

December 2, 2014

AGENDA

Regular Meeting of the Hazlet Township Committee held at _____ p.m.

Salute to the flag and moment of silent prayer called by Mayor.

Mayor's Statement – Open Public Meetings Act & Emergency Fire Exits.

In Compliance with the “Open Public Meetings Act” of the State of New Jersey, adequate notice of this meeting of the Township Committee was provided in the following manner:

- (A) On January 6, 2014, advance written notice of this meeting was posted at:
1766 Union Avenue, Hazlet, New Jersey
- (B) On January 6, 2014, advance written notice of this meeting was forwarded to the Independent and published in the Asbury Park Press on January 8, 2014.
- (C) On January 6, 2014, copies of advance written notice of this meeting were mailed to all persons who requested and paid for such notices on or before January 1, 2014.

FIRE EXITS are located in the directions I am indicating:

Farther down at the end of the room, through the doors and down the stairs, directly out the front door.

To my right is the door, make a right down the hallway which leads to the stairs and directly out the rear of the building.

If you are alerted for fire, please move in a calm and orderly manner to the nearest exit. Finally, let the record reflect that the minutes of this meeting will accurately reflect the topics addressed during this meeting but will not be a verbatim transcript of tonight's proceedings. Thank you. I direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

ROLL CALL

PRESENT

ABSENT

Committeeman Aagre

Committeewoman Ronchetti

Committeeman Sachs

Deputy Mayor Belasco

Mayor DiNardo

Approval of Minutes – Regular Meeting – November 17, 2014
Workshop Meeting – November 17, 2014

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____
(abstain) (abstain)
Committeeman Sachs _____ Deputy Mayor Belasco _____
Mayor DiNardo _____

Approval of Executive Session Minutes – November 17, 2014

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____
(abstain) (abstain)
Committeeman Sachs _____ Deputy Mayor Belasco _____
Mayor DiNardo _____

Ordinance Hearings:

1. AMENDING AND SUPPLEMENTING CHAPTER 181-408.07 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF HAZLET, ENTITLED “FENCES AND WALLS”

Introduced: October 7, 2014.

Published in The Asbury Park Press, issue of October 11, 2014. Proof on file.

Posted in Town Hall – October 8, 2014.

Hearing was deferred to November 17, 2014 and further deferred to December 2, 2014.

Hearing:

Motion to close hearing:

Offered _____ 2nd _____

Voice vote: _____

Action of Committee: (Adopt) (Reject) (Other)

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

Reports

Construction Code Official – October 2014 – Total fees collected - \$23,668.00

Municipal Court – September 2014 – Total fees collected - \$26,855.33.

October 2014 – Total fees collected - \$29,677.76.

Department of Public Works – September and October 2014 – Received and read.

Resolutions, Motions and Appointments:

Resolutions #343 through #347 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussions of these items. If discussion is desired by the Mayor or any member of the Township Committee, that item will be removed and will be considered separately. Advance copies of each resolution have been given to each Committee Member. The original resolutions are with the Municipal Clerk for inspection as listed below.

343. Refund of Construction permit fees to Solar City Corporation.
344. Authorizing the Mayor and Clerk to execute a Shared Service Agreement with the County for Emergency Telecommunications System (911).
345. Reduction of the performance guarantee for Geopeak Energy LLC (IFF Solar Facility), Block 120, Lots 2, 3, 5 and 6.
346. Authorizing the Municipal Administrator to conduct a public auction to dispose of surplus property.
347. Refund of the overpayment of sewer charges for Block 172, Lot 5.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

348. Authorizing personnel to donate personal or sick time to another employee.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

349. Authorizing the payment of Accumulated Absences for Lee Caruso.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

350. Transfer of funds.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

351. Dedication by rider for police off duty overtime account.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

352. Compensation for obtaining a sewer collection license.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

353. Authorizing the Mayor to execute the modification agreement for the Monmouth County Drug Alliance.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

Payment of Bills:

Advance bill lists having been supplied to each Committee Member.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeewoman Ronchetti _____

Committeeman Sachs _____ Deputy Mayor Belasco _____

Mayor DiNardo _____

Citizens Hearing:

Motion to close hearing:

Offered _____ 2nd _____

Voice Vote: _____

Motion to adjourn:

Offered _____ 2nd _____

Voice Vote: _____

Time: _____

AMENDING AND SUPPLEMENTING CHAPTER 181-408.07
OF THE TOWNSHIP CODE OF THE TOWNSHIP OF HAZLET,
ENTITLED "FENCES AND WALLS"

WHEREAS, Municipalities are empowered to make, amend, repeal and enforce ordinances pursuant to N.J.S.A. 40:48-1, et. seq.; and

WHEREAS, the Governing Body may adopt or amend its zoning ordinances pursuant to the Municipal Land Use Law under N.J.S.A. 40:55D-62; and

WHEREAS, it is the desire of Hazlet Township to amend its Development Review Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hazlet, County of Monmouth, State of New Jersey, that Section 181-408.07 "Fences and Walls" shall be supplemented and amended as follows:

Section 1:

181-408.07 FENCES AND WALLS

A. Front Yards

Shall be amended as follows:

1. For residential uses, fences shall be permitted to be located in front yards, provided such fences shall not exceed four (4) feet in height, as measured from ground level, and shall be constructed so that at least fifty percent (50%) thereof is non-solid and open. Fence types such as board-on-board and stockade shall be considered solid fences. Corner lots may be permitted to install a six (6) foot in height solid fence along the side street frontage which shall be located not less than ten (10) feet from the inside of the sidewalk. If no sidewalk exists, then the fence shall be located ten (10) feet from the curb line or the street. However, in a residential zone which abuts a non-residential zone such fences shall not exceed eight (8) feet in height. Furthermore, no fence shall be constructed within any sight triangle as defined in this Ordinance, or installed so as to constitute a hazard to traffic or public safety. Decorative walls are permitted to be located in front yards for residential uses, provided such shall not exceed two and one-half (2 1/2) feet in height, as measured from ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed five (5) feet in height. (Ord. No. 1522-13)

2. For nonresidential uses, fences and decorative walls may be erected in the front yard at or behind the front setback line extending to the rear or side

lot lines, provided they do not exceed six (6) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

B. Side and Rear Yards

1. For residential uses, both solid and non-solid fences shall be permitted to be located in side or rear yards, provided such shall not exceed six (6) feet in height, as measured from the ground level. Decorative walls for residential uses are permitted to be located in side or rear yards, provided such shall not exceed four (4) feet in height, as measured from the ground level. However, in a residential zone which abuts a non-residential zone such fences shall not exceed eight (8) feet in height. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

2. For nonresidential uses, both decorative walls and solid or non-solid fences shall be permitted to be located in side or rear yards, provided such shall not exceed six (6) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

3. Finished Exterior Side. All fences or walls shall be constructed so that a finished side, with no fully exposed structurally supporting members, is located on the exterior facing outward away from the property upon which it is located.

4. Materials. No fence or wall shall be constructed or installed with barbed wire, metal spikes, or topped with concertina or razor wire, broken bottles or similar materials so as to be dangerous to humans or animals.

5. Drainage. Fences and decorative walls shall be constructed in a manner so as to permit the continued flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding, either on the property upon which such is located or on any adjacent lot. Those applying for a zoning permit to erect a fence or decorative wall may consult with the Township Engineer to ensure compliance with this provision.

6. Obstruction. No fence shall be constructed within any sight triangle as defined in this Ordinance, or installed so as to constitute a hazard to traffic or public safety.

7. Utility Easement. Prior to installing a fence in a utility easement area, a property owner shall secure written approval from the appropriate utility company or appropriate public body. Evidence of approval shall be submitted as a prerequisite to issuance of a zoning permit.

8. Retaining Walls. Any permitted wall proposed to be used as a retaining wall may be required to be reviewed by the Township Engineer prior to the issuance of a permit.

9. Exceptions. Fences or walls that constitute a permitted buffer area screen approved as part of a site plan application shall be excepted from the above height and location provisions. In addition, fencing required to enclose a tennis court shall be exempted from the above maximum height provisions. Said fence shall not exceed twelve (12) feet in height, as measured from ground level, and may not be located within a required setback area.

Section 2:

Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such provision shall be deemed severable and the remaining portions of this ordinance shall remain in full force and effect.

Section 3:

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4:

This ordinance shall take effect immediately upon passage and publication as required by law.

RESOLUTION

WHEREAS, the Department of Construction of the Township of Hazlet, in the County of Monmouth, State of New Jersey, collected monies associated with the installation of solar panels; and

WHEREAS, said monies have been received from the following and were deposited into the Township's Current Fund under Fees and Permits; and

WHEREAS, the contract was cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the Chief Financial Officer be authorized to return such fees; and

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution to the applicant and to the Finance Office.

APPLICANT

AMOUNT OF REFUND

Solar City Corporation
9 Corporate Drive
Cranbury, NJ 08512

\$399.00

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Mayor and Clerk be and are hereby authorized to execute a Shared Service Agreement with the County of Monmouth for Emergency Telecommunications System through December 31, 2019.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify the foregoing is a true copy of a resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, Geopeak Energy, LLC heretofore deposited with the Township of Hazlet a certain Performance Guarantee with adequate surety in the principal amount of \$332,438.40, which was reduced to \$129,450.00 by Resolution 161 dated June 17, 2014, to assure the completion in a satisfactory fashion certain public improvements in connection with that certain project known as **GEOPEAK ENERGY LLC (IFF Solar Facility), Block 120, Lots 2, 3, 5 & 6**; and

WHEREAS, a request for further reduction in said Performance Guarantee has been received; and

WHEREAS, the Township Engineer, in a report dated November 14, 2014, has recommended that the Performance Guarantee can be further reduced to \$99,731.52;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hazlet that the appropriate officers and employees of the Township of Hazlet be and they are hereby authorized and directed to execute such documents or take such other actions as may be necessary or required to reduce that certain Performance Guarantee deposited with the Township of Hazlet to the sum of \$99,731.52 in connection with Geopeak Energy LLC (IFF Solar Facility); and

The reduction of the Performance Guarantee should be contingent upon the following:

1. The future Maintenance Guarantee amount will be 15% of the original cost of improvements, or \$41,554.80, and shall be for a term of two (2) years.
2. The amount of \$7,500.00 will be posted to the escrow account for the payment of pending engineering and administrative fees, payment of the fees to address this Performance Guarantee reduction request, and payment of future engineering and administrative fees.

BE IT FURTHER RESOLVED that the authority and direction herein contained is not intended to be nor should it be construed as an acceptance by the Township of Hazlet of all or any portion of the public improvements involved in said project; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and she is hereby directed to transmit certified copies of this resolution to the Township Engineer and Geopeak Energy.

CERTIFICATION

I, Evelyn A. Grandi, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

EVELYN A. GRANDI
Municipal Clerk

RESOLUTION

WHEREAS, the Township of Hazlet (“Township”) is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hazlet in the County of Monmouth as follows:

1. The sale of the surplus property shall be conducted by the Township.
2. The sale is being conducted pursuant to N.J.S.A. 40A:11-36.
3. The list of surplus property to be sold is attached and made part of this resolution.
4. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties.
5. The Municipal Administrator is authorized to set minimum bids, set reserves below which bids will be rejected, set bidding requirements, group items for sale by lots and the right to accept or reject any bids submitted.
6. The Municipal Administrator sets the auction date.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Mayor and the Township Committee of Hazlet Township, County of Monmouth, State of New Jersey, that the proper officers be and they are hereby authorized to REFUND the following over-payments of sewer charges made by the following:

BLOCK	LOT	NAME	AMOUNT	YEAR
172	5	Ramirez, Ronald & Kim	\$602.40	2013

NOW THEREFORE BE IT RESOLVED, that a copy of this Resolution be forwarded to the Sewer Director and the Chief Financial Officer.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

EVELYN A. GRANDI
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the following people have offered to donate their personal and or sick time to John Keith Brand:

Ken Larity – 80 hours sick time
Rob Santasieri – 40 hours sick time
Matt Pendle – 8 hours sick time
Sal Coppola – 20 hours sick time
Joe Saraiva – 32 hours personal time and 6.25 sick time
Sharon Keegan – 35 hours sick time

BE IT FURTHER RESOLVED that a copy of this resolution be given to the payroll clerk.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify the foregoing is a true copy of a resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

AUTHORIZE PAYMENT OF ACCUMULATED ABSENCES

WHEREAS, Lee Caruso has retired from Hazlet Township effective November 1, 2014;
and

WHEREAS, as of November 1, 2014, Lee Caruso had unused accumulated vacation days evidenced by sufficient records; and

WHEREAS, it is a New Jersey best practice for the governing body to approve all payments for accumulated absences; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the payment of such accumulated absences,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Hazlet, County of Monmouth, State of New Jersey, that payment to Lee Caruso for accumulated vacation time in the amount of \$2,005.36 is hereby authorized.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee as its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS –
N.J.S. 40A:4-58

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township, in the County of Monmouth, New Jersey, that transfers between 2014 Budget Appropriations be made as follows:

CURRENT FUND

	<u>FROM</u>	<u>TO</u>
Municipal Clerk -		
Other Expenses		\$2,000.00
Revenue Administration -		
Other Expenses		1,400.00
Legal Services -		
Other Expenses		100,000.00
Insurance -		
Workers Compensation	\$33,309.64	
Employee Group Health Insurance	76,000.00	
Aid to First Aid Organizations -		
Other Expenses		24,000.00
Vehicle Maintenance –		
Other Expenses		75,000.00
Environmental Health Services –		
Salaries and Wages		600.00
Public Employees Retirement System	33,809.04	
Police and Firemen’s Retirement System	59,881.32	
Total	\$203,000.00	\$203,000.00

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee as its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL
GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR
POLICE OFF DUTY OVERTIME ACCOUNT

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hazlet, County of Monmouth, State of New Jersey as follows:

1. The Township Committee hereby requests permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid to the Police Off Duty Overtime Account.
2. Funds are received and expended by the Chief Financial Officer of the Township of Hazlet in the Police Off Duty Overtime Account.
3. The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that when an employee passes their Sewer Collection License that they will be compensated at the rate listed below:

C1 – Sewer Collection License - \$2,500.00

C-2 – Sewer Collection License - \$3,000.00

C-3 – Sewer Collection License - \$5,000.00

BE IT FURTHER RESOLVED that a Resolution authorizing the salary increase will be required for the employee when proof of passing the exam for their Sewer Collection License is provided.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Mayor is hereby authorized to execute a modification agreement for the Monmouth County Drug Alliance.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 2nd day of December, 2014.

Evelyn A. Grandi
Municipal Clerk