

TOWNSHIP OF HARDWICK  
WARREN COUNTY, NEW JERSEY

Wednesday, June 3, 2009

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 6:38PM by Township Clerk Judith Fisher. Mrs. Fisher noted that this meeting was being held in accordance with the "Open Public Meeting Act". Mrs. Fisher then led the public in the pledge of allegiance. Present were Committeeman Kevin Duffy, Alfred Carrazzone and James Perry; also present was Engineer Ted Rodman, CPWM Thomas Campbell, Planning Board Secretary Alfia Schemm CFO Gregory Della Pia and Attorney Michael Lavery, Esq.

**EXECUTIVE SESSION**

**RESOLUTION**

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P. L. 1975 permit 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, 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:  
Attorney Client Privilege - Land Use Escrow, Potential Litigation  
Contractual - Cell Towers
3. As nearly as can now be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

Mr. Perry moved that the Committee go into closed session, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Time In: 6:40PM

Present: Committeemen Kevin Duffy, Alfred Carrazzone and James Perry

Also present: Engineer Ted Rodman, Planning Board Secretary Alfia Schemm, CFO Gregory Della Pia, Attorney Michael Lavery and Clerk Judith Fisher

Time Out: 7:03PM

Motion was made by Mr. Perry and seconded by Mr. Carrazzone to come out of closed session. Motion carried and in a voice vote, all were in favor.

Attorney Michael Lavery noted that he met in closed session with the Committee and discussed 2 matters, contractual - Cell Towers and Attorney Client - Land Use Escrows, Potential Litigation. Copies of these minutes will be made available to the public at such time as the Committee determines that there is no harm to the public interest.

**Approval of the Minutes:**

April 8, 2009 Budget Work Session

April 22, 2009 Work Agenda Meeting

May 6, 2009 Regular Meeting

May 27, 2009 Work Agenda Meeting

Mr. Perry moved to approve these minutes as corrected, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

**REPORTS**

**Mr. Thomas Campbell, CPWM** reported that the Spring Clean Up was slower this year than previous. It looks like we saved about \$600.00 from last year on this clean up. The new truck that has been ordered and should be in soon.

**Mr. Michael Lavery, Esq., Township Attorney** had nothing new to report on at this time. Everything that he had was reported on in closed session tonight.

**Mrs. Judith Fisher, Township Clerk** reported that she had an e-mail from our Clean Community Coordinator Richard Schemm regarding a request to use these funds for a

children's program at Camp Ralph Mason. There are two programs that would be presented by Diana Dove and her message is all about protecting our natural resources from pollution, the effects on the environment and the trickle down effects of pollution on our marine life. The cost is \$420.00 per show. The first show would be July 14<sup>th</sup> and the second on August 18<sup>th</sup>. The Committee referred this back to the Coordinator Mr. Schemm for his recommendation.

Mrs. Fisher then reported that she received a letter from Mr. Masi requesting permission from the Township to land a helicopter at Princeton Education Camp on Saturday June 6, 2009 along with a copy of the Temporary Aeronautical Application that was sent to NJDOT. Mrs. Fisher checked with the NJ State Police and they did not have a problem with this request except to ask the pilot, Mr. Masi to contact them the day of the event with the time and location where he will be landing. A letter was drafted by the Clerk granting Mr. Masi permission to land a helicopter within the boundaries of the Township. There was a brief discussion of the Committee before the Mayor signed the letter.

There was also a request from the Historical Society asking if the Township would donate the walk behind mower to them. Mr. Campbell informed the Committee that last year OSHA had red flagged the use of this equipment by the DPW. The Committee briefly discussed this request and the Clerk as asked to draft a letter to the Historical Society that this piece of equipment will be donated to them as parts only.

OEM and Fire Warden were both not present for tonight's meeting

#### **RESOLUTION**

Memorialize - RESOLUTION OF SUPPORT FROM THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, NEW JERSEY, AUTHORIZING THE SUSTAINABLE JERSEY GRANT FUNDED BY WAL-MART.

This resolution was adopted on a motion made by Mr. Perry and seconded by Mr. Duffy. Motion carried.

**Roll Call:** Mr. Perry, yes, Mr. Duffy, yes, Mr. Carrazzone, abstained

#### **2009 MUNICIPAL BUDGET/RESOLUTION - 2<sup>ND</sup> READING AND PUBLIC HEARING**

Copies of the budget were made available to the public tonight. This portion of the meeting was then opened to the public for any questions on the budget on a motion made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor. CFO Gregory Della Pia noted that the budget can not be adopted tonight because of a small problem in Trenton. The Local Finance Board needs to approve the Resolution for the Pension Deferral before the adoption of the Budget. The Auditor had sent everything to Trenton on time, but somehow, we were not on the agenda for the Local Finance Board and we have to wait until next week when they meet again.

Mrs. Lindsay asked questions about the Land Use Administration, Historical Society and the Seniors. The Historical Society's other expense were cut \$250 and the Seniors request was down \$500. Mayor Duffy explained that in order to meet the CAP, every line item was reviewed by the Committee and cuts were made to each one, including the Rescue Squad and Fire Services.

Mr. Ohl asked about the summer help. He noted that he wasn't for or against this. Mr. Campbell noted that the summer help is for only 4 days a week with no benefits and the Committee put a cap on the amount he has to spend for this position.

Being there were no further questions, this portion of the meeting was then closed on a motion made by Mr. Perry and second by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

The CFO Mr. Della Pia noted that the Local Finance Board will be meeting next week and the Budget will be release then for adoption. If the Committee wished, they could then adopt the Budget at their Work Meeting on June 24<sup>th</sup>. The Committee was in agreement with this and the Clerk was asked to advertise that this will be the only action taken at this Work Meeting.

#### **RESOLUTION - SELF EXAMINATION OF THE 2009 MUNICIPAL BUDGET**

This resolution was sent by the Auditor and needs to be adopted by the Committee noting that the Township Committee along with the recommendation of the CFO Gregory Della Pia that they have found that the 2009 budget has met the requirements that the Local Finance had set.

Mr. Carrazzone moved to approve this resolution, seconded by Mr. Perry. Motion carried and in a voice roll call vote, all were in favor.

**Roll Call:** Mr. Carrazzone, yes, Mr. Perry, yes and Mr. Duffy, yes.

#### **ORDINANCE 1ST READING**

##### **SALARY ORDINANCE - PLUMBING SUB CODE OFFICIAL**

This position is not longer being covered by the third party agency. The Township has appointed an inspector to this position and we now need to have this position in the salary ordinance. This Inspector will be paid \$3120.00 annually.

Mr. Perry moved to approve this Ordinance 2009-03 on first reading, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Second reading and public hearing will be on July 1, 2009.

#### **OLD BUSINESS:**

Planning Board/Environmental Commission Appointment, Term to expire 12/31/2010  
There was no appointment made at this time. **HOLD**

Appointment to Coalition of Concerned Municipalities - The Committee asked to have this item pulled from the agenda. Motion was then made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried and in a voice vote all were in favor. This item will be removed from the agenda.

#### **NEW BUSINESS:**

**Renewal Liquor License - Hardwick House Corp.** T/a The Hardwick House  
The Clerk Mrs. Fisher noted that the proper paperwork has been received along with the appropriate fees and everything is in order.

Mr. Perry moved to approve the renewal of this liquor license, Hardwick House Corp., seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

#### **Report of Audit - 2008 Findings/Recommendations Group Affidavit/Resolution**

The findings and recommendation were reviewed and Mr. Della Pia, CFO explained the Interfunds and Interfund balances that were noted in the recommendations.

Mr. Carrazzone moved to approve the Audit Report for 2008, seconded by M. Perry. Motion carried and in a voice vote, all were in favor.

**Resolution** - Governing Body Certification of the Annual Audit was adopted by the Committee on a motion made by Mr. Carrazzone and seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

#### **Construction Official, David Peck - Re-appointment to a 4 year term**

Mr. Perry moved to re-appoint Mr. David Peck to the position of Construction Official/Building Inspector for another 4 year term, seconded by Mr. Duffy. Motion carried and in a voice vote, all were in favor.

#### **PUBLIC PARTICIPATION**

This portion of the meeting was then open to the public on a motion made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried.

Mr. Jim Young of 28 Ward Road came before the Committee because of a problem with setbacks. He has a pool that he has put up, but the location does not meet the setbacks for the Township. He has been in a talked with the Zoning Officer and the Secretary to the Board of Adjustment because a variance will be needed. The location of the pool is about 25 feet off the side line and the Township Ordinance requires 50 feet. The basic cost for a variance per the secretary is about \$1000. The Committee turned to the Township Attorney for a legal opinion on this. Mr. Lavery noted that the Township could not grant him relief and that this should be referred to the Board of Adjustment for a variance. The other suggestion is to move the pool so that it is within the legal setback. There was a brief discussion and the suggestion from the Committee is to go for the variance or move the pool.

Walter Ribitzki from Highlands Lane talked to the Committee about the deed restriction where he lives. When the Builder did the subdivision, he placed deed restrictions on all the lots there, but speaking with the Zoning Officer, he was unaware of this. Mr. Ribitzki provided the Township with a copy of these restrictions that will be given to the Zoning Officer for his file. The Committee thanked him for this. His next concern was when the Planning Board

passes a Resolution with conditions, who follows up on this? A copy of the resolution should be copied to the appropriate Official for their files to follow up on.

The Committee thanked Mr. Ribitzki for bringing this matter up tonight.

Mr. Carrazzone moved to close the public portion of this meeting, seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

### **COMMITTEE REPORTS**

Mr. Perry congratulated Mr. Duffy for winning the Primary Election. He had nothing further to report on at this time.

Mr. Carrazzone also congratulated Mr. Duffy for winning the Primary Election and he also had nothing further to report on tonight.

Mr. Duffy thanked everyone who voted for him in the Primary Election on June 2.

### **ADJOURNMENT**

Being there was no other business, Mr. Perry moved to adjourn tonight's meeting at 8:09pm, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Respectfully submitted,

Judith M. Fisher, RMC  
Township Clerk