

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON MARCH 26, 2025

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, Manager Carrine Piccolo-Kaufer, Clerk Jane Bakalarczyk, and Township Attorney Robert Rossmeissl of Dorsey & Semrau. Councilman Cicerale were present via Zoom.

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 – February 2025
2. Tax Collector Report – February 2025
3. Construction Certificate Activity Report – February 2025
4. Construction Permit Activity Report – Hardyston – February 2025
5. Construction Permit Activity Report – Hamburg – February 2025
6. Construction Permit Activity Report – Franklin – February 2025
7. Construction Permit Activity Report – Newton – February 2025
8. Construction Permit Activity Report – Sussex – February 2025
9. Construction Permit Activity Report – Wantage – February 2025
10. Police Department Report – February 2025
11. Municipal Court Report – February 2025
12. Land Use Report – February 2025
13. Zoning Officer Report – February 2025
14. Sussex County Health Department Report – February 2025
15. Department of Public Works – February 2025

Minutes:

1. Workshop Minutes of 2/12/25
2. Executive Minutes of 2/12/25
3. Regular Minutes of 2/26/25
4. Executive Minutes of 2/26/25
5. Workshop Minutes of 3/12/25
6. Executive Minutes of 3/12/25

Agreements/Applications/Licenses:

1. Raffles – Catholic Charities Diocese of Paterson
2. Raffles – The Craig School
3. Raffles – YMCA Metropolitan of Oranges
4. Raffles – Ogdensburg Recreation Assn. Inc.
5. Raffles – Wallkill Valley Football Parent Booster Club

A motion was made by Verrilli 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:

- Altice Franchise Agreement
- Wheatsworth Park Lease Agreement with Board of Education
- Film Ready NJ
- Grants – Old Monroe Schoolhouse
- Congressional Community Funding
- Planet Networks Phone Services

ORDINANCES

1ST READING:

2025-02

CALENDAR YEAR 2025

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Hardyston in the County of Sussex finds it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.00% increase in the budget for said year, amounting to \$96,003.75 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Hardyston, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Township of Hardyston shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$330,119.25, and that the CY 2025 municipal budget for the Township of Hardyston be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion was made by Miller to approve Ordinance 2025-02 on first reading, seconded by Verrilli. All in favor. Motion carried.

ORDINANCES

2ND READING: **None**

OLD BUSINESS:

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

- A. 3490 Rt. 94 Redevelopment Site
- B. Street Lighting
- C. First Aid Squad Building
- D. Solar Project – Lasinski Road
- E. Sign Ordinance Revisions
- F. RV Parking Ordinance Review
- G. Wheatsworth Park Lease Agreement

NEW BUSINESS:

- A. Tax Collector Resolutions
 - 1. Resolution #22-25 – Overpayment Refund – 68 Clubhouse Road – Block 16.15, Lot 1

RESOLUTION #22-25

WHEREAS, Block 16.15 Lot 1 Qualification C0105 also known as 68 Clubhouse Road owned Kathleen and Frederick Haber, and

WHEREAS, Corelogic on behalf of the mortgage lender paid the first quarter 2025 taxes in the amount of \$2,064.23, and

WHEREAS Mr. and Mrs. Haber also paid the first quarter 2025 taxes in the amount of \$2,064.23 creating an overpayment.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund Kathleen and Frederick Haber in the amount of \$2,064.23.

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

- B. Resolution #23-25 – Special Item of Revenue and Appropriation - Chapter 159

RESOLUTION #23-25

SPECIAL ITEM OF REVENUE AND APPROPRIATION - CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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WHEREAS, said Director may also approve the insertion of an item appropriation for an equal amount, and

WHEREAS, the Township of Hardyston has been awarded \$20,000.00 from State of New Jersey, Department of Agriculture for the Spotted Lanternfly- Chemical Control Treatment Grant and wishes to amend its 2025 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Hardyston hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2025 in the sum of \$20,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of Local Government
Services:

Public and Private Revenues Off-Set with Appropriations:

Department of Agriculture- Spotted Lanternfly Chemical Control Treatment
Grant, and

BE IT FURTHER RESOLVED that a like sum of \$20,000.00 be and hereby
appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Department of Agriculture- Spotted Lanternfly Chemical Control Treatment
Grant

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

- C. Resolution #24-25 – Resolution declaring the gypsy moth a public nuisance in
Hardyston Township

RESOLUTION #24-25

WHEREAS, the gypsy moth *Lymantria dispar*, *dispar* (LDD) has been found heavily defoliating tree and plant growth in the Township of Hardyston; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Township Council of the Township of Hardyston has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that application for any Federal or State funds available be authorized.

NOW THEREFORE BE IT HEREBY RESOLVED by the Township Council of the Township of Hardyston that the LDD is declared to be a public nuisance and the protection of vegetation or plant life therefrom is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

I, Jane Bakalarczyk, Clerk of the Township of Hardyston, County of Sussex, State of New Jersey, do hereby certify that this Resolution was adopted by the municipal governmental body at an open public meeting which was duly advertised to the citizens of the municipality in accordance with the law, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-9.

I also certify that this municipality has, or will, comply with the notice provisions required by N.J.S.A. 4:7-39.

I further certify the above to be a true and correct copy of a resolution adopted by the Hardyston Township Council at a regular meeting of that body held March 26, 2025.

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

- D. Resolution #25-25 – Resolution authorizing the award of a professional services contract without competitive bidding to Civil Solutions for 2025 tax map maintenance and geographic information system support

RESOLUTION #25-25

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
HARDYSTON, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO CIVIL SOLUTIONS FOR 2025 TAX MAP
MAINTENANCE AND GEOGRAPHIC INFORMATION SYSTEM SUPPORT**

WHEREAS, the Township of Hardyston has a need for 2025 Tax Map Maintenance and Geographic Information System (“GIS”) support; and

WHEREAS, for this purpose the Township wishes to retain the services of Donald A. Smith III, of Civil Solutions, as Geospatial Services Associate; 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 bidding 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 Township Manager to execute an agreement with Donald A. Smith III, of Civil Solutions, located at 215 Bellevue Ave., P.O. Box 579, Hammonton, NJ 08037, to provide professional services as Geospatial Services Associate pursuant to the below pricing schedule:

CIVIL SOLUTIONS PRICING SCHEDULE

1. Hosting the Web GIS data and Viewer (myIDV) for 1 year: \$1,200
2. Tax Map Maintenance, Collaboration Center & Map Viewer: \$6,000

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 \$7,200 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 Donald A. Smith III of Civil Solutions, at 215 Bellevue Ave., P.O. Box 579, Hammonton, NJ 08037, for his information and guidance.
6. A copy of this Resolution shall be available for public inspection in the office of the Clerk of the Township of Hardyston.

This Resolution shall take effect immediately upon adoption.

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

- E. Resolution #26-25 – Resolution authorizing participation of Hardyston Township in the State Development and Redevelopment Plan Cross-Acceptance Process

RESOLUTION #26-25

**RESOLUTION AUTHORIZING PARTICIPATION OF HARDYSTON TOWNSHIP IN THE STATE
DEVELOPMENT AND REDEVELOPMENT PLAN (State Plan) CROSS-ACCEPTANCE PROCESS**

WHEREAS, the State Planning Act of 1985 (N.J.S.A. 52:18A-196 et. seq.) created a State Planning Commission and an Office of Planning Advocacy for the purpose of establishing a cooperative planning process that involves the full participation of state, county and local governments; and,

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WHEREAS, the State Planning Act states that New Jersey needs integrated and coordinated planning in order to conserve its natural resources, to revitalize its urban centers, to provide affordable housing and adequate public facilities at a reasonable cost, to promote equal social and economic opportunity for New Jersey’s citizens, and to prevent sprawl and promote the suitable use of land; and,

WHEREAS, the primary duty and responsibility of the State Planning Commission under the State Planning Act is the preparation of a “State Development and Redevelopment Plan;” and,

WHEREAS, the State Planning Act also provides that the State’s municipalities are to have an essential role in the development of the State Plan through their participation in the Cross- acceptance process to be conducted under the Act; and,

WHEREAS, the Cross-acceptance process is the primary vehicle under the Act for promoting vertical coordination and integration of state, county and local plans by affording county and municipal governments a full and open opportunity to be involved in reconciling inconsistencies between state and local policies; and,

WHEREAS, the Board of County Commissioners of Sussex County has concluded that it is appropriate, necessary and in the County’s interest to fully participate in the development of the State Plan through the full and active participation of the County government, including in particular its Planning Board and its Department of Planning, in the Cross-acceptance process,

WHEREAS, the Governing Body of Hardyston Township has concluded that it is appropriate, necessary and in the municipality interest to fully participate in the development of the State Plan through the full and active participation of the Municipal government, including in particular its Planning Board and its Department of Planning, in the Cross-acceptance process,

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Council of the County of Sussex as follows:

1. That the Hardyston Township Municipal Joint Land Use Board is hereby authorized and directed to carry out the Cross- acceptance process pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et. seq. and the State Planning Rules, N.J.A.C. 15:30 and any other rules promulgated by the State Planning Commission for this purpose:
2. That the Hardyston Township Municipal Joint Land Use Board shall coordinate with the County or Negotiating Entity in their preparation of a proposed work program and schedule for municipal and county Cross-acceptance and Negotiating Entity shall submit said work program and schedule to the New Jersey Office of Planning Advocacy by;
3. That the Hardyston Township Department of Land Use shall provide staff assistance to the County Planning Board or Negotiating Entity in order to prepare a Cross-acceptance Response Template and successfully complete the Cross-acceptance process;
4. That all other Hardyston Township Municipal Departments and Agencies shall cooperate with the Municipal and County Planning Board or Negotiating Entity and provide information and furnish such documents as may be required;

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

- F. Resolution #27-25 – Resolution authorizing the execution of an agreement with Planet Networks for Cloud Phone System installation services

RESOLUTION #27-25

**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 PLANET NETWORKS FOR CLOUD PHONE SYSTEM
INSTALLATION AND SERVICES**

WHEREAS, the Township of Hardyston wishes to enter into a service agreement (“Service Agreement”) with Planet Networks for Cloud Phone System Installation and Services

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for the Township Municipal Building, located at 149 Wheatsworth Road, as well as the Township Department of Public Works facilities located at 248 North Church Road and 246 North Church Road (“Cloud Phone Services”); and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(f), the Township may, by resolution and without advertising for bids, contract for the rendering of any service by a public utility, which is subject to the New Jersey Board of Public Utilities; and

WHEREAS, Planet Networks is a provider of telecommunications services that is authorized by the New Jersey Board of Public Utilities; and

WHEREAS, in a proposal dated January 14, 2025, Planet Networks has offered to enter into the Service Agreement with the Township, whereby it will provide Cloud Phone Services at a total monthly cost of \$1,048.50 for a term of three (3) years (“Proposal”); and

WHEREAS, the Township Manager has reviewed the proposal and recommends the Township enter into the Service Agreement; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the Service Agreement.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston, that the Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey authorize the execution of a service agreement for \$1,048.50 per month for thirty-six (36) months with Planet Networks, under N.J.S.A. 40A:11-5(1)(f).

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:30-14.5(c)4, multi-year contracts entered into for periods in excess of twelve (12) months shall be certified and charged to the respective budgets in accordance with the time(s) at which the respective work or services are performed or liability for payment is otherwise incurred. Accordingly, commitments and payments required in excess of the initial twelve (12) months are contingent upon necessary funds being appropriated in future budgets by a subsequent Governing Body.

BE IT FURTHER RESOLVED that this resolution shall be available for public inspection in the Office of the Township Clerk.

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

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G. Proclamation – Child Abuse Prevention Month

PROCLAMATION

CHILD ABUSE PREVENTION MONTH

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

WHEREAS, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior;

WHEREAS the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community;

NOW THEREFORE, be it resolved that the Township Council of the Township of Hardyston, Sussex County does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

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

H. 2025 Municipal Budget Introduction

Township Manager gave an overview of the 2025 Municipal Budget. A motion was made by Miller to approve the 2025 Municipal Budget as introduced, seconded by Verrilli. All in favor. Motion carried. Public hearing and adoption of the budget is scheduled for April 23, 2025.

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I. Resolution #28-25 – 2025 Salary Resolution

TOWNSHIP OF HARDYSTON
RESOLUTION #28-25

BE IT RESOLVED by the Hardyston Township Council that the annual salaries and wages effective January 1, 2025 shall be paid as follows:

Title	2025
Annual Salary	
Salaried:	
Township Council	\$ 5,000.00
Township Manager	\$ 84,941.85
Municipal Clerk/Registrar/Search Officer	\$ 94,088.90
Deputy Registrar/Deputy Clerk	\$ 2,500.00
Chief of Police	\$ 202,560.00
Public Works Director	\$ 116,698.99
Chief Financial Officer	\$ 43,260.00
Zoning Officer	\$ 29,565.12
Tax Assessor	\$ 67,155.63
Tax Collector	\$ 82,750.20
Municipal Planner	\$ 85,000.00
Municipal Court Magistrate	\$ 38,022.50
Land Use Administrator	\$ 81,556.69
Construction Official	\$ 88,956.00
Fire Subcode Official	\$ 47,900.10
Building Subcode Official - Hired Prior to 6/1/2024	\$ 103,305.14
Building Subcode Official - Hired After 6/1/2024	\$ 94,760.00
Fire Prevention Inspector - Hired Prior to 1/1/2023	\$ 15,913.50
Fire Prevention Inspector - Hired After 1/1/2023	\$ 10,609.00
Secretary/Clerical - Utility Billing - Part-time	\$ 32,438.08
Secretary/Administration - Technical Assistant to Construction Official	\$ 56,495.09
Secretary/Administration - Construction	\$ 55,359.62
Confidential Assistant - Township Manager	\$ 60,994.13
Secretary/Administraton - Assistant to the Chief Financial Officer	\$ 57,866.22
Fire Official	\$ 68,556.80
Electrical Subcode Official	\$ 44,133.44
Emergency Management Coordinator	\$ 11,084.35
Hourly:	
Mayor/Deputy Mayor:	
Marriage/Civil Union Ceremony Stipend (per ceremony for residents)	\$ 50.00
(per ceremony for non-residents)	\$ 200.00
Housing Rehabilitation Program Inspector	\$300.00/unit
Temporary Municipal Court Magistrate (per session)	\$375.00/session
Deputy Court Clerk	
For first three hours of court session	\$ 100.00
For each hour of court session exceeding three hours	\$17/hour
Municipal Court Officer	\$ 25.00
Winter Seasonal Laborer/Driver - Part-time	\$ 20.00
Winter Seasonal Laborer/Driver with 5+ years experience - Part-time	\$ 25.00
Summer Seasonal Laborer with 5+ years experience - Part-time	\$ 20.00
Summer Seasonal Laborer - Part-time	\$ 15.13
Secretary/Clerical - Administration	\$ 18.00
Secretary/Clerical Temporary	\$ 15.13
Recreation On-Call Staff	\$ 15.13
Recreation Program Presenter Without Certification	\$ 15.13
Recreation Program Presenter With Certification	\$ 25.75
Plumbing Subcode Inspector	\$ 40.00
Building Inspector - Part Time	\$ 35.00

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

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J. Correspondence

1. Vernon Township
2. Hampton Township
3. Hamburg Borough
4. Sparta Township
5. Town of Newton
6. Sparta Township
7. Stillwater Township
8. State of NJ
9. State of NJ
10. State of NJ
11. PSE&G

At this time, Township Manager provided the Council with a copy of an email from resident Brian Tobachnick.

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

COUNCIL COMMENTS: Councilman Cicerale asked that the Township Manager and the Council clear up all of the old business listed on the agenda as soon as possible.

BILLS TO BE PAID: A motion was made by Kula to approve the bill list of 3/12/25 in the amount of \$498,119.03 and the bill list of 3/26/25 in the amount of \$3,172,592.46, which includes payroll for pay period ending 2/28/25 and 3/15/25 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. Resident Brian Tobachnick suggested that the Council consider the benefits of requesting a presentation on Highlands Regional Master Plan conformance from Ben Spinelli, Executive Director of the NJ Highlands Council, in relation to affordable housing requirements and other areas of interest to Hardyston residents. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Verrilli to adjourn at approximately 7:50 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk