

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

The meeting was called to order by Deputy Mayor Verrilli at approximately 7:00 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: Councilman Kula, Councilman Miller, Councilman Kaminski, Manager/Deputy Clerk Carrine Piccolo-Kaufner and Township Attorney Fred Semrau of Dorsey & Semrau. Mayor Cicerale 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 – May 2022
2. Tax Collector Report – May 2022
3. Construction Certificate Activity Report – May 2022
4. Construction Permit Activity Report – Hardyston – May 2022
5. Construction Permit Activity Report – Hamburg – May 2022
6. Construction Permit Activity Report – Franklin – May 2022
7. Construction Permit Activity Report – Newton – May 2022
8. Construction Permit Activity Report – Sussex – May 2022
9. Construction Permit Activity Report – Wantage – May 2022
10. Municipal Court Report – May 2022
11. Police Department Report – May 2022
12. Land Use Report – May 2022
13. Sussex County Health Department Report – May 2022

**Agreements/Applications/Licenses:**

1. Kennel License Renewal – The Pet Spa & Resort
2. Raffle License – Friends of Robbie, Inc.

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

**MANAGERS REPORT:** The following items were discussed:

1. Solar Redevelopment for 3490 Rt. 94 & Lasinski Road Landfill Update
2. Grant Writer RFP
3. NJDOT Grant Application
4. NJ Fire PPE Grant Application
5. Community Garden Improvements

**ORDINANCES**

**1st READING:** None

**ORDINANCES**

**2nd READING:** 2022-05

**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**

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

**Purpose Statement: the purpose of this Ordinance is to amend the Township of Hardyston Zoning Ordinance to allow for farming as a principal use in specific residential and non-residential zones throughout the Township in support of the Right to Farm Act and to promote the rural and agricultural character of the Township.**

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

**SECTION 1.** Chapter 185, Zoning, Section 185-50, Agricultural uses, of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 185-50. Agricultural uses.**

Farms, including customary farm occupations and lands which qualify as farmlands, as defined herein shall be permitted as a principal use in all the zones, excluding the R-3, Single Family Lakeside Residential District, R-4, Medium Density Residential Districts and the R-5, Attached Single Family/Multi-family Residential District subject to the following regulations:

A. Minimum lot size - 5 Acres.

B. Buildings utilized for horticulture, nurseries, greenhouses and for the growing, raising, harvesting and sale of agricultural crops or for any other farm use shall be not less than 100 feet from any side or rear lot line, except that residential buildings may be constructed and located in conformity with the standards for residences within those districts in which they are located.

C. No pigs, poultry or fowl shall be permitted except where incidental to the major agricultural activity.

**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 and seconded to open the meeting to the public. All in favor. Motion carried. Residents from Indian Field including Nina Allen, Kristy Lavin, Roger O'Brien, Ron Allen, Barbara Rodriguez, Kathy Delgado, Justin Bello, Charles Markarian, Michele VanAllen, Elizabeth Eager, Steve Calantropio and Chris O'Brien, expressed their opposition to the ordinance. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

Due to the fact that the Hardyston Township Planning Board found Ordinance 2022-05 to be inconsistent with the Master Plan, and in addition, many residents of Indian Field expressed their opposition to this ordinance, a motion was made by Kaminski to defeat the ordinance, seconded by Miller. All in favor. Motion carried. This ordinance was not adopted.

**2022-08**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY REVISING CHAPTER 88 OF THE TOWNSHIP MUNICIPAL CODE, ENTITLED "FEES," TO CREATE FIRE PREVENTION FEES AT SECTION 88-5 AND TO REPEAL SECTIONS 88-2D(11) AND 88-2D(12), AND REVISING**

**CHAPTER 94 OF THE TOWNSHIP MUNICIPAL CODE, ENTITLED  
“ENFORCEMENT OF UNIFORM FIRE SAFETY ACT,” TO AMEND SECTION 94-10B**

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE  
22, 2022**

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 of the Township Municipal Code, Entitled “Fees,” Section 88-5, is hereby amended to read as follows:

**§ 88-5. Fire Prevention.**

A. Non-Life Hazard Use Registration Fees (§94-10B)

- (1) All business occupancies less than 5,000 square feet. \$50.
- (2) All business occupancies between 5,000 and 10,000 square feet. \$80.
- (3) All business occupancies greater than 10,000 square feet. \$120.
- (4) Multi-family dwelling common areas. \$50.

B. Fire Suppression Tank Fees (§94-10C)

- (1) Annual registration for quarterly inspections. \$40.

C. Food Truck Type 1 Permit

- (1) Annual registration (up to 6 inspections annually). \$200.

D. Fines & Penalties

- (1) Penalty for non-registration of non-life hazard use
  - a. 30 days overdue: Amount equal to unpaid fee.
  - b. 60 days overdue: \$250

SECTION 2. Chapter 88 of the Township Municipal Code, Entitled “Fees,” Section 88-2D(11) and Section 88-2D(12) are hereby repealed.

SECTION 3. Chapter 94 of the Township Municipal Code, Entitled “Enforcement of Uniform Fire Safety Act,” Section 94-10B, is hereby amended to read as follows:

**§ 94-10. Inspections, permits and fees.**

B. Each nonresidential use that is not classified as a life-hazard use under N.J.A.C. 5:70-2.4 shall be registered with the Hardyston Township Fire Prevention Bureau. The owner of the premises and/or operator of the non-life-hazard use shall submit a completed registration form and pay the fee set forth in the Hardyston Township Municipal Code, Chapter 88, Entitled “Fees,” prior to commencing operation of the non-life-hazard use. A penalty shall accrue, in addition to the registration fee, if a non-life-hazard use is not so registered prior to commencing operation. The non-life-hazard use shall thereafter be registered annually during the month of January. A late registration penalty shall be assessed on February 1 for failure to register in accordance with Chapter 88, Section 88-5. Late registrations in excess of 90 days will be referred to the Township Attorney for collection.

SECTION 4. All ordinances or parts of ordinances of the Township of Hardyston inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, clause or phrase or other portion of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of the Ordinance.

SECTION 6. This Ordinance may be renumbered as necessary.

SECTION 7. This Ordinance shall take effect immediately following final passage, approval, and publication as required by law.

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. A motion was made by Miller to approve Ordinance 2022-08 on second reading, seconded by Kaminski. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

**2022-09**

**AN ORDINANCE AMENDING CHAPTER 88, "FEES", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HARDYSTON, TO ACCOUNT FOR INSTANCES OF MULTIPLE FAILED PAYMENT ATTEMPTS BY AN INDIVIDUAL PAYOR**

**WHEREAS**, it has come to the attention of the Mayor and Council of the Township of Hardyston that Chapter 88, "Fees," Section 88-8, "Miscellaneous Fees" of the Township Municipal Code is in need of revision to account for instances wherein individuals' and businesses' attempted payments to the Township by check or other written instrument are unsuccessful on more than one (1) occasion; and

**WHEREAS**, the Mayor and Council wish to revise the Municipal Code accordingly, to account for instances wherein individuals' and businesses' ('Payors') attempted payments to the Township by check or other written instrument are unsuccessful on more than one (1) occasion, to mandate that future payments from these Payors be tendered in cash or by certified or cashier's check.

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

**1. SECTION 88-8, "Miscellaneous Fees," is hereby amended as follows:**

**J.** Returned check fee: \$20.00, as authorized by N.J.S.A. 40:5-18(c). If any individual or business has a check or other written instrument to the Township returned on more than one (1) occasion, all future payments made to the Township by that individual or business must be tendered in cash or by certified or cashier's check pursuant to N.J.S.A. 40:5-18(d).

**2.** Severability. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**3.** Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this ordinance are to the extent of such inconsistency repealed.

**4.** Effect. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

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. A motion was made by Miller to approve Ordinance 2022-09 on second reading, seconded by Kaminski. All in favor. Motion carried.

**NEW BUSINESS:**

A. Resolution #49-22 - Resolution accepting a proposal for an ice cream vendor at the Hardyston Concerts in the Park from VKAT, LLC (The Scoop)

**RESOLUTION #49-22**

**RESOLUTION ACCEPTING PROPOSAL FROM VKAT, LLC (THE SCOOP)**

**BE IT RESOLVED** by the Township Council of the Township of Hardyston that the following proposal is hereby accepted:

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

- VKAT, LLC (The Scoop) – Proposal for Ice Cream Vendor at the Hardyston Concerts in the Park

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

B. Resolution #50-22 – Resolution appointing Plumbing Sub-Code Official

**Resolution #50-22**

**RESOLUTION APPOINTING  
PLUMBING SUB-CODE OFFICIAL**

**WHEREAS**, the Township’s current Plumbing Sub-Code Official, Kevin Gould has resigned from his position effective July 1, 2022 creating the need to fill the vacant position; and

**WHEREAS**, David Hammerle has been employed by the Township since 2018 as the Building/Plumbing Inspector and has performed the duties as plumbing inspector in the course of his duties under his current position; and

**WHEREAS**, he is licensed and eligible for appointment as a plumbing sub-code official to the satisfaction of the Hardyston Township Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Hardyston that David Hammerle be appointed to the permanent position of Plumbing Sub-Code Official for the term July 1, 2022 through June 30, 2026.

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

C. Resolution #51-22 – 2022 – 2023 Annual Liquor License Renewal

- Stone Hill Recreation SPE LLC - #1911-33-006-012 (The Crystal Tavern, Restaurant La Tour, The Wine Cellar, Vista 180 Café)

**RESOLUTION #51-22  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2022, 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, 2022 for the following license holder.

1. Stone Hill Recreation SPE LLC - #1911-33-006-012

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

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

D. Resolution #52-22 – 2022 – 2023 Annual Liquor License Renewal

- Stone Hill Recreation SPE LLC - #1911-36-007-004 (Grand Cascades Lodge – The Springs Bistro, The Biosphere Café, The Chef’s Garden)

**RESOLUTION #52-22  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2022, 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, 2022 for the following license holder.

1. Stone Hill Recreation SPE LLC - #1911-36-007-004

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

E. Resolution #53-22 – 2022 – 2023 Annual Liquor License Renewal

- Stone Hill Recreation SPE LLC - #1911-33-005-010 (Owen’s Pub)

**RESOLUTION #53-22  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2022, 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, 2022 for the following license holder.

1. Stone Hill Recreation SPE LLC - #1911-33-005-010

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

F. Resolution #54-22 – 2022 – 2023 Annual Liquor License Renewal

- Hamburg Golf Course Beverage, Inc. - #1911-33-002-011 (Pocket License)

**RESOLUTION #54-22  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2022, for a one year period; and

**WHEREAS**, all necessary fees and documentation have been properly

filed with the Hardyston Township Municipal Clerk; and  
**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

**NOW THEREFORE BE IT RESOLVED** that the Liquor License shall be renewed for a period of one year effective July 1, 2022 for the following license holder pursuant to N.J.S.A. 33:1-12.39.

1. Hamburg Golf Course Beverage, Inc. - #1911-33-002-011

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

G. Resolution #55-22 – 2022 – 2023 Annual Liquor License Renewal

- Anthony Pignataro Corp. – #1911-33-004-006 – Tony’s Pizza – Rt. 23

**RESOLUTION #55-22  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2022, 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, 2022 for the following license holders.

1. Anthony Pignataro Corp. - #1911-33-004-006

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

H. Resolution #56-22 – 2022 – 2023 Annual Liquor License Renewal

- RBAA, LLC - #1911-44-003-010 – Sussex County Discount Wine & Liquor – Rt. 94

**RESOLUTION #56-22  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2022, 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, 2022 for the following license holders.

1. RBAA, LLC - #1911-44-003-010

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

- I. Resolution #57-22 – Resolution reducing the performance bond posted by SMS Hardyston, LLC for site improvements relating to Phase 1 & Part of Phase 2 (Block 67.21, Lot 1.01) of Mountain Ridge

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

**RESOLUTION #57-22**

**RESOLUTION REDUCING THE PERFORMANCE BOND POSTED BY SMS HARDYSTON, LLC FOR SITE IMPROVEMENTS RELATING TO PHASE 1 & PART OF PHASE 2 (BLOCK 67.21, LOT 1.01) OF MOUNTAIN RIDGE**

**WHEREAS**, the Hardyston Township Planning Board granted preliminary and final site plan approval to SMS Hardyston, LLC for Mountain Ridge Development (Phases 1 and 2); and

**WHEREAS**, as part of the Planning Board approval SMS Hardyston, LLC was required to post a performance bond for site improvements; and

**WHEREAS**, SMS Hardyston, LLC has posted a performance bond in the amount of \$273,018.60 and a cash bond in the amount of \$30,335.40 for site improvements in compliance with the Planning Board approval and upon the recommendation of the Township Engineer; and

**WHEREAS**, SMS Hardyston, LLC has requested a reduction in the bonding amount due to completion of certain site improvements; and

**WHEREAS**, the Township Engineer has reviewed the request of SMS Hardyston, LLC and has found completion of various site improvements; and

**WHEREAS**, the Township Engineer has therefore recommended that the bond should be maintained as follows:

Total Bond Amount	\$91,006.20
Surety amount	\$81,905.58
Cash amount	\$ 9,100.62

**NOW THEREFORE BE IT RESOLVED** by the Hardyston Township Council that the bond for site improvements relating to Phase 1 and part of Phase 2 of Mountain Ridge Development be reduced in accordance with the recommendation of the Township Engineer.

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

- J. Resolution #58-22 – Resolution to Authorize and Direct the Hardyston Planning Board to Undertake a Preliminary Investigation to Determine if Certain Properties Known as Block 63, Lot 1.01 Qualify as Satisfying the Statutory Criteria as in an Area in Need of Redevelopment

**RESOLUTION #58-22**

**Resolution to Authorize and Direct the Hardyston Planning Board to Undertake a Preliminary Investigation to Determine if Certain Properties Known as Block 63, Lot 1.01 Qualify as Satisfying the Statutory Criteria as in an Area in Need of Redevelopment**

**WHEREAS**, the administration of the Township of Hardyston (“Township”) is commencing the study of the a Township owned property, acquired through In Rem Foreclosure, to determine whether or not said property at Block 63, Lot 1.01 satisfies the criteria of the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development, or redevelopment of certain areas of the State of New Jersey is a viable public purpose; and

**WHEREAS**, the Legislature of the State of New Jersey has adopted a comprehensive set of laws, the centerpiece of which is the LRHL allows for the substantial improvement to, and turnaround



**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

of, underutilized, unused, vacant and deteriorated properties through the careful design, writing and implementation of local redevelopment plans; and

WHEREAS, it appears that within the general area for the property located at 3490 Route 94 and identified on the tax maps as the aforesaid parcel within Block 63, which, by reason of faulty arrangement of design, deleterious land use, obsolescence or obsolete layout, long term vacancy, or other factors, such property may have remained fallow, stagnant, unproductive, under-utilized and undervalued and may be detrimental to the safety, health, morals or welfare of the Township of Hardyston which shall be reviewed by the Planning Board and so determined or not as required under the LRHL

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, Sussex County, New Jersey, pursuant to N.J.S.A. 40A:12A-1 et seq., that the Hardyston Planning Board is hereby authorized and directed to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the property at Block 63, Lot 1.01 in the Hardyston as depicted on the official tax map of the Township of Hardyston is a non-condemnation redevelopment area in accordance with the criteria of N.J.S.A. 40A-12A-5.

BE IT FURTHER RESOLVED that Benecke Economics has been retained to study said area and to guide the Manager and Township Council and the Planning Board in the redevelopment process, deliberations, and public hearing(s).

BE IT FURTHER RESOLVED that the Hardyston Planning Board shall conduct a public hearing at the appropriate time respecting the proposed redevelopment area and after public notice is given in accordance with N.J.S.A. 40A:12A-6.

BE IT FURTHER RESOLVED that after completing its public hearing(s) and deliberation, the Hardyston Planning Board shall submit a recommendation to the Manager and Township Council as to whether the property is or is not determined to be a redevelopment area.

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

- K. Resolution #59-22 – Resolution to Authorize and Direct the Hardyston Planning Board to Undertake a Preliminary Investigation to Determine if Certain Properties Known as Block 75, Lot 55 Qualify as Satisfying the Statutory Criteria as in an Area in Need of Redevelopment

**RESOLUTION #59-22**

**Resolution to Authorize and Direct the Hardyston Planning Board to Undertake a Preliminary Investigation to Determine if Certain Properties Known as Block 75 Lot 55 Qualify as Satisfying the Statutory Criteria as in an Area in Need of Redevelopment**

WHEREAS, the administration of the Township of Hardyston (“Township”) is commencing the study of the former landfill site to determine whether or not the property at Block 75, Lot 55 satisfies the criteria of the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development, or redevelopment of certain areas of the State of New Jersey is a viable public purpose; and

WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of laws, the centerpiece of which is the LRHL allows for the substantial improvement to, and turnaround of, underutilized, unused, vacant and deteriorated properties through the careful design, writing and implementation of local redevelopment plans; and

WHEREAS, it appears that within the general area of what is commonly referred to as the former landfill of the Township and identified on the tax maps as the aforesaid parcel within Block 75, which, by reason of faulty arrangement of design, deleterious land use, obsolescence or obsolete layout, long term vacancy, or other factors, such property may have remained fallow,

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

stagnant, unproductive, under-utilized and undervalued and may be detrimental to the safety, health, morals or welfare of the Township of Hardyston which shall be reviewed by the Planning Board and so determined or not as required under the LRHL

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, Sussex County, New Jersey, pursuant to N.J.S.A. 40A:12A-1 et seq., that the Hardyston Planning Board is hereby authorized and directed to undertake a preliminary investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the property at Block 75, Lot 55 in the Hardyston as depicted on the official tax map of the Township of Hardyston is a non-condemnation redevelopment area in accordance with the criteria of N.J.S.A. 40A-12A-5.

BE IT FURTHER RESOLVED that Benecke Economics has been retained to study said area and guide the Manager and Township Council and the Planning Board in the redevelopment process, deliberations, and public hearing(s).

BE IT FURTHER RESOLVED that the Hardyston Planning Board shall conduct a public hearing at the appropriate time respecting the proposed redevelopment area and after public notice is given in accordance with N.J.S.A. 40A:12A-6.

BE IT FURTHER RESOLVED that after completing its public hearing(s) and deliberation, the Hardyston Planning Board shall submit a recommendation to the Manager and Township Council as to whether the property is or is not determined to be a redevelopment area.

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

L. Resolution #60-22 – Amendment to 2022 Salary Resolution

**RESOLUTION #60-22**

**2022 SALARY & WAGES FOR TOWNSHIP OFFICIALS AND EMPLOYEES**

BE IT RESOLVED by the Hardyston Township Council that the annual salaries and wages shall be paid as follows:

<b><u>Position</u></b>	<b><u>Annual Salary</u></b>
Building Subcode Official (Effective 7/1/2022)	\$95,000.00

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

M. Correspondence

1. Vernon Township
2. Vernon Township
3. Franklin Borough
4. Lafayette Township
5. Hamburg Borough
6. Green Township
7. Hampton Township
8. Fredon Township
9. Dykstra Walker Design Group

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

**COUNCIL COMMENTS:** Councilman Kula expressed his thanks to the Recreation Committee for the great job they did on the Miss Hardyston Pageant that was held at the Municipal Building on June 3, 2022.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 22, 2022**

**BILLS TO BE PAID:** A motion was made by Kaminski to approve the bill list as presented, seconded by Kula. 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. Resident Marty Schweighardt commented on the school curriculum. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

**EXECUTIVE SESSION:**

**BE IT RESOLVED** by the Township Council of the Township of Hardyston on the 22nd day of June, 2022, that:

1. Prior to the conclusion of this **Regular Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
2.
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - (X) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
  - ( ) b. (8) Personnel matters.
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.
3. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Motion to adopt: Kula  
 Seconded by: Miller

<b>MOTION</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Kula	<u>  x  </u>	_____	_____	_____
Miller	<u>  x  </u>	_____	_____	_____
Verrilli	<u>  x  </u>	_____	_____	_____
Kaminski	<u>  x  </u>	_____	_____	_____
Cicerale	_____	_____	_____	<u>  x  </u>

Motion carried.

A motion was made by Kula to come out of Executive Session, seconded by Miller. All in favor. Motion carried.

**ADJOURNMENT:** A motion was made by Miller to adjourn at approximately 9:35 p.m., seconded by Kaminski. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk