

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON DECEMBER 10, 2025

The meeting was called to order by Mayor Kaminski at approximately 7:05 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, Deputy Clerk Dana Vitz, and Township Attorney Robert Rossmeissl of Dorsey & Semrau. Councilman 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 – November 2025
2. Tax Collector Report – November 2025
3. Construction Certificate Activity Report – November 2025
4. Construction Permit Activity Report – Hardyston – November 2025
5. Construction Permit Activity Report – Hamburg – November 2025
6. Construction Permit Activity Report – Franklin – November 2025
7. Construction Permit Activity Report – Newton – November 2025
8. Construction Permit Activity Report – Sussex – November 2025
9. Construction Permit Activity Report – Wantage – November 2025
10. Police Department Report – November 2025
11. Municipal Court Report – November 2025
12. Zoning Officer Report – November 2025
13. Land Use Report – October 2025
14. Land Use Report – November 2025
15. Department of Public Works – October 2025
16. Department of Public Works – November 2025
17. Sussex County Health Department Report – October 2025
18. Sussex County Health Department Report – November 2025

Minutes:

1. Workshop Minutes of 9/10/25
2. Workshop Minutes of 10/8/25
3. Executive Session Minutes of 10/8/25
4. Regular Minutes of 10/8/25
5. Regular Minutes of 10/29/25
6. Executive Session Minutes of 10/29/25
7. Regular Minutes of 11/12/25

Agreements/Applications/Licenses:

1. Raffle – St. Jude The Apostle Church
2. Raffles – Wallkill Valley Rotary Club

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

MANAGER'S REPORT

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

- Settlement conference meeting regarding Affordable Housing compliance
- Playground – Wheatsworth Park
- St. Clare's north-side coverage from Municipal Building
- Fee schedule updates – Fire Prevention and Construction

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

- Budget preparation
- Update on tax collection

ORDINANCES

1ST READING:

2025-12

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX,
STATE OF NEW JERSEY AMENDING CERTAIN PROVISIONS OF CHAPTER 88,
FEES, OF THE REVISED GENERAL ORDINANCES TO UPDATE CERTAIN
CONSTRUCTION CODE FEES AND FIRE PREVENTION FEES**

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

SECTION 1. Certain portions of Chapter 88 Fees, Section 88-2 Construction Code Fees, of the aforesaid Revised General Ordinances are hereby amended and supplemented to read as follows:

§ 88-2. Construction Code Fees.

A. Construction permit fees. The fee for a construction permit shall be the sum of all subcode applications, plus all administrative and miscellaneous fees listed in Subsection F(1) through (11) below. All fees will be rounded to the nearest dollar and shall be paid before the permits are issued, unless otherwise stated. The minimum construction permit fee shall be \$100 for mechanical permits and \$75 for all other permits.

B. Building subcode fees are as follows:

- (1) For new construction for buildings of Use Groups F and S the fee shall be \$0.035 per cubic foot and \$0.050 per cubic foot for all other Use Groups provided that the minimum fee shall be \$75. The fee for new commercial farm structures as per N.J.A.C. 5:23-3.2(d) shall be \$0.0165 per cubic foot. For pre-manufactured construction, in addition to applicable cubic footage, fees shall be computed at a rate of \$40 per \$1,000 of the estimated cost of onsite construction associated with completion of the structure.
- (2) Renovations, alterations, and repairs are based on the estimated cost of the work. The fee shall be \$40 per \$1,000 provided that the minimum fee shall be \$75.
- (3) The fee for open decks, porches and raised platforms shall be based on the cost of construction as per Subsection B (2) above.
- (4) Fees for combination renovations and additions shall be the sum of the fees computed separately in accordance with Subsection B(1), (2) and (3) above.
- (5) The fee for a permit to re-roof or re-side an existing structure of use group R-3, R-4 or R-5 shall be \$75, all other use groups shall be based on the cost of construction as per Subsection B(2) above.
- (6) Fees for retaining walls shall be as follows:
 - (a) The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$250.
 - (b) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$150.
 - (c) The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction as Subsection B(2) above.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

(7) The fee for structures for which volume cannot be computed, such as open structural towers, shall be \$750.

- (a) The fee for temporary tents, membrane structures or canopies that exceed any one or more of the following parameters shall require a UCC permit for temporary tents, membrane structures and canopies requiring permits in accordance with N.J.A.C.5:23-2.14(b)4 as follows:
 - 900 sq ft or less-(\$200.00)
 - over 900 sq ft- (\$500.00)

(8) The fee for swimming pools shall be as follows and shall include all required pool enclosures:

- (a) In-ground swimming pool \$250.
- (b) Storable pool: \$75.
- (c) The fee for inspection of preexisting pools requiring inspection for compliance with the barrier requirements as defined in the building subcode shall be \$75.

(9) The fee for fencing exceeding six feet in height shall be \$75.

(10) The fee for a permit to construct a ground or wall sign shall be \$2 per square foot computed on one side only for single or double-faced signs provided that the minimum fee shall be \$75. The fee for a pylon sign per square foot shall be \$4.

(11) The fee for a permit to demolish a building or structure shall be as follows: Use Groups R-3 and R-5 shall be \$100; and all other Use Groups shall be \$250.

(12) The fee for mechanical inspection in a Use Group R-3 or R-5 structure by a mechanical inspector shall be \$100 for the first device and \$40 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

C. Plumbing subcode fees are as follows:

(1) The fee for each fixture, stack, appliance or residential backflow preventer connected to the plumbing system shall be \$30. The fee for oil or gas piping to a single fixture or appliance shall be \$65.

(2) The fee for each special device including grease traps, oil separators, air conditioning or refrigeration units, water and sewer connections, flammable and combustible liquid storage tanks, commercial backflow preventers, steam or hot water boilers, gas or fuel oil piping (multiple fixtures or appliances), active solar systems, sewer pumps, and interceptors shall be \$75.

(3) The minimum permit fee for work including the plumbing subcode shall be \$75.

D. Fire protection subcode fees are as follows:

(1) Wet or dry sprinkler suppression systems as per the following numbers of heads:

Number of Heads Fee	
1 to 20	\$125
21 to 100	\$200
101 to 400	\$400
401 to 1,000	\$1,000
Over 1,000	1,250

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

- (2) Fee for each standpipe: \$375.
- (3) Fee for each gas- or oil-fired appliance not connected to the plumbing system: \$75.
- (4) Commercial kitchen exhaust system, each: \$150.
- (5) Independent pre-engineered suppression systems, each: \$150.
- (6) Fuel storage tanks (underground or above ground, installation only) each:

Capacity (gallons) Fee	
1 to 1,000	\$75
1,001 to 4,000	\$150
Over 4,000	\$200

- (7) The fee for a demolition permit issued for the removal storage tanks for flammable and combustible liquids shall be as follows:
 - (a) Underground – unregulated: \$100 per tank
 - (b) Underground – regulated: \$200 per tank
 - (c) Aboveground - \$75 per tank

- (8) Smoke or heat detectors:

Number of Detectors Fee	
1 to 20	\$75
21 to 100	\$100
101 to 200	\$150
201 to 400	\$300
401 to 1,000	\$500
Over 1,000	\$1,000

- (a) Each Supervisory, signaling and other devices: \$25.
- (9) Manual or automatic alarm systems: \$150.
- (10) Central control system: \$250.
- (11) The fire protection subcode fee shall be a minimum of \$75 for single-family dwellings; and \$100 for all other structures.

E. Electrical subcode fees are as follows:

- (1) The fees for electrical receptacles, fixtures and devices are as follows:
 - (a) For the first block consisting of one to 50 receptacles, fixtures, or device: \$65.
 - (b) For each additional block consisting of up to 25 receptacles, fixtures, or devices: \$25.
- (2) The fees for electrical devices/generators/transformers or solar photovoltaic systems, motors, air conditioner feeders and disconnects are as follows:
 - (a) For each electrical device/generator/transformer, or motor rated up to 10 kw or 10 hp: \$65.
 - (b) For each electrical device/generator/transformer rated over 10 kw to 45 kw or motor rated over 10 hp to 50 hp: \$150.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

(c) For each electrical device/generator/transformer rated over 45 kw to 112.5 kw; for each motor rated over 50 hp to 100 hp; or for each air conditioner feeder and disconnect, commercial 1:51 hp or over, plus unit: \$200.

(d) For each electrical device/generator/transformer rated over 112.5 kw: \$650.

(e) For each motor over 100 hp: \$650.

(f) Fees for solar photovoltaic systems inclusive of all components associated with the installation for ALL USE GROUPS shall be a flat fee as follows (the flat fee does NOT include any service-related equipment replacement or installation outside the limits of the PV system installation):

(1) 10 kw and less:	\$375.00
(2) Greater than 10kw to 25 kw	\$450.00
(3) Greater than 25kw to 45kw	\$550.00
(4) Greater than 45kw to 112.5 kw	\$650.00
(5) Greater than 112.5 kw	\$1,200.00

(3) The fees for service panels/service entrances/sub panels are as follows:

(a) For each service panel/service entrance/sub panel from 0 to 200 amps: \$65.

(b) For each service panel/service entrance/sub panel over 200 to 1,000 amps: 125.

(c) For each service panel/service entrance/sub panel over 1,000 amps: \$500.

(4) The fee charged for electrical work for each permanently installed private swimming pool, spa, hot tub or fountain as defined in the building subcode shall be a flat fee of \$100.00 for above ground and \$150 for in-ground, which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panel boards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with Subsection E(1) through (3) above.

(5) The fee for annual inspections for public swimming pools shall be \$75.

(6) The fees for pool permits, with UW lights: \$25.

(7) The fees for storable pool/spa/hot tub: \$75.

(8) The fees for light standards: \$25.

(9) The minimum permit fee for work including the electrical subcode shall be \$75.

F. Administrative and miscellaneous fees.

(1) The fee for plan review shall be 20% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. This fee shall be credited toward the amount of the construction permit fee.

(2) The fee to process an application for a variance pursuant to N.J.A.C. 5:23-2.10 shall be as follows:

Type of Structure	Application Fee	Resubmission Fee
Class I	\$150	\$50
Class II	\$100	\$25
Class III	\$50	\$25

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

- (3) An administrative surcharge fee of twenty percent (20%) shall be charged on each subcode application issued by any third-party agency contracted by the Township of Hardyston.
- (4) The fee for the reinstatement of a lapsed permit shall be 20% of the original fee calculated per subcode application; provided that the minimum fee shall be as per subcode.
- (5) The fee for each construction permit and certificate of occupancy issued for an asbestos hazard abatement project shall be as set forth in N.J.A.C. 5:23-8.9(a)1 and 2.
- (6) The fee for a permit for lead hazard abatement work and clearance certificate shall be as set forth in N.J.A.C. 5:23-4.20(c)3.ix.
- (7) The fees for certificates of occupancy are as follows:
 - (a) Certificate of occupancy for one- and two-family dwellings: \$100.
 - (b) Certificate of occupancy for accessory buildings to one- and two-family dwellings: \$35.
 - (c) Certificate of occupancy for buildings or structures of all other use groups: \$200.
 - (d) Certificate of occupancy for accessory buildings of all other use groups: \$50.
 - (e) Multiple certificates of occupancy for all use groups, per unit: \$75.
 - (f) Certificates of occupancy for change of use group only: \$150.
 - (g) Certificates of continued use or occupancy: \$200.
 - (h) The fee for first issuance or renewal of a temporary certificate of occupancy shall be: \$30.
- (8) Certificates of compliance as required by N.J.A.C. 5:23-2.23(1) are as follows:
 - (a) High pressure boilers (12 months): \$50.
 - (b) Refrigeration systems (12 months): \$25.
 - (c) Pressure vessels (12 months): \$50.
 - (d) Cross connections and backflow preventers (12 months): \$50.
- (9) State of New Jersey permit fee shall be in the amount of \$0.00371 per cubic foot of volume of all new construction and \$1.90 per \$1,000 of estimated cost for alterations and repairs or as currently posted in the regulations. These fees are set by and shall be accounted for and forwarded to the Bureau of Regulatory Affairs as per N.J.A.C. 5:23-4.19(C)1.
- (10) The fee for a change of contractor shall be: \$25.
- (11) The fee for a letter stating that no certificate of continued occupancy is required shall be \$45.
- (12) The minimum fee for the review of any amendment or change to a plan that has already been released shall be the minimum fee for the applicable subcode (\$75). For all other purposes, the hourly cost of operations shall be certified by the Chief Financial Officer using a formula of total expenditures plus 12% for indirect costs divided by employees weekly hours.
- (13) Unlisted fees: Construction fees not specifically listed in this schedule shall be as listed in N.J.A.C. 5:23-4.20.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

SECTION 2. Chapter, 88 Fees, Section 88-5, Fire Prevention, of the aforesaid Revised General Ordinances is hereby amended and supplemented to read as follows:

§ 88-5. Fire Prevention.

- A. Non-Life-Hazard Use Registration Fees (§ 94-10B):
 - (1) All occupancies 500 or less square feet: \$50.00
 - (2) All occupancies between 501 and 9,999 square feet \$100.00
 - (3) All occupancies 10,000 or more square feet: \$200.00.
- B. Fire suppression tank fees (§ 94-10C):
 - (1) Annual registration for quarterly inspections: \$40.
- C. Annual Type 1, Mobile or Temporary Food Preparation Activities:
 - (1) Annual Permit Fee (Per Town – Unlimited Events): \$300.
- D. Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance (CSACMAPFEC):
 - (1) Requests received more than 10 days prior to closing/change of occupancy: \$100.00
 - (2) Requests received 4 to 10 business days prior to closing/change of occupancy: \$150.00
 - (3) Requests received fewer than 4 business days prior to closing/change of occupancy: \$200.00
 - (4) Any required re-inspections: \$50
- E. Fines and penalties:
 - (1) Penalty for non-registration of non-life-hazard use:
 - (a) Thirty days overdue: amount equal to unpaid fee.
 - (b) Sixty days overdue: \$250.

SECTION 3. All ordinances or parts of ordinances of the Township of Hardyston inconsistent herewith are 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 as necessary.

SECTION 6. This law shall take effect on January 1, 2026, following final passage, approval and publication as required by law.

A motion was made by Miller to approve Ordinance 2025-12 on first reading, seconded by Kula. All in favor. Motion carried.

ORDINANCES
2ND READING:

2025-10

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX,
STATE OF NEW JERSEY ADOPTING AN AMENDMENT TO THE 2022 HARDYSTON
VACANT LAND AND LANDFILL REDEVELOPMENT PLAN, PURSUANT TO THE
LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

land in the municipality constitute "areas in need of redevelopment," as such term is defined in the Redevelopment Law; and

WHEREAS, pursuant to the Redevelopment Law, on September 22, 2022, the Township Council ("Township Council") of the Township of Hardyston, in the County of Sussex, State of New Jersey (the "Township"), duly adopted two resolutions: Resolution Number 82-22, designating the property identified on the tax maps of the Township as Block 63, Lot 1.01 as a "non-condemnation area in need of redevelopment," and Resolution Number 83-22, further designating the property identified on the tax maps of the Township as Block 75, Lot 55 as a "non-condemnation area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, in order to effectuate the redevelopment of the Redevelopment Area, and pursuant to the authority granted under the Redevelopment Law, the Township caused Benecke Economics to prepare a redevelopment plan for the Redevelopment Area entitled, "The 2022 Hardyston Vacant Land and Landfill Redevelopment Plan" dated November 7, 2022 (the "Redevelopment Plan"); and

WHEREAS, the Township on December 14, 2022 approved Ordinance No. 2022-12, adopting the Redevelopment Plan; and

WHEREAS, pursuant to Ordinance No. 2022-12, the Township Council established that the Redevelopment Plan, in addition to being modified based on Planning Board recommendations, may be amended by the Township Governing Body; and

WHEREAS, since the time of the approval of Ordinance No. 2022-12, the Township found that there is the potential for a higher and better use of the Redevelopment Area than what was previously planned for, and

WHEREAS, the Township on January 22, 2025 approved Resolution #15-25 to retain and appoint Burgis Associates, Inc. ("Burgis") to prepare a Redevelopment Plan Amendment for the Redevelopment Area; and

WHEREAS, Burgis has completed its Redevelopment Plan Amendment, dated September 15, 2025; and

WHEREAS, the Township Council finds that it is in the best interest of the Township to adopt the Redevelopment Plan Amendment.

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

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2. The Amendment to the Redevelopment Plan prepared by Burgis Associates, Inc., attached hereto as Exhibit A, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

SECTION 3. This Ordinance shall be referred to the Township of Hardyston Land Use Board for a courtesy review.

SECTION 4. The Redevelopment Plan may be further amended by the Township Governing Body pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

SECTION 5. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 6. 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 7. A copy of this ordinance and the Redevelopment Plan Amendment shall be available for public inspection at the office of the Township Clerk during regular business hours.

SECTION 8. This Ordinance shall take effect as provided by law.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

**EXHIBIT A
BLOCK 63, LOT 1.01 & BLOCK 75, LOT 55 REDEVELOPMENT PLAN AMENDMENT**

Due to the size and scope of this document and for the purposes of advertising, Attachment A is available for viewing on the official Township website: hardyston.com. In addition, any member of the public may request a printed copy of the Redevelopment Plan by contacting the Hardyston Township Municipal Clerk's office during regular business hours.

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 Verrilli to approve Ordinance 2025-10 on second reading, seconded by Miller. All in favor. Motion carried.

2025-11

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP TO EXECUTE AN
AGREEMENT BETWEEN THE TOWNSHIP OF HARDYSTON AND AQUA NEW
JERSEY, INC. GRANTING TO AQUA NEW JERSEY, INC. THE FRANCHISE TO
SERVE AND MUNICIPAL CONSENT AND PERMISSION TO CONSTRUCT,
OPERATE, AND MAINTAIN WATER FACILITIES IN THE TOWNSHIP RIGHTS OF
WAY IN THE LAKE TAMARACK SERVICE AREA**

WHEREAS, Aqua New Jersey, Inc., currently provides water services pursuant to rates and tariffs approved by the New Jersey Board of Public Utilities; and

WHEREAS, Lake Tamarack Water Company currently provides water services to the Lake Tamarack Service Area of Hardyston Township; and

WHEREAS, it has come to the attention of the Township Council that Aqua New Jersey, Inc. wishes to purchase from the Lake Tamarack Water Company the rights to provide water services to the Lake Tamarack Service Area; and

WHEREAS, the Township Council has determined that the provision of such services is best accomplished by a method which does not involve public funds and which minimizes municipal financial responsibility and liability; and

WHEREAS, Aqua New Jersey, Inc. has significant experience as the operator of water and wastewater utilities which have been approved by the New Jersey Board of Public Utilities; and

WHEREAS, the Township Council has determined that it is in the best interests of the Township's residents to authorize the provision of centralized water services in the Lake Tamarack Service Area to Aqua New Jersey, Inc.; and

WHEREAS, the Township Council has determined that it has the authority to authorize the attached Franchise Agreement:

Agreement Between the Township of Hardyston and Aqua New Jersey, Inc., Granting the Franchise to Serve and Municipal Consent and Permission to Construct, Operate and Maintain Water Facilities in the Township Rights of Way

(hereinafter referred to as "Franchise Agreement").

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

1. That the attached Franchise Agreement referenced herein is hereby approved and the Mayor and Township Clerk are hereby authorized to execute the attached Franchise Agreement between the Township and Aqua New Jersey, Inc.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

2. That any other Township officials and professionals are hereby authorized and directed to take all actions necessary in order to effectuate the intentions of this Ordinance.
3. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
4. That if any 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.
5. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the 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 2025-11 on second reading, seconded by Verrilli. All in favor. Motion carried.

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. ADA Doors – Municipal Building
- F. Display of Hardystonite in Municipal Building
- G. Drainage Issue – 2 Fox Trail

NEW BUSINESS:

- A. Discussion – Hardyston Township Volunteer Fire Department Chief Vehicle

Hardyston Township Fire Chief Anthony Rosta gave a presentation regarding options for the replacement of a Command Vehicle

- B. Tax Collector Resolution
 1. Resolution #96-25 – Overpayment Refund – 128-140 Big Spring Road – Block 71, Lot 10.01 QFARM and Block 71, Lot 10.01

RESOLUTION #96-25

WHEREAS, Block 71 Lot 10.01 QFARM and block 71 lot 10.01 also known as 128-140 Big Spring Road owned by HMS Christmas Tree Farm, LLC, and

WHEREAS, the Tax Assessor, Scott Holzhauer deleted block 71 lot 10.01 and merged it with block 71 lot 10.01 QFARM for 2025.

WHEREAS HMS Christmas Tree Farm, LLC paid property taxes for the first two quarters of 2025 on block 71 lot 10.01 and block 71 lot 10.01 QFARM and there is now an overpayment of \$2,766.48.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund HMS Christmas Tree Farm, LLC in the amount of \$2,766.48.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

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

2. Resolution #97-25 – Overpayment Refund – 3700 Route 94 – Block 16, Lot 2.01

RESOLUTION #97-25

WHEREAS, Block 16 Lot 2.01 also known as 3700 Route 94 owned by HMS RT 94 Hardyston, LLC, and

WHEREAS, the Tax Assessor, Scott Holzhauser lowered the assessment for block 16 lot 2.01 and approving it for QFARM status, and

WHEREAS HMS RT 94 Hardyston, LLC paid property taxes for the first two quarters of 2025 on block 16 lot 2.01 QFARM and there is now an overpayment of \$5,739.16.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund HMS RT 94 Hardyston, LLC in the amount of \$5,739.16.

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

3. Resolution #98-25 – Overpayment Refund – 3 Wild Turkey Way, Unit 235 – Block 16, Lot 1.09, C2235

RESOLUTION #98-25

WHEREAS, Block 16 Lot 1.09 C2235 also known as 3 Wild Turkey Way, unit 235 owned by 1025 Columbia Ave, LLC, and

WHEREAS, the owner of block 10 lot 1.09 C2220 inadvertently paid taxes for the fourth quarter on unit 235, and

WHEREAS David Galban paid property taxes for the fourth quarter 2025 on block 16 lot 1.09 C2235 and there is now an overpayment of \$1,206.35.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be authorized to refund David Galban in the amount of \$1,206.35.

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

- C. Resolution #99-25 – Resolution authorizing the award of a contract without competitive bidding to Edmunds GovTech to provide billing software services

RESOLUTION #99-25

**A RESOLUTION OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT WITHOUT
COMPETITIVE BIDDING TO EDMUNDS GOVTECH, TO PROVIDE BILLING
SOFTWARE SERVICES**

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

WHEREAS, the Township of Hardyston has a need to retain software services, including web hosting and data conversion services, in connection with the Township's Tax and Utility billing obligations ("Software Services"); and

WHEREAS, the Mayor and Township Council of the Township of Hardyston wish to retain the services of Edmunds GovTech for the purpose of assisting the Township of Hardyston with regard to such Software Services; and

WHEREAS, the total amount of the contract shall not exceed \$17,443; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Edmunds GovTech has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of Hardyston with the elected officials in the previous one year, and that the contract will prohibit Edmunds GovTech from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) et. seq.) requires that a resolution authorizing the award of contracts for "Extraordinary, Unspecifiable 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, County of Sussex and State of New Jersey as follows:

1. The Township of Hardyston hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Edmunds GovTech, with offices located at 301 Tilton Road, Northfield, NJ 08225, to assist the Township by providing Software Services.
2. This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i)) because the services defined cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training and proven reputation in the field of endeavor are obtained.
3. The total fee authorized for this contract shall not exceed \$17,443 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form and Business Disclosure Entity Certification shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Treasurer, and to Edmunds GovTech, at 301 Tilton Road, Northfield, NJ 08225, for their information and guidance.

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

- D. Resolution #100-25 – Resolution authorizing the execution of a shared services agreement for Fire Prevention Services - Byram Township

RESOLUTION #100-25

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

**A RESOLUTION OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED
SERVICES AGREEMENT FOR FIRE PREVENTION SERVICES**

WHEREAS, the Township of Hardyston (“Hardyston”) and the Township of Byram (“Byram”) desire to enter into a shared services agreement (the “Shared Services Agreement”) for the provision by Hardyston of Fire Prevention Services to Byram; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., municipalities are permitted to enter into such shared services agreements; and

WHEREAS, Hardyston has determined that it has the capacity to provide Fire Prevention Services to Byram pursuant to the terms of the Shared Services Agreement; and

WHEREAS, the Township Council of the Township of Hardyston recognizes the potential cost benefits of entering into the Shared Services Agreement; and

WHEREAS, the Township Council has reviewed the Shared Services Agreement, a copy of which is attached hereto, and finds execution of same to be in the best interests of the Township; and

WHEREAS, the Township Council wishes to authorize execution of the Agreement, pending approval by the New Jersey Division of Fire Safety.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that, contingent upon approval by the New Jersey Division of Fire Safety, the Township Manager and Clerk be authorized to enter into the Shared Services Agreement between the Township of Hardyston and the Township of Byram, whereby the Township of Hardyston shall provide Fire Prevention Services to the Township of Byram, for a term to commence January 1, 2026, or as soon thereafter as the Agreement is approved by the New Jersey Division of Fire Safety, and to terminate December 31, 2029.

BE IT FURTHER RESOLVED, that, pursuant to the Shared Services Agreement, costs shall be assessed to the Township of Byram by the Township of Hardyston pursuant to Articles VI, VII, and VIII of the Shared Services Agreement, attached.

BE IT FURTHER RESOLVED, that this Resolution shall be attached to the Shared Services Agreement.

BE IT FURTHER RESOLVED, that a copy of the Shared Services Agreement shall be maintained in the Office of the Clerk of the Township of Hardyston and be available for public inspection.

BE IT FURTHER RESOLVED, that a copy of this Resolution and the Shared Services Agreement shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services, pursuant to rules and regulations promulgated by the Division.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

- E. Resolution #101-25 – Commodity Resale Agreement (Gasoline & Diesel Fuel) –
Walkkill
Valley Regional High School Board of Education

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

WHEREAS, each of the bids received exceeds the budget allocated by the Township for the Project; and

WHEREAS, the Township Manager and Township Attorney have recommended, accordingly, that all bids received in connection with the Project be rejected; and

WHEREAS, the Mayor and Township Council intend to reject the bids received in connection with the Project and to authorize the Township Manager to re-bid the Project.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey, that the Township hereby rejects all bids received on November 13, 2025 for the renovation of the restrooms at Fire Station #1 of the Hardyston Township Volunteer Fire Department.

BE IT FURTHER RESOLVED, that the Township Council authorizes all Township officials to take whatever actions may be necessary to revise and re-bid the contract for the renovation of the restrooms at Fire Station #1 of the Hardyston Township Volunteer Fire Department.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be made available to the public and posted on the Township website for informational purposes.

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.

- H. Resolution #104-25 – Resolution awarding a contract for the purchase and installation of a playground at Wheatsworth Park, and for the necessary demolition and preparation work, through the Educational Services Commission of New Jersey Purchasing Cooperative

RESOLUTION #104-25

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AWARDING A
CONTRACT FOR THE PURCHASE AND INSTALLATION OF A PLAYGROUND AT
WHEATSWORTH PARK, AND FOR THE NECESSARY DEMOLITION AND
PREPARATION WORK, THROUGH THE EDUCATIONAL SERVICES COMMISSION
OF NEW JERSEY PURCHASING COOPERATIVE**

WHEREAS, the Township of Hardyston wishes to purchase and install a new playground at Wheatsworth Park, and to undertake all necessary demolition and preparation work in connection therewith (hereinafter, the “Project”); and

WHEREAS, the Township is a member of the State-approved Educational Services Commission of New Jersey Cooperative Purchasing Program (Cooperative 65MCESCCPS; hereinafter the “ESCNJ”); and

WHEREAS, through its participation in the ESCNJ, the Township has received two quotes comprising all work necessary for completion of the Project, from Ben Shaffer Recreation of Lake Hopatcong, NJ; and

WHEREAS, the quotes received from Ben Shaffer Recreation are as follows:

- 1) Purchase and Installation of Playground -- \$127,462.78
- 2) Demolition and Installation-preparation, inclusive of materials -- \$107,350.75;

and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

WHEREAS, the above two quotes utilize ESCNJ Bids #24/25-01 and #24/25-03, respectively; and

WHEREAS, the total cost for this Project, pursuant to the above quotes, is \$234,813.53 (hereinafter, the "Project Cost"); and

WHEREAS, the Township wishes to utilize an available Local Recreation Improvement Grant, in the amount of \$73,000, to pay for the Project Cost, with the remainder of the funding, in the amount of \$161,813.53, to be paid from the Township's Capital Fund; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$161,813.53 for this purpose.

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

1. The Township is authorized to enter into a contract with Ben Shaffer Recreation, of Lake Hopatcong, NJ, pursuant to the Educational Services Commission of New Jersey Cooperative Purchasing Program, Bid #24/25-01, for the purchase and installation of a playground for Wheatsworth Park, at a cost of \$127,462.78.
2. The Township is authorized to enter into a contract with Ben Shaffer Recreation, of Lake Hopatcong, NJ, pursuant to the Educational Services Commission of New Jersey Cooperative Purchasing Program, Bid #24/25-03, for the demolition and preparation work necessary to install a playground at Wheatsworth Park, at a cost of \$107,350.75.
3. The total cost for the above two contracts, of \$234,813.53, shall be paid from an available Local Recreation Improvement Grant in the amount of \$73,000, with the remaining cost of \$161,813.53 to be paid from the Township's Capital Fund.
4. The contracts awarded through this State-approved Cooperative Purchasing Program are considered fair and open contracts in accordance with the Local Public Contracts Law, as well as exempt from public bidding by the Township.
5. The award of these contracts is subject to the final review and approval of same by the Township Manager and Township Attorney.
6. All Township Officials are authorized to take any action necessary to implement the terms of this Resolution.
7. Copies of this resolution shall be made available to the public and posted on the Township website for informational purposes, and sent to Ben Shaffer Recreation, at P.O. Box 844, Lake Hopatcong, NJ, 07849, for their information and awareness.

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.

- I. Resolution #105-25 – Resolution authorizing the award of a Professional Services Contract without competitive bidding to First Environment, Inc. for a Local Site Remediation Professional (LSRP) to oversee the remedial and investigative activities for the Township Department of Public Works property located at 250 North Church Road, Hardyston, in furtherance of the requirements specified by the New Jersey Department of Environmental Protection

RESOLUTION #105-25

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, AND STATE OF**

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO FIRST ENVIRONMENT, INC. FOR A LOCAL SITE REMEDIATION PROFESSIONAL (LSRP) TO OVERSEE THE REMEDIAL AND INVESTIGATIVE ACTIVITIES FOR THE TOWNSHIP DEPARTMENT OF PUBLIC WORKS PROPERTY LOCATED AT 250 NORTH CHURCH ROAD, HARDYSTON IN FURTHERANCE OF THE REQUIREMENTS SPECIFIED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Township of Hardyston has a need for professional oversight of the remedial and investigative activities to be undertaken by the Township Department of Public Works in connection with the property located at 250 North Church Road; Block 62, Lot 1 on the Township Tax Map (the “Project”); and

WHEREAS, for this purpose the Township wishes to retain the services of First Environment, Inc. as Licensed Site Remediation Professionals in connection with the Project; 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 First Environment, Inc., located at 10 Park Place, Bldg 1A, Suite 504, Butler, New Jersey 07405, to provide professional services as Licensed Site Remediation Professionals pursuant to the below billing schedule:

HOURLY BILLING SCHEDULE

Principal	\$250.00 – \$350.00
Senior Associate	\$140.00 – \$250.00
Associate	\$120.00 – \$175.00
Senior Professional	\$100.00 – \$175.00
Professional II	\$ 85.00 – \$120.00
Professional I	\$ 70.00 – \$110.00
Draftsman/Technician	\$ 60.00 – \$100.00
Administrative	\$ 55.00 – \$ 70.00

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 \$6,200.00 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 First Environment, Inc., 10 Park Place, Bldg 1A, Suite 504, Butler, New Jersey 07405, for its 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 Kula to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

J. Correspondence

1. Byram Township
2. Ogdensburg Borough
3. Jefferson Township
4. State of NJ

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

COUNCIL COMMENTS: Mayor Kaminski presented a plaque to Councilman Verrilli in gratitude of his years of service to the Township of Hardyston as Councilman and Deputy Mayor. Councilman Kula thanked Councilman Verrilli for his years of service. He also thanked the Hardyston Township Volunteer Fire Department for their participation in the Tree Lighting event at the Municipal Building held on December 5, 2025, and also thanked Dana Vitz, Recreation Director for a successful evening.

BILLS TO BE PAID: A motion was made by Kula to approve the bill list of 11/26/25 in the amount of \$2,072,344.29 which includes payroll for pay-period ending 11/30/25, and the bill list of 12/10/25 in the amount of \$1,728,820.11 as presented, seconded by Verrilli. 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 Dana Kalczuk inquired as to whether the recreation sports groups and coaches that use Wheatsworth Park fields have a list of rules or a code of conduct that is required to be followed. Township Manager stated that there are rules and regulations regarding use of the fields, but not a code of conduct due to concerns about enforcement. Township Attorney stated that he will look into it. 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 10th day of December 2025, 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):
 - () 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.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 10, 2025**

() 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: Verrilli
Seconded by: Miller

MOTION	YES	NO	ABSTAIN	ABSENT
Kula	x			
Miller	x			
Verrilli	x			
Kaminski	x			
Cicerale				x

Motion carried.

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

At this time, a motion was made by Miller to give the Township Manager authorization to negotiate the terms of the final Affordable Housing settlement agreement, seconded by Kula. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Miller to adjourn at approximately 9:26 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk