The meeting was called to order by Mayor Kaminski at 12:00 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, Manager Carrine Piccolo-Kaufer, Clerk Jane Bakalarczyk, Township Attorney Fred Semrau and Township Attorney Robert Rossmeissl of Dorsey & Semrau. Councilman Cicerale was present via Zoom.

SALUTE THE FLAG:

STATEMENT OF DETERMINATION: Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman Cicerale and Councilman Kaminski.

OATH OF OFFICE: Township Attorney Fred Semrau issued the Oath of Office to Councilman Cicerale and Councilman Kaminski.

<u>2024 APPOINTMENTS</u> - <u>ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:</u>

MAYOR - A motion was made by Kaminski to appoint Frank Cicerale, seconded by Verrilli. All in favor. Motion carried.

DEPUTY MAYOR - A motion was made by Verrilli to appoint Brian Kaminski, seconded by Kula. All in favor. Motion carried.

ATTORNEY - A motion was made by Verrilli to appoint Fred Semrau, seconded by Kula. All in favor. Motion carried.

LABOR COUNSEL - A motion was made by Kula to appoint Methfessel & Werbel, seconded by Kaminski. All in favor. Motion carried.

MUNICIPAL JUDGE – A motion was made by Miller to appoint Paris Eliades to a **three-year term**, seconded by Verrilli. All in favor. Motion carried.

TOWNSHIP ENGINEER – A motion was made by Miller to appoint Michael G. Vreeland of Van Cleef Engineering Associates, LLC to a **three-year term**, seconded by Verrilli. All in favor. Motion carried.

EMERGENCY MANAGEMENT COORDINATOR – A motion was made by Miller to appoint William Hickerson to a **three-year term**, seconded by Kula. All in favor. Motion carried.

PROSECUTOR - A motion was made by Kula to appoint Timothy J. Profeta, seconded by Miller. All in favor. Motion carried.

PUBLIC DEFENDER - A motion was made by Kula to appoint John C. Grey, Jr., seconded by Miller. All in favor. Motion carried.

AUDITOR - A motion was made by Kula to appoint Wielkotz & Co, LLC, seconded by Verrilli. All in favor. Motion carried.

BOND COUNSEL – A motion was made by Kula to appoint Robert H. Beinfield, Esq. of Hawkins, Delafield and Wood, LLP, seconded by Verrilli. All in favor. Motion carried.

CONTINUING DISCLOSURE AGENT & INDEPENDENT REGISTERED MUNICIPAL ADVISOR – A motion was made by Kula to appoint Phoenix Advisors, LLC, seconded by Miller. All in favor. Motion carried.

DEPUTY MUNICIPAL CLERK – A motion was made by Verrilli to appoint Carrine Piccolo-Kaufer, seconded by Miller. All in favor. Motion carried.

DEPUTY REGISTRAR - A motion was made by Kula to appoint Dana Vitz, seconded by Miller. All in favor. Motion carried.

ASSESSMENT SEARCH OFFICER - A motion was made by Verrilli to appoint Jane Bakalarczyk, seconded by Miller. All in favor. Motion carried.

9-1-1 COORDINATOR – A motion was made by Kula to appoint William Hickerson, seconded by Verrilli. All in favor. Motion carried.

TOWNSHIP PHYSICIAN - A motion was made by Kula to appoint Jeffrey Merkle, seconded by Verrilli. All in favor. Motion carried.

SWCF COMMISSIONER - A motion was made by Kula to appoint Carrine Piccolo-Kaufer, seconded by Verrilli. All in favor. Motion carried.

RISK MANAGEMENT CONSULTANT - A motion was made by Kula to appoint the Morville Agency, A Division of Gallagher/Bollinger, Inc., seconded by Miller. All in favor. Motion carried.

SENIOR CITIZEN COORDINATOR - A motion was made by Miller to appoint June Eisenecker, seconded by Kula. All in favor. Motion carried.

PUBLIC AGENCY COMPLIANCE OFFICER - A motion was made by Kula to appoint Grant Rome, seconded by Miller. All in favor. Motion carried.

208 REPRESENTATIVE (PAC) - A motion was made by Kula to appoint Carrine Piccolo-Kaufer, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE 208 REPRESENTATIVE (PAC) –A motion was made by Kula to appoint Joshua Raff, seconded by Verrilli. All in favor. Motion carried.

SC SOLID WASTE ADVISORY COMMITTEE (SWAC) – A motion was made by Kula to appoint Joshua Raff, seconded by Miller. All in favor. Motion carried.

SWCF SAFETY LOSS PREVENTION REPRESENTATIVE - A motion was made by Miller to appoint Jane Bakalarczyk, seconded by Kula. All in favor. Motion carried.

COUNCIL LIAISON TO HTBOE - A motion was made by Kula to appoint Brian Kaminski, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE COUNCIL LIAISON TO HTBOE - A motion was made by Verrilli to appoint Frank Cicerale, seconded by Kula. All in favor. Motion carried.

Resolution #01-24 - Resolution authorizing the award of non-fair and open contracts for professional services: Attorney, Labor Counsel, Engineer, Prosecutor, Auditor, Bond Counsel, Continuing Disclosure Agent and Independent Registered Municipal Advisor, Public Defender and Risk Management Consultant

#01-24

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, Hardyston Township has a need to acquire professional services to be provided under non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Hardyston Township has determined that the anticipated value of each contract will exceed \$17,500.00; and

WHEREAS, the anticipated term of each contract is one (1) year; and MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 4, 2024

WHEREAS, each of the following individuals and/or business entities has submitted a proposal indicating a willingness to provide professional services as described below and for the price stated; and

WHEREAS, each individual/business entity named herein has completed and submitted a Business Entity Disclosure Certification which certifies that no reportable contributions have been made to a political or candidate committee in the Township of Hardyston in the previous one year, and that the contract will prohibit the individual/business entity from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Hardyston has certified that 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 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 as follows:

- 1. The Township of Hardyston is authorized to engage Dorsey & Semrau as municipal attorney for the year 2024 at a rate ranging from \$85.00 to \$163.00 per hour not to exceed \$100,000.00;
- 2. The Township of Hardyston is authorized to engage Methfessel & Werbel as labor counsel for the year 2024 at a rate ranging from \$55.00 to \$150.00 per hour not to exceed \$15,000.00;
- 3. The Township of Hardyston is authorized to engage Van Cleef Engineering Associates, LLC as municipal engineer for the year 2024 at a rate ranging from \$59.00 to \$147.00 per hour not to exceed \$200,000.00;
- 4. The Township of Hardyston is authorized to engage Timothy J. Profeta, Esq. as municipal prosecutor for the year 2024 at the rate of \$17,700.00 not to exceed \$20,000.00;
- 5. The Township of Hardyston is authorized to engage Wielkotz & Company, LLC as municipal auditor for the year 2024 at a rate ranging from \$75.00 to \$200.00 per hour not to exceed \$35,000.00;
- 6. The Township of Hardyston is authorized to engage the Law Office of Hawkins, Delafield and Wood, LLP as municipal bond counsel for the year 2024 at a rate not to exceed \$50,000.00;
- 7. The Township of Hardyston is authorized to engage Phoenix Advisors, LLC as Continuing Disclosure Agent and Independent Registered Municipal Advisor for the year 2024 at a rate not to exceed \$2,500.00.
- 8. The Township of Hardyston is authorized to engage John C. Grey, Jr., Esq. as public defender for the year 2024 at the rate of \$200.00 per case not to exceed \$20,000.00;
- 9. The Township of Hardyston is authorized to engage The Morville Agency, a division of Gallagher/Bollinger, Inc., as municipal risk management consultant for the year 2024 at the rate specified in the 2024 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement;

BE IT FURTHER RESOLVED that these appointments are awarded without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value for each of the individual/business entities named herein shall be placed on file with this Resolution; and

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 4, 2024

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage. This Resolution and each referenced contract are on file and available for public inspection in the office of the Hardyston Township Clerk.

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

Resolution #02-24 - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

RESOLUTION #02-24

BE IT RESOLVED by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation, providing that all settlements are approved by the Township Manager.

BE IT FURTHER RESOLVED that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$10,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

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

Resolution #03-24 - Resolution authorizing the Tax Collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 or less for the calendar year 2023

RESOLUTION #03-24

BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, County of Sussex and State of New Jersey, to authorize the tax collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 (ten dollars) or less for the calendar year 2023, in accordance with the provisions of N.J.S.A. 54:4-99.

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

Resolution #04-24 - Resolution setting interest rate for non-payment of taxes

RESOLUTION #04-24

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, that the rate of interest to be charged for non-payment of taxes on or before the date that they would become delinquent shall be set

at the rate of 8% per annum on the first \$1500 of the delinquency, and 18% per annum on any amount in excess of \$1500, and

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 4, 2024

BE IT FURTHER RESOLVED, that in accordance with the provisions of N.J.S.A. 54:4-67, a six percent (6%) penalty shall be charged to a taxpayer with a delinquency in excess of Ten Thousand and no/100 Dollars (\$10,000) who fails to pay the delinquency prior to the end of the calendar year. Delinquency in this instance means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or tax years.

BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installation is made within ten days after the date which same became payable.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

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

Resolution #05-24 designating official depositories:

RESOLUTION #05-24

WHEREAS, Title 40A:5-14 requires that the governing bodies shall designate official depositories for its monies and:

WHEREAS, the Township Council of the Township of Hardyston wishes to designate the following banks for said purposes:

NOW THEREFORE BE IT RESOLVED by the Township Council that the following depositories be designated as official depositories for the Township of Hardyston:

Provident Bank Wells Fargo Bank Lakeland Bank NJ Cash Management Fund TD Bank

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

OFFICIAL NEWSPAPERS - A motion was made by Kula to appoint the New Jersey Herald and New Jersey Sunday Herald as Official Newspapers of the Township of Hardyston and the Star Ledger, and Advertiser News as Alternates, seconded by Cicerale. All in favor. Motion carried.

OFFICIAL HOLIDAYS - A motion was made by Kula to approve the following holidays:

New Year's Day
Martin Luther King Day
Presidents' Day
Good Friday
Memorial Day

Independence Day
Labor Day
Christmas Eve Day
Christmas Day
Christmas Day
Christmas Day
Thanksgiving Day

seconded by Verrilli. All in favor. Motion carried.

2024 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS AND WORKSHOP MEETINGS

January 24, 2024

February 28, 2024

March 27, 2024

April 24, 2024

May 22, 2024

June 26, 2024

July 24, 2024

August 28, 2024

September 25, 2024

October 23, 2024

November 13, 2024

December 11, 2024

REORGANIZATION MEETING - FRIDAY, JANUARY 3, 2025 - 6:00 PM

A motion was made by Kula to approve the above Hardyston Township Council meeting dates, seconded by Verrilli. All in favor. Motion carried.

LAND USE BOARD - The following appointments were made:

MAYOR - CLASS I - A motion was made by Kula to appoint Brian J. Kaminski, seconded by Miller. All in favor. Motion carried.

CLASS II - A motion was made by Kula to appoint Scott Lobban, seconded by Miller. All in favor. Motion carried.

CLASS III - A motion was made by Kula to appoint Carl B. Miller, seconded by Miller. All in favor. Motion carried.

MUNICIPAL UTILITIES AUTHORITY - The following appointments were made:

FULL MEMBER – A motion was made by Kula to appoint Brian J. Kaminski to a five-year term, seconded by Verrilli. All in favor. Motion carried.

FULL MEMBER – A motion was made by Kula to appoint Robert Codner to a five-year term, seconded by Verrilli. All in favor. Motion carried.

FULL MEMBER – A motion was made by Kula to appoint Michael O'Grady to a five-year term, seconded by Verrilli. All in favor. Motion carried.

FULL MEMBER - A motion was made by Kula to appoint James Caiazzo to fill the unexpired term of Ellis Marples ending 1/31/26, seconded by Verrilli. All in favor. Motion carried.

ALTERNATE 1 - A motion was made by Kula to appoint Donna Carey to fill the unexpired term of David Van Ginneken ending 1/31/27, seconded by Verrilli. All in favor. Motion carried.

RECREATION COMMTTEE: A motion was made by Kula to appoint:

Robert Califano Stanley J. Kula Jeffrey Altieri Anna-Marie Jensen Kathleen Judd

seconded by Verrilli. All in favor. Motion carried.

ECONOMIC DEVELOPMENT COMMISSION: A motion was made by Verrilli to appoint:

Carl Miller Stanley J. Kula Gil Roessner Tony Alfano

seconded by Miller. All in favor. Motion carried.

MUNICIPAL DRUG ALLIANCE COMMITTEE: A motion was made by Cicerale to appoint:

Robert Zicarelli Elaine Tizzano Jill Helmstetter Carrine Kaufer Mark Sena Fred Moses

seconded by Verrilli. All in favor. Motion carried.

EMERGENCY MANAGEMENT COUNCIL - A motion was made by Verrilli to make the following appointments:

Council Stanley J. Kula
Council Carl B. Miller
Council Santo Verrilli
Council Brian Kaminski
Council Frank Cicerale

Manager Carrine Piccolo-Kaufer

Police Chief Scott Lobban Scott Lobban Police Liaison Construction Official Joe Butto **DPW** Joshua Raff Fire Chief Anthony Rosta Asst. Fire Chief Robert Cook **Deputy Coordinator** Ray Marion **Deputy Coordinator** Joe Ionta

Chaplain/Mental Health Reverend Michael Rodak

School Nurse Elizabeth Burdzy

seconded by Kula. All in favor. Motion carried.

Resolution #06-24 - 2024 TEMPORARY MUNICIPAL BUDGET

RESOLUTION #06-24 TOWNSHIP OF HARDYSTON 2024 TEMPORARY BUDGET

WHEREAS, 40A:4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2024 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2024; and

WHEREAS, the total appropriations in the 2023 budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

General \$10,414,241

WHEREAS, 26.25 percent of the total appropriations in the 2023 budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in said 2023 budget is as follows:

General \$2,733,738

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Hardyston, County of Sussex that the above temporary appropriations are made and that a certified copy of this resolution is transmitted to the Chief Financial Officer for his records.

A motion was made by Miller to approve the 2024 Temporary Municipal Budget, seconded by Kula. All in favor. Motion carried.

Resolution #07-24 – Resolution appointing Risk Management Consultant

RESOLUTION #07-24 RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT 2024 FUND YEAR

WHEREAS, <u>Hardyston Township</u> (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of <u>Sussex</u> and State of New Jersey, as follows:

1. <u>Hardyston Township</u> (Local Unit) hereby appoints <u>George Morville, ASVP of Arthur J. Gallagher Risk Management Services Inc., its Risk Management Consultant.</u>

2. The <u>Administrator</u> (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2024 in the form attached hereto.

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

Resolution #08-24 – Resolution appointing Statewide Insurance Fund Commissioner

RESOLUTION #08-24 RESOLUTION APPOINTING FUND COMMISSIONER 2024 FUND YEAR

WHEREAS, <u>Hardyston Township</u> (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the <u>Township of Hardyston</u> (Local Unit) that <u>Carrine Piccolo-Kaufer</u> (entity's elected official or employee) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2024**; and

BE IT FURTHER RESOLVED that <u>Dana Vitz</u> (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2024**; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

Resolution #09-24 – Electronic Tax Sale

RESOLUTION # 09-24

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Service has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool or potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of Hardyston Township wishes to participate in an electronic tax sale

NOW THEREFORE BE IT RESOLVED, by the governing body of the municipality of Hardyston Township, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit the same to the Director of the Division of Local Government Services if necessary.

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

Resolution #10-24 - Municipal Court Judge Appointment

RESOLUTION #10-24

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, AUTHORIZING THE APPOINTMENT OF PARIS ELIADES AS MUNICIPAL COURT JUDGE TO THE HARDYSTON TOWNSHIP MUNICIPAL COURT FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2026

WHEREAS, the Honorable Paris P. Eliades has served as Municipal Court Judge for the Municipal Court of the Township of Hardyston since November 28, 2017; and

WHEREAS, Judge Eliades meets the qualifications required by law pursuant to N.J.S.A. 2B:12-7 to serve as Municipal Court Judge; and

WHEREAS, Municipal Court Judges, once appointed, consistent with N.J.S.A. 2B:12-4, serve for a three-year term; and

WHEREAS, the Township has been well served by the past professionalism and competence exhibited by Judge Eliades in his capacity as Hardyston Township Municipal Court Judge; and

WHEREAS, the Township finds it is appropriate to appoint Judge Eliades to a new three-year term as the Hardyston Township Municipal Court Judge; and

WHEREAS, the Mayor and Council in the Township's January 2, 2024 Reorganization meeting approved the appointment of Judge Eliades to a new three-year term as the Hardyston Township Municipal Court Judge, effective January 1, 2024.

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 re-appoints Judge Paris Eliades as Municipal Court Judge for the Township of Hardyston for a new three-year term, effective January 1, 2024 through December 31, 2026, at an annual salary of \$36,915.05.
- 2. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

This Resolution shall take effect immediately upon adoption.

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

PUBLIC PARTICIPATION - The Council opened the meeting to the public. No public comment. The Council closed the meeting to the public.

ADJOURN - A motion was made by Kula at approximately 12:28 p.m. to adjourn, seconded by Verrilli. All in favor. Motion carried.

Attest	
	Jane Bakalarczyk, Municipal Clerk