

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 13, 2023**

The meeting was called to order by Mayor Kaminski 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: Deputy Mayor Verrilli, Councilman Kula, Councilman Miller, Councilman Cicerale, Manager Carrine Piccolo-Kaufer, Clerk Jane Bakalarczyk, Township Attorney Fred Semrau and Township Attorney Robert Rossmeissl of Dorsey & Semrau.

SALUTE THE FLAG

SWEARING IN CEREMONY – Derek Michelman – Police Department

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 – November 2023
2. Tax Collector Report – November 2023
3. Construction Certificate Activity Report – November 2023
4. Construction Permit Activity Report – Hardyston – November 2023
5. Construction Permit Activity Report – Hamburg – November 2023
6. Construction Permit Activity Report – Franklin – November 2023
7. Construction Permit Activity Report – Newton – November 2023
8. Construction Permit Activity Report – Sussex – November 2023
9. Construction Permit Activity Report – Wantage – November 2023
10. Municipal Court Report – November 2023
11. Police Department Report – November 2023
12. Land Use Report – November 2023
13. Department of Public Works Report - November 2023
14. Sussex County Health Department Report – October 2023

Minutes:

1. Regular Minutes of 5/24/23
2. Executive Minutes of 5/24/23
3. Special Workshop Minutes of 6/14/23
4. Executive Minutes of 6/14/23
5. Regular Minutes of 6/28/23
6. Executive Minutes of 6/28/23
7. Regular Minutes of 7/26/23
8. Workshop Minutes of 7/26/23
9. Executive Minutes of 7/26/23
10. Regular Minutes of 9/14/23
11. Regular Minutes of 9/27/23
12. Regular Minutes of 11/8/23
13. Executive Minutes of 11/8/23

Agreements/Applications/Licenses:

1. Hardyston Township Fire Department - New Member Application – Romeo Arellano
2. Raffle – St. Jude the Apostle Church
3. Raffle – YMCA Metropolitan of Oranges

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

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MANAGERS REPORT:

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

- Grant Writer – Continuation of Service or RFP
- DCA ARP Firefighter Grant Submission
- Division of Senior Services – Use of Meeting Room
- Wheatsworth Road Traffic Study
- Shared Court
- Fire Department Siren/Communications
- Redevelopment – Crystal Springs and Lasinski Road
- Landfill/Solar

ORDINANCES

1ST READING: None

ORDINANCES

2nd READING: None

OLD BUSINESS: None

NEW BUSINESS:

A. Tax Collector Resolutions

1. Resolution #95-23 – Tax Lien Redemption – Block 16.05, Lot 20 – 11 Cypress Lane

RESOLUTION #95-23

WHEREAS, at the Municipal Tax Sale held on October 11, 2023, a lien was sold on Block 16.05 Lot 20, also known as 11 Cypress Lane for 2022 delinquent water/sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #2023-005, was sold to Bala Partners LLC, for a 0% redemption fee and \$800.00 premium,

WHEREAS, Wells Fargo, on behalf of the owner, has effected redemption for Certificate #2023-005 in the amount of \$1,142.84.

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 \$1,142.84 payable to Bala Partners LLC, for the redemption of Tax Sale Certificate #2023-005.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$800.00 (Premium) to the aforementioned lien holder.

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

2. Resolution #96-23 – Overpayment Refund – Block 62, Lot 18.11 – 18 Park Drive

RESOLUTION #96-23

WHEREAS, Block 62 Lot 18.11 also known as 18 Park Drive owned by 18 Park Drive LLC, and

WHEREAS, Joda Abstract paid the November 2023 taxes when the mortgage lender, Provident Bank, also paid on behalf of block 62 lot 18.11, and

WHEREAS, Joda Abstract is due a refund in the amount of \$5,369.04.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund Joda Abstract in the amount of \$5,369.04.

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

B. Resolution #97-23 – Salary Resolution Amendment

RESOLUTION #97-23

2023 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 effective November 1, 2023:

<u>Position</u>	<u>Hourly Salary</u>
Part-time Assistant Building Subcode Official	\$40.00/hour
Part-time Electrical Subcode Official	\$50.00/hour

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

C. Resolution #98-23 – Resolution authorizing the execution of an agreement with the County of Sussex for Transportation Services for Senior Citizens and People with Disabilities who reside in Hardyston Township

RESOLUTION #98-23

RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING AGREEMENT

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

1. Transportation Services – Senior Citizens and People with Disabilities who reside in Hardyston Township - County of Sussex

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

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D. Tax Collector Resolutions

1. Resolution #99-23 – Tax Refund – Block 16.35, Lot 1.05 – 60 Coventry Rd

RESOLUTION #99-23

WHEREAS, Block 16.35 Lot 1.05 also known as 60 Coventry Road owned by Susan A. Filgrove, and

WHEREAS, Ms. Filgrove purchased the property October 3, 2023 and the property is 100% tax exempt due to a Veteran Exemption effective October 4, 2023.

WHEREAS, Reliant Title Agency, LLC paid toward the 4th quarter taxes to Block 16.35 lot 1.05, and is due a refund in the amount of \$2,229.74

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund Reliant Title Agency, LLC in the amount of \$2,229.74.

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

2. Resolution #100-23 – Tax Refund – Block 67.19, Lot 12 – 4 Kristen Ct

RESOLUTION #100-23

WHEREAS, Block 67.19 Lot 12 also known as 4 Kristen Ct. owned by Orlando Miranda, and

WHEREAS, Mr. Miranda purchased the property November 8, 2021 and the property is 100% tax exempt due to a Veteran Exemption effective November 3, 2023.

WHEREAS, Corelogic on behalf of the mortgage lender paid toward the 4th quarter taxes to Block 67.19 lot 12, and is due a refund in the amount of \$910.37.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund Corelogic in the amount of \$910.37.

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

- E. Resolution #101-23 – Shared Service Agreement – Park Maintenance and Solid Waste and Recycling Removal – Hardyston Township Board of Education

RESOLUTION #101-23

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. Park Maintenance – Hardyston Township Board of Education
2. Solid Waste and Recycling Removal – Hardyston Township Board of Education

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

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- F. Resolution #102-23 – Budget Transfer Resolution

WHEREAS, the Mayor and Township Council intend to reject the bids received in connection with the Re-bid and to consider the Township's alternative options for the purchase of a command vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey hereby reject all bids received for the purchase of a command vehicle for the Hardyston Township Fire Department and authorize the Township Manager to pursue alternative options for the purchase of a command vehicle, including by use of a cooperative contract.

BE IT FURTHER RESOLVED that:

1. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
2. This Resolution shall take effect immediately.

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

H. Hardyston Township PBA Local 374 Collective Bargaining Agreement – January 2024 – December 2028

After a brief discussion in Executive Session, a motion was made by Miller to approve the Hardyston Township PBA Local 374 Collective Bargaining Agreement – January 2024 – December 2028, seconded by Verrilli. All in favor. Motion carried.

I. Zoning Officer/Computer Information & Technology Officer Discussion

After a brief discussion, a motion was made by Kula to solicit for proposals for a Computer Information & Technology Officer, seconded by Cicerale with Verrilli voting "No". All in favor. Motion carried.

J. Correspondence

1. Hampton Township
2. Ogdensburg Borough
3. Vernon Township
4. Green Township
5. Vernon Township
6. Jefferson Township
7. Sussex County Municipal Utilities Authority
8. State of NJ
9. State of NJ
10. State of NJ
11. State of NJ
12. Dykstra Walker Design Group
13. Dykstra Walker Design Group
14. Elizabethtown Gas Company

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

COUNCIL COMMENTS: Councilman Cicerale asked for clarification regarding the Municipal Hotel and Motel Occupancy Tax Distribution Report.

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

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PUBLIC PORTION: A motion was made and seconded to open the meeting to the public. All in favor. Motion carried.

Joseph Martinez, resident of Crystal Springs, expressed concerns regarding speed bumps that are being put in on Crystal Springs Road. Township Manager stated that while the Township does not own the road, she will contact the Township Engineer and have him reach out to the Master Association to take a look at the placement of the speed bumps.

Resident Meg Demsak inquired as to whether the Council was aware of any plans to bring new businesses into the empty buildings in the Stockholm section of town. She also asked about the bathrooms at the Wheatsworth sports field and why they are not open during sports events. She stated that the portable bathrooms are not clean. Township Manager stated that while the bathrooms in the pavilion cannot be left open, the Township is looking into a new company to maintain the portable bathrooms and have extra cleanings done.

Resident Jaime Milette thanked the Council for all of their effort in helping to find a solution to the fire siren issue.

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 13th day of December, 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.
 - (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

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MOTION YES NO ABSTAIN ABSENT

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 Verrilli. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Kula to adjourn at approximately 9:15 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk