

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 8, 2023**

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 Cicerale, Manager Carrine Piccolo-Kaufer, Clerk Jane Bakalarczyk, and Township Attorney Robert Rossmeissl of Dorsey & Semrau. Mayor Kaminski was present via conference call. Councilman Miller 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 – October 2023
2. Tax Collector Report – October 2023
3. Construction Certificate Activity Report – October 2023
4. Construction Permit Activity Report – Hardyston – October 2023
5. Construction Permit Activity Report – Hamburg – October 2023
6. Construction Permit Activity Report – Franklin – October 2023
7. Construction Permit Activity Report – Newton – October 2023
8. Construction Permit Activity Report – Sussex – October 2023
9. Construction Permit Activity Report – Wantage – October 2023
10. Municipal Court Report – October 2023
11. Police Department Report – October 2023
12. Land Use Report – October 2023
13. Department of Public Works Report - October 2023

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

MANAGERS REPORT:

Township Manager reported and gave the Council updates on the following:

- Fire Siren
- Departmental Budget Requests

ORDINANCES

1ST READING: None

ORDINANCES

2ND READING: None

OLD BUSINESS:

None

NEW BUSINESS:

A. Tax Collector Resolutions

1. Resolution #88-23 – Tax Lien Redemption – Block 16, Lot 13.02 – 3 Crystal Springs Road

RESOLUTION #88-23

WHEREAS, at the Municipal Tax Sale held on October 11, 2023, a lien was sold on Block 16 Lot 13.02, also known as 3 Crystal Springs Road for 2022 delinquent water charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #2023-004, was sold to Pro Cap 8 FBO Firstrust Bank, for a 0% redemption fee and \$500.00 premium,

WHEREAS, Nicole Reid, the owner, has effected redemption for Certificate #2023-004 in the amount of \$421.04.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Treasurer be authorized to issue a check in the amount of \$421.04 payable to Pro Cap 8 FBO Firstrust Bank for the redemption of Tax Sale Certificate #2023-004.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$500.00 (Premium) to the aforementioned lien holder.

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

2. Resolution #89-23 – Tax Lien Redemption – Block 61, Lot 11 – 3036 Route 23

RESOLUTION #89-23

WHEREAS, at the Municipal Tax Sale held on October 12, 2022, a lien was sold on Block 61 Lot 11, also known as 3036 Route 23 for 2021 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #2022-004, was sold to Trystone Capital Assets LLC, for a 18% redemption fee,

WHEREAS, Pride Funding, the original lender, has effected redemption for Certificate #2022-004 in the amount of \$7,191.73.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Treasurer be authorized to issue a check in the amount of \$7,191.73 payable to Trystone Capital Assets LLC for the redemption of Tax Sale Certificate #2022-004.

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

3. Resolution #90-23 – Tax Lien Redemption – Block 14, Lot 21.01 – 106 Route 23 W Rear

RESOLUTION #90-23

WHEREAS, at the Municipal Tax Sale held on October 11, 2023, a lien was sold on Block 14 Lot 21.01, also known as 106 Route 23 W Rear for 2022 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #2023-001, was sold to Getro Maceno, for a 16% redemption fee,

WHEREAS, RCH CO, LLC, the owner, has effected redemption for Certificate #2023-001 in the amount of \$494.05.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Hardyston that the Treasurer be authorized to issue a check in the amount of \$494.05 payable to Getro Maceno for the redemption of Tax Sale Certificate #2023-001.

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

- B. Resolution #91-23 – Animal Control Shared Service Agreement – Vernon Township

RESOLUTION #91-23

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. Animal Control – Vernon Township

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

- C. Resolution #92-23 – Construction Shared Service Agreements

RESOLUTION #92-23

RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE AGREEMENTS

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

1. Construction Office Services – Franklin Borough
2. Construction Office Services – Hamburg Borough
3. Construction Office Services – Town of Newton
4. Construction Office Services – Sussex Borough
5. Construction Office Services – Wantage Township

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

D. Resolution #93-23 – Resolution authorizing submission of a grant application to the New Jersey Department of Community Affairs’ Fiscal Year 2024 American Rescue Plan Firefighter Grant Program

RESOLUTION #93-23

RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS’ FISCAL YEAR 2024 AMERICAN RESCUE PLAN FIREFIGHTER GRANT PROGRAM

WHEREAS, the New Jersey Department of Community Affairs Division of Local Government Services has made grant funding available via the American Rescue Plan Firefighter Grant Program; and

WHEREAS, the Mayor and Council of the Township of Hardyston desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$75,000.00 to carry out a project to provide the Hardyston Fire Department with proper fire protection, cleaning, and sanitization equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF HARDYSTON:

1. Hereby authorize the application for such a grant; and,
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Hardyston and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

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

E. Resolution #94-23 – Resolution appointing electrical sub-code official

Resolution #94-23

RESOLUTION APPOINTING ELECTRICAL SUB-CODE OFFICIAL

WHEREAS, the Township’s current Electrical Sub-Code Official, Robert Schultz has resigned from his position effective September 7, 2023 creating the need to fill the vacant position; and

WHEREAS, Andrew Simonis was appointed as Acting Electrical Subcode Official effective September 11, 2023; and

WHEREAS, Andrew Simonis has demonstrated that he is able to the perform the duties of the Electrical Sub-code Official during his tenure in his current position; and

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WHEREAS, he is licensed and eligible for appointment as an electrical 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 Andrew Simonis be appointed to the permanent position of Electrical Sub-Code Official for the term November 1, 2023 through October 31, 2027.

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

F. Correspondence

1. Montague Township
2. State of NJ
3. State of NJ
4. K&L Gates

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

COUNCIL COMMENTS: None

BILLS TO BE PAID: A motion was made by Kula 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. A Franklin resident expressed his concerns regarding security and the lighting at the PODS storage facility located in Hardyston. 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 8th day of November, 2023, 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.
 - () 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.

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- (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: Cicerale
Seconded by: Kula

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

Motion carried.

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

ADJOURNMENT: A motion was made by Kula to adjourn at approximately 8:35 p.m., seconded by Cicerale. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk