate appraisal for property in the Township, in an amount not to exceed \$1,500.00, and in accordance with its proposal dated October 20, 2021, which is attached hereto as Exhibit A.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.

3. The total fee authorized for this contract shall not exceed \$1,500.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.
5. A copy of this resolution shall be provided to Grant W. Rome, Township Chief Financial Officer and Associated Appraisal Group, 6 Commerce Drive, Third Floor, Cranford, New Jersey, 07016, for their information and guidance.

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

- G. Resolution #99-21 – Resolution authorizing the submission of the CY2021/SFY 2022 Best Practices Inventory

RESOLUTION #99-21

**RESOLUTION AUTHORIZING THE SUBMISSION OF THE CY2021/SFY 2022
BEST PRACTICES INVENTORY**

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

1. CY 2021/SFY 2022 Best Practices Inventory

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

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
OCTOBER 27, 2021**

- H. Resolution #100-21 – Resolution authorizing the execution of an agreement with Direct Energy Business (NRG) for the purchase of electricity for certain township facilities

RESOLUTION #100-21

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF
AN AGREEMENT WITH DIRECT ENERGY BUSINESS (NRG) FOR THE PURCHASE OF
ELECTRICITY FOR CERTAIN TOWNSHIP FACILITIES**

WHEREAS, the Township of Hardyston is in need of purchasing electricity for certain Township facilities; and

WHEREAS, the Township of Hardyston desires to enter into an agreement with Direct Energy Business (NRG), a copy of each being attached hereto, for the purchase of electricity for the Township facilities as set forth in said agreement.

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. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Direct Energy Business (NRG), a copy being attached hereto, with for the purchase of electricity for the named Township facilities.
2. 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.

I. Correspondence

1. West Milford Township
2. West Milford Township
3. West Milford Township
4. Hamburg Borough
5. Franklin Borough
6. Montague Township
7. Montague Township
8. County of Sussex
9. State of NJ
10. State of NJ
11. Jersey Central Power & Light
12. Jersey Central Power & Light

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 Kula 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.

At the previous Council meeting, Lafayette Township Deputy Mayor Kevin O’Leary was present and asked if the Council would consider changing the hours or operation for the Stavola Beaver Run Quarry. He stated that he has been receiving noise complaints from his residents because the trucks were arriving too early. He provided the Council with a copy of the ordinance that Lafayette Township introduced at their meeting for their review.

A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON OCTOBER 27, 2021

ADJOURNMENT: A motion was made by Kula to adjourn at approximately 8:45 p.m., seconded by Miller. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk