

TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY

Wednesday
March 4, 2009

The monthly meeting of the Hardwick Township Committee was held on this date at the Municipal Building, 40 Spring Valley Road, Hardwick Township. This meeting was called to order at 6:43PM by Township Clerk Judith Fisher. Mrs. Fisher noted that this meeting was being held in accordance with the Open Public Meeting Act. Present were Committeemen Kevin Duffy, Alfred Carrazzone and James Perry; also present was Engineer Ted Rodman, CFO Gregory Della Pia and Attorney Michael Lavery. Absent was CPWM Thomas Campbell. The public was then led in the pledge of allegiance.

RESOLUTION

WHEREAS, Section 8 of the Open Public 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 circumstance presently exists.

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:
 - Pending Litigation - Burch Settlement Agreement
 - Personnel - OEM and Plumbing Sub Code
 - Attorney Client Privilege - EMR
 - Potential Litigation/Attorney Client Privilege - Commune
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.

Judith M. Fisher, RMC
Township Clerk

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

Time In: 6:45PM

Present: Committeemen Kevin Duffy, Alfred Carrazzone and James Perry

Also present: Attorney Michael Lavery, Esq., CFO Gregory Della Pia and Township Clerk Judith Fisher

Motion was made by Mr. Carrazzone and seconded by Mr. Perry to come out of closed session at 7:19PM. Motion carried and in a voice vote, all were in favor.

Attorney Mr. Lavery noted that he met in closed session with the Committee and they discussed the following items:

- Pending Litigation regarding the Burch Settlement
- Personnel Matter regarding the OEM
- Personnel matter regarding the Plumbing Sub Code Official Appointment
- Attorney Client regarding EMR
- Potential Litigation/Attorney Client Privilege regarding Commune

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.

Payment of the Bills:

Mr. Perry moved that the bills presented before the Committee tonight be paid, seconded by Mr. Carrazzone. Motion carried and in a voice voted, all were in favor.

Reports:

Mr. Rodman reported that the Township received a check from DOT in the amount of \$143,000 for the Birch Ridge Road. The Township is holding back 10% of the bid price and Tilcon has not sent an invoice to the Township yet. This is for the work done on Birch Ridge Road.

Mr. Rodman gave the Committee a breakdown of the hours that he spent on Millbrook-Stillwater Road and how it was billed out. The situation regarding Mr. Burch was discussed in closed session. Mr. Rodman talked about the Sprint Tower and the offer that they made regarding the trail. They are interested in giving the Township \$5000 in lieu of doing the trail.

There was discussion on the need for a revision to the resolution that the Planning Board did several years ago. Ted suggested that the Township get the \$5000 and then change/amend the Planning Board resolution to amend the conditions. Mayor Duffy noted that he will bring this up at their next meeting. Ted next brought up that he is reviewing the DOT application for re-doing the weigh station in Knowlton Township off of Route 80. The only items that will be in Hardwick Township are the signs and guide rails. There was also an application submitted by PSE&G to DEP for Wetland and Stream Encroachment. It was a notice to Hardwick along with the other Municipalities that are involved. He next talked about the Phase II Millbrook-Stillwater Road that the Township received a grant for. There was talk last month about using the Somerset Co-Op, but he feels now that it would be better to go out for bids. The "specs" will be ready soon as they will need to be submitted to DOT for their approval. It was suggested that Tom also get a copy to review. The road to the tower on River View Drive was discussed. The township talked with Ted about bringing this road up to township standards. Ted will check the conditions in their resolution and report back at the next meeting.

Mr. Lavery Township Attorney noted that he had nothing new to report on and that everything he had was discussed in closed session earlier.

OEM - was not present tonight for a report

Fire Warden - Was not present tonight for a report

Mr. Della Pia CFO reported that the State Aid figures will be out by March 10th. The Committee then asked that we have another budget meeting. Greg will get back with the Clerk with dates that he is available and another budget meeting will be set then.

Mrs. Fisher Township Clerk reviewed correspondence with the Committee. She then asked the Committee to review the sample recycling ordinance from the County so that we can have introduction in April.

Mr. Campbell CPWM was absent tonight

RESOLUTION

URGING PSE&G TO WITHDRAW THEIR NJ BOARD OF UTILITY CONSTRUCTION PROPOSAL APPLICATION OF A NEW 500KV TRANSMISSION LINE THROUGH NORTHERN NEW JERSEY

The Committee requested that this resolution be tabled.

INTENT TO JOIN A COALITION OF CONCERNED MUNICIPALITIES IMPACTED AND AFFECTED BY PSE&G'S PROPOSED SUSQUEHANNA-ROSELAND 500KV TRANSMISSION LINE PROJECT.

This resolution was read by the Mayor and there was a brief discussion between the Committee. Mr. Perry then moved that the Committee adopt this resolution, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor. The resolution called for the appointment of a representative to this Coalition and the Committee opted to hold on this until the next meeting.

ORDINANCE - None at this time

OLD BUSINESS **Directors/Liaisons**

The Committee reviewed the draft list changes that were made and there were no more changes. Since this has been finalized tonight, the Clerk will re-do the list and then circulate to the employees.

Knowlton Court - Amendment to Service Agreement and Resolution

The change in the agreement is in First Amendment that the Court officially started on February 1, 2009 and not January 1, 2009 and that this agreement will terminate on

December 31, 2009. All the terms and conditions of this **Shared Court Agreement** that are not modified by the First Amendment shall remain in effect and in full force and effect.

The **Resolution** then authorizes the execution of the amendment to the Interlocal Services Agreement for the Municipal Court Services.

Mr. Perry moved that the Amendment to the Shared Court Agreement to approved as read, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Mr. Carrazzone then moved to approve the resolution as presented tonight, seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

Appointment - Environmental Commission Chairperson

Mayor Duffy appointed Ms. Laura Dempsey as the Chairperson for the Environmental Commission

NEW BUSINESS:

Plumbing SubCode Official

The Clerk noted that she has received a letter regarding the temporary appointment of Robert Trivett as the Plumbing SubCode official until April 2, 2009.

Resignation - Robert Krok, Emergency Management Coordinator

Mr. Perry moved to accept this resignation with regrets, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Mr. Perry noted that the Deputy Emergency Management Coordinator Joseph Dunn is interested in taking over the position of Emergency Management Coordinator. He noted that Mr. Dunn has been taking classes for OEM. After a brief discussion, the Committee agreed to appoint Mr. Dunn as the OEM. Motion was made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor. Mrs. Fisher Township Clerk requested that Mr. Dunn send her his resignation as Deputy OEM and that Mr. Dunn will need to appoint a Deputy and to let the Township know who it will be.

Resignation - Elizabeth Easton, Environmental/Planning Board Liaison

Due to a family commitment, Ms. Easton has resigned her position immediately. Mr. Carrazzone moved to accept the resignation with regrets, seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

Contract - Township Engineer Norton "Ted" Rodman

The Committee moved to approved Mr. Rodman's contract for 2009. His salary will be \$14,020.00. Motion was made by Mr. Carrazzone and seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

Contract - Township Attorney Michael Lavery

The Committee moved to approved Mr. Lavery's contract for 2009. His retainer increased \$150.00 per month. Motion was made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Sustainable Jersey - Discussion

The resolution for this program was reviewed by the Committee. By the Township approving this resolution, they are endorsing a sustainable path in which the Township pledges to educate itself and the community members further about sustainable activities and to develop initiatives supporting local government practices.

Mr. Carrazzone, who is member of the Historical Society, spoke about Amy Hufnagel, who is grant writer for the Society. Right now, she is working on 2 grants for the Vass House and the Township could possible use her talents to help write grants for us. Mr. Perry's concerns is that if she is going to write and file grants for the Vass House, he would like her to come to the Township first to let us know. After another brief discussion, the Committee asked the Clerk to see if Amy could come to the next Work Session to explain this program a little more. In the mean time, the Committee decided to adopt the Resolution as presented for the Sustainable Jersey and to appoint Mr. Richard Ohl to serve as the Municipal Township's agent for the Sustainable Jersey Municipal Certification process. With this appointment, Mr. Ohl will be authorized to complete the Municipal Registration on behalf of the Township. Mr. Perry moved to approve the resolution and to appoint Richard Ohl as the Municipal Agent for the Sustainable Jersey, seconded by Mr. Duffy. Motion carried and in a voice vote, all were in favor with Mr. Carrazzone abstaining.

Public Participation

This portion of the meeting was open to the pubic on a motion made by Mr. Perry and seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Mr. Ed Fisher, member of the Environmental Commission had a question about "Stop the Lines" and a letter that was sent to the Municipalities that are involved with the power lines. This group has hired an attorney from Minnesota to help them in fighting their case. They are asking the Municipalities involved in fighting the PSE&G to contribute monies to help pay for this attorney.

Mr. Carrazzone suggested that the Township stay neutral on this issue.

Mayor Duffy noted that the Environmental Commission is meeting on March 12 and they have invited Stillwater and Fredon Environmental Commission to this meeting along with a few guest speakers on this issue. Mr. Duffy will be attending. Mr. Perry noted that he would like to attend to just listen to what they have to say and asked if the Clerk could advertise since there would be a quorum of the Committee. After a brief discussion, Mr. Perry decided not to attend this meeting.

Being there was no one else from the public wishing to speak, this portion of the meeting was closed on a motion made by Mr. Carrazzone and seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

Committee Report

Mr. Perry talked about the policy manual and the need to start working on job reviews and job descriptions. The Committee discussed that they would each work on the departments under them to have job descriptions ready for the July 22 Work Session.

Mr. Carrazzone had nothing to report on at this time.

Mr. Duffy reported that he will be hosting the North Warren Mayor's meeting on March 6th, 6PM at the Hardwick House. He had attended at Budget meeting for the North Warren High School hosted by Dr. Brian Fogelson, Superintendent. The presentation was similar to the one the other more, just that there was a little more detail given. Dr. Fogelson will be at the Next Township Meeting, April 1st to discuss their budget again before it goes to the voters on April 21st.

Approval of the Minutes:

November 13, 2008, Joint Meeting with Planning Board
December 23, 2008, Work Agenda Meeting
January 2, 2009, Re-Organization Meeting
January 24, 2009, Budget Work Session
January 28, 2009, Work Agenda Meeting
February 4, 2009, Regular Meeting
February 14, 2009, Budget Work Session
February 25, 2009, Work Agenda Meeting

The Clerk asked the Committee to hold on the approval of the February 14 Budget Meeting.

Mr. Perry moved to approve the minutes as amended and to hold approval of the February 14, 2009 budget work session, seconded by Mr. Carrazzone. Motion carried and in a voice vote, all were in favor.

Being there was no further business tonight, Mr. Carrazzone moved to adjourn tonight's meeting at 8:24PM, seconded by Mr. Perry. Motion carried and in a voice vote, all were in favor.

Respectfully submitted,

Judith M. Fisher, RMC
Township Clerk