

**TOWNSHIP OF HARDWICK
TOWNSHIP COMMITTEE MEETING MINUTES
WEDNESDAY, MAY 4, 2022**

This meeting was called to order by Mayor Jacksic at 7:00 pm. Those present were Committeeman Duffy, Deputy Mayor Lovell, and Mayor Jacksic. Also present were Clerk Shippis, Township Attorney Lavery and DPW Supervisor Campbell.

FLAG SALUTE

Mayor Jacksic read the following sunshine statement:

SUNSHINE STATEMENT

“Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231 setting forth the time, date, place, and purpose of this Public Meeting through a legal notice published in New Jersey Herald and The Express times following the Township’s Annual Reorganization Meeting at which the 2022 meeting schedule was adopted.

PUBLIC COMMENT

Tara Mezzanotte- Route 80 Rockwall Update

Mrs. Mezzanotte representing the coalition fighting against the New Jersey Department of Transportation Route 80 Rockwall mitigation project was present.

The project is delayed till late 2024 early 2025 and the reason it was delayed over the past 12 months was because of a federally recognized native Americans tribe from our area that still have rights to the land of Mt. Tatamamy. They are advocating for their interest. Warren County was asked to sign off on a \$57 million project to rebuild the I-80 S Curve retaining wall. Mrs. Mezzanotte stated that she is working with the County and is hoping that a resolution will be adopted in June with surrounding townships

Ms. Mezzanotte explained the difference between the two projects. Rockfall mitigation project is a project to protect the “falling rocks” from Mt. Tatamay which have not been falling. The S-Curve project is to fix the retainer walls underneath the S-curve.

DEPARTMENT REPORTS

DPW

DPW Supervisor Campbell stated that clean up week will start next week Monday to Sunday and electronics will be accepted.

The truck that was ordered last year should be delivered by end of June begin of July.

Dan Harmon has been hired as summer help at a rate of \$20.00 per hour on a part time basis.

Motion made by Lovell, second by Duffy and approved by roll call vote: Duffy—yes, Lovell—yes, Jacksic—yes to hire Dan Harmon as a part-time DPW Laborer at a rate of \$20.00 per hour effective May 23, 2022.

Fire Tower

Bob Wolff supplied an update which has not seen much activity in our area but a lot of activity in Pennsylvania. The 100 anniversaries of the fire tower will be celebrated on July 4, 2022, by

having an exhibit on the 4th of July celebration at Footbridge Park as well passing out souvenirs at the tower.

The Appalachian trail has been busy with hikers from Georgia already coming through.

Mayor Jacksic supplied the monthly fire report from Blairstown Hose Company two calls in Hardwick, one a Worthington State Forest and the other Millbrook Rd. smoke investigation.

ORDINANCES

Introduction:

2022-03 An Ordinance of the Township of Hardwick County of Warren, State of New Jersey Authorizing the Lease and Management of Cellular Tower Site in the Township of Hardwick.

WHEREAS, the Township of Hardwick is the owner of Lot 1, Block 1103.01 (street address: One Riverview Drive, Hardwick, New Jersey) in the Township of Hardwick, County of Warren; and

WHEREAS, the Township does not presently need all of Lot 1, Block 1103.01 and wishes to lease a portion thereof for the sitting of a wireless telecommunications tower (hereinafter referred to as "Tower Site") to the highest bidder for public use; and

WHEREAS, the Township wants to lease the Tower Site to the highest bidder, by submission of sealed bids, in accordance with N.J.S.A. 40A:12-14 and N.J.S.A. 40A:12-24; and

WHEREAS, the Township is interested in minimizing the number of cellular tower sites within its borders and believes that the best cellular tower site in the Township is the Tower Site in question.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey, that the lease of a portion of Lot 1, Block 1103.01 for use as a Tower Site, as well as equipment, buildings and other appurtenances to be located thereon shall be publicly bid upon the following terms and conditions listed below:

1. The term of the lease shall be for a period of fifteen (15) years, with the potential for one five (5) year extension of said lease. The rent increase for the extension shall be ten percent (10%) per year.
2. The minimum annual rental amount shall be eighteen thousand dollars (\$18,000.00) per year. The annual rental amount shall increase at a percentage (%) (at least three (3%)) per year. In addition to the minimum annual rental, there shall be paid a percentage (%) (at least fifty percent (50%)) per year of the gross revenue from other users of the Tower Site who sublease from the successful bidder. The successful bidder shall negotiate and manage new and renewal rentals with sublessors with copies of all such contracts provided to the Township within seven (7) calendar days of execution of such contract(s).
3. The successful bidder shall meet all requirements, obligations, and mandates of the Notice to Bidders, Information to Bidders, Proposal Sheets and Proposed Lease, among other documents, which will be available once this Ordinance is adopted and published in accordance with law.

4. The successful bidder shall be required to obtain all applicable permits, approvals, and licenses at its own expense.
5. The successful bidder shall, at its own expense, plan, develop, construct, and maintain the communication tower, antennae, equipment buildings and appurtenances on the Tower Site. The Tower shall be large enough to serve antennae, but not higher than that prescribed by the Township Ordinance.
6. The Township reserves the right to reject any and/or all bids.
7. The bid shall be awarded to the highest bidder (or all bids shall be rejected) at a Township Committee meeting subsequent to the adoption of said Ordinance, pursuant to the bid documents.
8. The lease bid shall be advertised by the Township Clerk in accordance with State law.
9. Copies of Lease/Management Bid Document, which shall, in large part, consist of the proposed Form of Lease, Information to Bidders and Notice to Bidders will be available on Thursdays, between the hours of 10:00 AM and 2:00 PM, at the office of the Township Clerk, located at 40 Spring Valley Road, Hardwick, New Jersey 07825, after final passage of this Ordinance.

Motion made by Lovell, second by Duffy and carried to Introduce Ordinance No. 2022-03.

2022-04 An Ordinance of the Township of Hardwick, County of Warren State of New Jersey Amending and Supplementing Chapter 13-109 Entitled “Zoning Officer” of the Code of the Township of Hardwick.

WHEREAS, the Township of Hardwick wishes to amend and supplement Chapter 13-109, pertaining to the description and duties of the Township Zoning Officer; and

WHEREAS, the Township believes that the current information pertaining to the Zoning Officer position found in the Township Code is incomplete and supplemental information is necessary; and

WHEREAS, the Township Committee believes such amendments to be in the Township’s best interest;

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hardwick, in the County of Warren, State of New Jersey, that Chapter 13-109 be amended as follows:

Section 1:

Appointment.

The Zoning Officer shall be appointed annually by the Township Committee.

Description of Work.

Under the direction of the Township Committee, functioning as a Committee and not individually, the Zoning Officer shall be free from any and all political interference(s) related to his/her Zoning Officer duties. Zoning Officer shall have access to the Township Attorney and Land Use Attorney

for legal advice and interpretations of the law. Zoning Officer shall examine the working plans of proposed buildings and other structures for compliance with local zoning laws, rules, and regulations of the State and municipality, as well as conduct field work to ensure compliance with zoning regulations and other related land-use regulations as needed.

Duties:

It shall be the duty of the Zoning Officer to:

- a. Provide a written report to the Township Clerk at the end of each month detailing applications received for review and the status of same;
- b. Examine work plans for compliance with local zoning laws, ordinances and regulations;
- c. Review final plans;
- d. Issue permits as required by provisions of the Land Development Ordinance and in accordance with regulations regarding zoning permits;
- e. Attend training as necessary to stay current with job duties and regulations;
- f. Assist in researching, drafting, and rewriting municipal codes;
- g. Participate in the development of forms and processes utilized to address various issues;
- h. Maintain and file records in accordance with New Jersey and Township records retention policies;
- i. Maintain accurate documentation of all registered properties, as required under the Residential Maintenance Code, Chapter 15;
- j. Prepare information in response to Right-to-Know requests;
- k. Perform administrative duties including but not limited to the review, approval, and certification of all vacant and abandon property registration submittals; and
- l. Perform other duties as assigned.

Code Enforcement

Under the direction of the Township Committee, functioning as a Committee and not individually, the Code Enforcement shall be free from any and all political interference related to his/her Code Enforcement duties. Code Enforcement shall have access to the Township Attorney and the Municipal Prosecutor for legal advice on code enforcement matters. Code Enforcement shall enforce all property use and maintenance codes. Code Enforcement shall be responsible for conducting town-wide inspections for possible zoning and maintenance code violations. Code Enforcement shall have the authority to issue notices of violations and court summonses to abate violations. Code Enforcement shall appear in Municipal Court as needed on behalf of Hardwick Township.

Duties:

It shall be the duty of the Code Enforcement to:

- a. Provide a written report to the Township Clerk at the end of each month detailing inspection and enforcement activities and the status of same;
- b. Receive requests, complaints, and information from the public, Hardwick Township staff and elected officials and conduct investigations for potential code violations;
- c. Conduct field investigations; inspect properties for violations, issue warning notices, notices of violation, corrective notices, orders to comply and related documentation for code violations. Schedule and perform all follow-up functions to gain compliance including letters, inspections, calls, meetings, discussions, and negotiations to ensure compliance with appropriate codes and ordinances;
- d. Perform a variety of field and office work in support of the Township's local code enforcement program; enforce compliance with Township regulations and ordinances including those pertaining to zoning, land use, health and safety, and other matters of public concern.
- e. Prepare evidence in support of legal actions taken by the Township; appear in court as necessary and testify in court hearings and proceedings as required;
- f. Maintain accurate documentation and case files on all investigations, inspections, enforcement actions and other job-related activities including accurate and detailed information regarding code enforcement activity to substantive violations; draw diagrams and take pictures;
- g. Prepare a variety of written reports, memos and correspondence related to enforcement activities;
- h. Document violations of potential violations of Township ordinances with photos, written notes and reports;
- i. Attend training as necessary to stay current with regulations and job duties;
- j. Prepare information in response to Right-to-Know requests;
- k. And perform other duties as assigned.

Code Enforcement and Zoning Joint Responsibilities

- a. Attend meetings and serve as a resource to other Township departments, the general public and outside agencies in the enforcement of zoning regulations; provide research and documentation for meetings; interpret and explain municipal codes and ordinances to members of the public, contractors, business owners and other groups in person, over the counter and on the telephone;

- b. Maintain satisfactory relations with the public, presenting a professional appearance when interacting with others;
- c. Conduct on-site visits to resident applicants.

Experience

Minimum one year experience related to the job duties as described for Zoning and Code Enforcement Officer

Driver's License

Must possess a valid driver's license to perform the essential duties of the position.

Section 2:

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Hardwick inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3:

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Section 4:

This Ordinance shall take effect upon its passage and publication as provided by law.

Motion made by Duffy, second by Jacksic and carried to Introduce Ordinance No 2022-04 with amendments that were made by Deputy Mayor Lovell suggested and the Township Attorney will incorporate into the ordinance.

CONSENT AGENDA

1. 2022-36- Contracting for Professional Services in Accordance with the Local Public Contract Law (N.J.S.A. 40A-11.1, ET. SEQ.) Licensed Professional Surveyor to Upgrade Hardwick Tax Maps and Convert to an AutoCad Format

WHEREAS, the Township of Blairstown has a need to acquire a licensed professional surveyor to upgrade tax maps and covert to an autocad format services as a non-fair and open contract pursuant to provisions on N.J.S.A. 19:44A-20.5; and

WHEREAS, the chief financial officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

Wednesday May 4, 2022, Township Committee Meeting Minutes

WHEREAS, Laura J. Brill has agreed to provide mapping services for the anticipated fee not to exceed \$10,000.00; and

WHEREAS, Laura J. Brill has completed and submitted a Business Entity Disclosure Certificate which certified that the firm has not made any reportable contributions to a political or candidate committee in the Township of Hardwick in the previous year, and that the contract will prohibit Laura J. Brill from making any reportable contributions through the term of the contract; and

WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned legal services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hardwick, of the County of Warren, that the Mayor and Clerk are authorized to enter into a contract with Laura J. Brill as described herein as licensed professional surveyor to upgrade tax maps and covert to an autocad format in behalf of the Township of Hardwick for the year 2022; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

2. 2022-37 Resolution Appointing Alternate Fund Commissioner.

BE IT RESOLVED, by the (Name of Entity) Township of Hardwick, County of Warren, State of New Jersey, that it hereby appoints John C. Lovell, Jr. as the Fund Commissioner and Kristin Shipps as the Alternate Fund Commissioner to the Public Alliance Insurance Coverage Fund;
and

BE IT FURTHER RESOLVED those copies of this Resolution be forwarded to the following:

John C Lovell, Jr.
(Fund Commissioner)

Kristin Shipps
(Alternate Fund Commissioner)
Public Alliance Insurance Coverage Fund

3. 2022-38 Payment of Vouchers.

WHEREAS all claims as reviewed and listed on the attached bill list are approved as reasonable and proper claims against the Township of Hardwick to be paid from its current fund; and

WHEREAS, the CFO has certified that funds are available to pay such claims.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey that the bills on the attached bill listed are authorized to be paid

Motion made by Lovell, second by Duffy and approved by roll call vote: Duffy—yes, Lovell—yes, Jacksic—yes May 4, 2022, Consent Agenda.

UNFINISHED BUSINESS

Voice Over IP Service -tabled

Hardwick Street Map

Map is on the website and will have hard copies available for residents

Operation of Motorized Vehicles on Township Property (Riverview Drive)

Township Committee signed a letter that will be mailed to all Riverview Drive residents.

Paper Shredding Event

Clerk Shipp announced that the event was a success and would like to continue with it once or twice a year.

Spring Clean Up-reminder

Discussed during department reports.

Township Website

Township IT Jean Paul Reece is still working on getting the old website down and hopefully will completed within the next week.

New Jersey Bag Ban

Mayor Jacksic advised the residents that the New Jersey Bag Ban took effect May 4, 2022, and there are canvas bags out in the hallway from Warren County for anyone to take.

NEW BUSINESS

Letter of Intent/ Film Production Inquiry

Zoning Officer George Boesze had communication with the filming company and approved their letter of intent to film, which will take place at a resident's home.

Ordinance Changes for Accessory Structure Setbacks

Committee was presented with changes to the current accessory structure setbacks. Committee agreed with the changes. An ordinance with the changes will be introduced at the next township committee meeting.

CORRESPONDENCE

Mayor Jacksic stated that a high-speed internet company named Bright speed will be coming to Hardwick Township. Bright speed is offering internet to 5 counties Warren County being one of them.

Deputy Mayor Lovell provided the committee with the Altice right of way work which was from Township Engineer Dennis Keenan regarding Tara Ct. Discussion took place if there is a need to have the Township Engineer review all the projects with Altice and if its something basic if DPW Supervisor Campbell could ok the project. Township Attorney Lavery will research if utilities companies need permission to do work in township right-of-way.

TOWNSHIP ATTORNEY

No report

TOWNSHIP CLERK

No report

TOWNSHIP COMMITTEE REPORTS

Committeeman Duffy reported that he and Mayor Jacksic attended a workshop at the Kittatinny Ridge and Valley Conservation. It was basically an overview of several different groups and Ridge and valley gave a presentation of their planning long term in the area.

Prospected buyer for the Hardwick House is still interested in moving forward.

PUBLIC COMMENT

Paul Hawkins Chief of Stillwater Fire Department reported that the fire department has more personnel that joined this year. There have been investments made to water rescue and a new fire truck coming within the year.

EXECUTIVE SESSION

Motion made by Duffy, second by Lovell and carried to go into Executive Session at 7:50 pm 2022-39- Resolution Authorizing Executive Session for the purpose of:

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 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. Attorney Advice

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.

Motion made by Duffy, second by Lovell and carried to come out of Executive Session at 8:15 pm.

Township Attorney Lavery reported discussion of Executive Session was attorney advice regarding cleanup of an easement and no action will be taken at this time.

ADJOURNMENT

Motion made by Duffy, second by Jacksic and carried to adjourn the meeting at 8:17 pm

