

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

December 7, 2011

Monthly Meeting

The monthly meeting of the Hardwick Township Committee was held on this date at the Municipal Building, 40 Spring Valley Road, Hardwick, New Jersey. This meeting was called to order at 6:45PM by the Township Clerk Judith Fisher. Mrs. Fisher noted that this meeting was being held in accordance with the "Open Public Meetings Act". Mrs. Fisher then led the public in the pledge of allegiance. Present were Committeemen Kevin Duffy, Alfred Carrazzone and James Perry; also present were Engineer Ted Rodman, CPWM Thomas Campbell, Amy Maronpot, CFO, Attorney Michael Lavery, Esq. and Township Clerk Judith Fisher.

Executive Session

Mr. Perry moved that the Committee go into Executive Session at 6:47PM to discuss two issues: Contractual: Knowlton Township Court and Schuler Property. This motion was then second by Mr. Carrazzone. Motion carried and a voice vote was unanimous.

Resolution

WHEREAS, Section 8 of the Open Pubic Meeting Act, Chapter 231, P. L 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hardwick, in the County of Warren and State of New Jersey as follows:

1. The public shall be excluded from that portion of this meeting
2. The general nature of the subject matter to be discussed is as follows:
 - a. Contractual: Knowlton Township Court
 - b. Contractual: Schuler Property
3. As nearly as can be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

Time In: 6:47PM

Present: Kevin Duffy, Alfred Carrazzone and James Perry

Also Present: Shirley Bishop, Attorney Richard Wenner and Clerk Judith Fisher

Time Out: 7:08PM

Motion was made by Mr. Perry to return to regular session, second by Mr. Carrazzone.

Motion carried and a voice vote was unanimous.

Mr. Lavery noted that he met in closed session with the Committee to discuss two issues:

1. Contractual: Knowlton Township Court
2. Contractual: Schuler Property

No official action was taken at this time. Copies of the minutes will be made available at such time as the Committee determines that there is no harm to the public interest.

At this time, Mr. Perry motioned to authorize the Mayor to sign a one (1) year contract with the Knowlton Township Court as agreed. Motion was then seconded by Mr. Carrazzone.

Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes.

Payment of Bills

Mr. Perry moved that the bills presented before the Committee tonight be paid; seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

Reports

Mr. Rodman, Township Engineer, reported that he has a proposal from Remington, Vernick , Haddon Field, NJ, for the wastewater management plan. Mr. Dennis Yoder, Director of Engineering is the person that he is working with. The three townships, Hope, Hardwick and Blairstown will be given a total of \$25,000 from DEP for this Plan which neither of these Townships have. There was a question as to who would be the lead township of this joint project. Mr. Rodman noted that he will be meeting with the other Township this month and will keep us updated. The contract/agreement was briefly discussed.

Mr. Campbell, CPWM reported that the work on the turn-around on Paulinskill Road is completed and there have been no complaints. Mr. Campbell did note that the residents were happy about the road closure.

Mr. Joseph Dunn, OEM and Mr. Robert Wolff, Fire Warden was not present tonight

Mrs. Maronpot, CFO handed out her reports noting that they were updated through October 2011. She also noted that there is a transfer resolution on the agenda for tonight.

Mr. Lavery, Esq. had nothing to report on at this time

Mrs. Fisher, Township Clerk reviewed correspondence with the Committee. Mrs. Fisher reminded the Committee about the Service Electric Joint meeting on January 16, 2012 at 7PM at the Hope Municipal Building. The discussion will be the renewal of the Cable Service Franchise.

Mayor Duffy noted that there will be a FEMA meeting this Monday at 1PM. Representatives will be in the Township for a tour of the damaged areas. Mr. Campbell will be conducting this tour. After the Tour there will be a meeting at the Building around 5PM to review all the paperwork from the storms.

RESOLUTIONS

2011-45 Energy Audit Local Government

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and

WHEREAS, the Governing Body of the Township of Hardwick has decided to apply to participate in the Local Government Energy Audit Program; and

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Township of Hardwick, are served by a New Jersey regulated public utility, and that the Township of Hardwick has not already reserved \$300,000 in the Program this year as of this application; and

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and

WHEREAS, upon acceptance into the Program, the Township of Hardwick will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the part B application; and

WHEREAS, the Township of Hardwick understands that energy audit work cannot proceed until a Application Approval Notice is received from the Program; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Hardwick, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.

Mr. Carrazzone motioned to approve **Resolution 2011- 45** as presented, seconded by Mr. Perry. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

2011-4 Transfer Resolution

WHEREAS there appears to be a surplus in the following account over and above the amount deemed necessary to fulfill the purpose of the appropriation for the balance of the year 2011:

From: Levy Referendum	\$ 5,400.00
Zoning Board OE	\$ 2,500.00
Telephone	\$ 800.00
Legal Counsel	\$ 1,800.00

WHEREAS there appears to be insufficient funds in the following account to meet the demands thereon for the balance of the year 2011:

To: Gas (natural or propane)	\$ 1,500.00
Tax Collector OE	\$ 50.00
General Insurance	\$ 3,900.00
Buildings & Grounds OE	\$ 600.00

Group Health	\$ 2,800.00
Personnel Training	\$ 50.00
Fuel Oil	\$ 1,600.00

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A:4-59 the surplus in the accounts heretofore mentioned by and same is hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient to meet the current demands and therefore this resolution shall take effect.

BE IT FURTHER RESOLVED, that the Treasurer be and she is hereby authorized and directed to make the above transfers.

Mr. Perry motioned to approve **Resolution 2011-46** as presented, seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

2011-47 RESOLUTION OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXCHANGE OF A 2004 AGRIMETAL BW 300 PLUS BLOWER, SERIAL NO. 24960 FOR FIVE (5) 5/8X8 11-FOOT PLOW EDGES FROM THE TOWNSHIP OF STILLWATER.

WHEREAS, the Township of Hardwick has in its possession a 2004 AGRIMETAL BW 300 PLUS blower, Serial No. 24960; and

WHEREAS, the Township of Stillwater has in its possession five (5) 5/8X8 11-foot plow edges; and

WHEREAS, the Township of Hardwick has determined that it no longer needs the 2004 AGRIMETAL BW 300 PLUS blower, Serial No. 24960, for a public purpose; and

WHEREAS, the Township of Hardwick has a need for plow edges; and

WHEREAS, the Township of Hardwick has determined that an exchange of its blower for the blades belonging to the Township of Stillwater would benefit both Townships;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey, that the exchange of the Hardwick Township 2004 AGRIMETAL BW 300 PLUS blower, Serial No. 24960, for the five (5) 5/8X8 11-foot plow edges belonging to the Township of Stillwater shall take place as soon as is mutually convenient for both parties. Said exchange of equipment shall constitute the entirety of the exchange without monetary consideration.

Mr. Perry motioned to approve **Resolution 2011-47** as presented, seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

ORDINANCES - 2nd reading and public hearing

Mr. Perry motioned to open the meeting to the Public for comments on **Ordinance 2011-17**. Motion was then seconded by Mr. Carrazzone. Motion carried.

Mrs. Fasano, 74 Maple Lane asked about the amended definition and asked why. Mayor Duffy explained the reasoning behind the Planning Boards decision in recommending this amendment.

Mr. Perry then closed this public portion, seconded by Mr. Carrazzone.

Mr. Perry then motioned to adopt Ordinance 2011-17 as presented, seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

2011-17 To amend the Land Development Ordinance of the Township of Hardwick to Amend the Definition of Commercial Agriculture and to Make the Raising of Hogs, Swine or Pigs a Conditional Use.

BE IT ORDAINED by the Township Committee of the Township of Hardwick that the Land Development Ordinance of the Township of Hardwick, Chapter XIII of the Revised General Ordinances of the Township of Hardwick shall be and is hereby amended as follows:

SECTION 1. Section 13-6 is entitled "*Definitions*" is hereby amended to amend the term "AGRICULTURE, COMMERCIAL" to read as follows:

AGRICULTURE COMMERCIAL – The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, horses, ponies, mules or goats, or any

mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; fruits of all kinds, including grapes, nuts and berries; vegetables; floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

SECTION 2. Chapter 13 of the Land Development Ordinance is hereby amended to add a new section designated as Section 13-12.3e entitled "*The Raising of Hogs, Swine or Pigs.*"

13-12.3e The Raising of Hogs, Swine or Pigs. The raising of hogs, swine or pigs is a conditionally permitted use in the Low Density Rural Residential Zone (the LD Zone) subject to the following conditions:

1. The number of hogs, swine or pigs that may be raised at any time on a farm lot or lots forming a farm unit shall not exceed five in number.
2. The minimum lot area shall be six acres.
3. The hogs, swine or pigs shall be kept in a fenced in area which shall be located in the side yard or rear yard and not in the front yard of any lot.
4. The fenced in area and any building where the hogs, swine or pigs are kept shall be at minimum one hundred feet from any property boundary line.
5. The hogs, swine or pigs must be provided with a permanent anchored barn or other suitable building for shelter.
6. Disposal of Manure.
 - a. The manure may not be kept in any area within the One Hundred Year Flood Plain, nor within 150 feet of any brooks or water courses.
 - b. The manure disposal area must be in a low profile position causing no nuisance and shall be at least 100 feet from all property lines and no closer than 200 feet from any other existing residential dwellings.
 - c. The manure must be collected and maintained and disposed of in a sanitary manner. If stored, a covered enclosure or covered pit shall be provided to prevent offensive odors, fly breeding and other nuisances.

SECTION 3. Section 13-9 of the Land Development Ordinance is hereby amended to add a new section to Section 13-9 which is entitled "Uses Prohibited In All Districts" as follows:

13-9(g) The raising of hogs, swine or pigs, except as permitted in Section 13-12.3(e) and subject to the compliance with the conditions contained therein.

SECTION 4. Effective Date. This ordinance shall take effect upon final passage and publication as provided by law.

SECTION 5. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or cause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 6. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15. Upon the adoption of this Ordinance after public hearing hereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Warren County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1. Notice pursuant to N.J.S. 40:55D-62.1 is not required.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced on first reading at a regular meeting of the Township Committee of the Township of Hardwick held on November 2, 2011 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on December 7, 2011 at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 40 Spring Valley Road, Hardwick, New Jersey, at which time all persons interested may appear for or against the adoption of said Ordinance.

Mr. Perry motioned to open the meeting to the Public for comments on **Ordinance 2011-18**. Motion was then seconded by Mr. Carrazzone. Motion carried.

Seeing there were no comments from the Public, this portion of the meeting was then closed on a motion made by Mr. Perry and seconded by Mr. Carrazzone.

Mr. Perry then closed this public portion, seconded by Mr. Carrazzone.

Mr. Perry then motioned to adopt Ordinance 2011-17 as presented, seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

2011-18 To amend Chapter V being the Animal Control Chapter of Hardwick Township Code to Limit the Number of Hogs, Swine or Pigs that may be raised within the Township.

BE IT ORDAINED by the Township Committee of the Township of Hardwick that the Chapter V of the Hardwick Township Code, the Animal Control chapter shall be and is hereby amended as follows:

SECTION 1. Section 5-3.3 is hereby amended to read as follows:

5-3.3 Number of Pigs Limited. The number of hogs, swine or pigs permitted to be raised at any time on a farm lot or lots forming a farm unit shall not be in excess of five in number. The remainder of Chapter V remains unchanged.

SECTION 2. Effective Date. This ordinance shall take effect upon final passage and publication as provided by law.

SECTION 3. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or cause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 4. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15. Upon the adoption of this Ordinance after public hearing hereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Warren County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1. Notice pursuant to N.J.S. 40:55D-62.1 is not required.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced on first reading at a regular meeting of the Township Committee of the Township of Hardwick held on November 2, 2011 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on December 7, 2011 at 7:00p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 40 Spring Valley Road, Hardwick, New Jersey, at which time all persons interested may appear for or against the adoption of said Ordinance.

OLD BUSINESS:

Discussion and Possible 1st Reading

AN ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 4 GENERAL LICENSING TO ADD CHAPTER 4-7 TITLED SPECIAL EVENTS. 2011-

The Zoning Officer has not had a chance to get back with comments on this proposed Ordinance. The Committee has agreed to hold it over to next year for further discussion and comments.

NEW BUSINESS:

Resignation: Deputy Clerk/Deputy Registrar Beth Dwyer Effective November 28, 2011 The Committee accepted this resignation with regrets on a motion made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

Discussion: Re-Organization, Date & Time Needed

The Committee agreed on **January 4, 2012 at 4PM**. Motion was made by Mr. Perry and then seconded by Mr. Carrazzone. Motion carried and a voice vote was unanimous.

Discussion: Renewal contract, The Land Conservancy of New Jersey for 2012 \$11,500. Mrs. Fisher noted that there is no increase in their contract for 2012. There was a brief discussion and then Mr. Perry motioned to authorize the Mayor to sign the contract for The Land Conservancy of New Jersey for 2012 in the amount of \$11,500. Motion was then seconded by Mr. Carrazzone. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

APPROVAL OF THE MINUTES:

October 26, 2011	Work Agenda Meeting
November 2, 2011	Monthly Meeting
November 19, 2011	Budget Meeting (No Quorum)

Mr. Perry moved to approve the minutes as corrected, seconded by Mr. Carrazzone. Motion carried and a voice vote was unanimous.

Additional Meeting Dates Scheduled and Advertised

Cable Service: Renewal of Franchise, Joint Meeting & Public Hearing January 16, 2012 at 7PM, Hope Township Municipal Building

Mayor Duffy noted that he was asked if Hope Township's Attorney, who is Michael Selvaggi, Esq. could represent the townships at this meeting. Since Hope and Hardwick use the same Law Firm and as long as Hope's Attorney is on retainer, Hardwick had no problem with this request. The Committee also added: and as long as we are not billed for his services.

Work Session & Year End Meeting: Wednesday, December 28 at 4PM (Action will be taken)

Public Participation

Mr. Perry moved to open this portion of the meeting to the public for any questions, seconded by Mr. Carrazzone. Motion carried

Mr. Lou Rossi, 80 Stillwater Road, commented on debris along the Paulinskill Road. The debris looks like to was thrown over the fence from Alina Lodge. Mr. Perry will speak with the Business Administrator from there to have this cleaned up.

Mrs. Evelyn Fasano, 74 Maple Lane spoke to the Committee about a problem she has had with the Building Department and a permit she obtained for a stand-by generator. She explained her concerns with this Department asking them why she was charged for a Building permit and the cost, which she was charged \$392. The Committee asked for copies of her permits and they noted that they would look into this and get back to her.

Seeing that there were no further questions or comments from the Public, Mr. Perry then moved to close this portion of the meeting to the public, seconded by Mr. Carrazzone. Motion carried.

Committee Report

Mr. Perry congratulated Mr. Carrazzone on his re-election. Next he asked the Committee about purchasing software for the e-blast which cost about \$15/month.

Mr. Carrazzone motioned to have Mr. Perry order this software estimated at \$180/year, seconded by Mr. Duffy. Motion carried and a roll call vote followed:

Roll Call: Mr. Perry, yes, Mr. Carrazzone, yes, Mayor Duffy, yes

At the League convention, Mr. Perry noted that he had spoken with representatives for field turf for the High School. Right now, he is still investigating this in hopes of getting it or no cost to the school.

Mr. Carrazzone thanked the DPW for the great job on Ward Road in getting that portion opened as quickly as they did and for the great job on the turn-around on Paulinskill Road.

Mr. Duffy also congratulated Mr. Carrazzone on his re-election and also thanked the DPW on the work they did during the recent storm.

Mr. Rossi asked about the e-blast and how he could get on the list for this. All he needs to do is to give us his email address to receive these e-blasts.

Mrs. Fasano asked about the field maintenance and the expense. She was told that this is an artificial turf and there is no expense.

Seeing there was no other business to conduct at this time; Mr. Perry motioned to adjourn tonight's meeting at 8:26PM, second by Mr. Carrazzone. Motion carried and a voice vote was unanimous.

Respectfully submitted,

Judith M. Fisher, RMC, Township Clerk