

CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)
2012-01

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Hardwick in the County of Warren finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$6,520.97 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Hardwick, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Hardwick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$22,823.40, and that the CY 2011 municipal budget for the Township of Hardwick be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Judith M. Fisher, RMC
Township Clerk

NOTICE

NOTICE IS HEREBY GIVEN that the above entitled ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Hardwick on January 4, 2012 and will be considered for final reading and adoption at the regular meeting of the Township Committee to be held on February 1st, 2012 at 7:00p.m. at the Municipal Building, 40 Spring Valley Road, Hardwick Township.

Judith M. Fisher, RMC
Township Clerk

February 1, 2012

Motion: Committeeman Duffy

Seconded: Committeeman Carrazzone

Motion carried and a roll call vote followed:

Roll Call:

Committeeman Duffy: Yes

Committeeman Carrazzone: Yes

Mayor Perry: Yes

CERTIFICATION

I, Judith Fisher, Clerk of the Township of Hardwick, do hereby certify that the foregoing Ordinance is a true and exact copy adopted by the Township Committee of the Township of Hardwick at a meeting held on the 1st day of February, 2012.

Judith M. Fisher, RMC
Township Clerk

ORDINANCE NO. 2012-02

ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 5, "ANIMAL CONTROL," SUBCHAPTER 1.4, "FEES" OF THE CODE OF THE TOWNSHIP OF HARDWICK TO INCREASE DOG LICENSING FEES.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey that Chapter 5, "Animal Control," Subchapter 1.4, "Fees" of the Code of the Township of Hardwick shall be amended, revised and supplemented as follows:

Section 1.

§5-1.4 Fees.

- a. The person applying for the license and registration, except for the non-commercial kennels, shall pay a fee of either ten (\$10) dollars for a spayed and/or neutered dog(s), or thirteen (\$13) dollars for a non-spayed and/or non-neutered dog(s), for a one-year license and a one-year registration for each dog. For each renewal, the fee for the license and registration tag shall be the same as the original license and tag, and such license/registration tags and renewals thereof shall expire on January 31 of the year following the year the license/registration was issued, consisted with the term of the license. In the event that said license and registration was applied for after March 1 of each year, an additional late fee of five (\$5) dollars per month, per dog, will be charged. After April 1 of each year, the late fee shall increase to ten (\$10) dollars per month, per dog. The non-commercial kennel license must be obtained before individual licenses/registrations can be issued. All dogs, irrespective of whether they are housed at a commercial or non-commercial kennel, are required to wear a tag.

Section 2:

All other subchapters of §5-1.4 shall remain unchanged.

Section 3.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 5.

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass the first reading at a regular meeting of the Township Committee of the Township of Hardwick held on February 1, 2012, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Township Committee to be held on March 7, 2012, 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 passage of said Ordinance.

Judith Fisher, R.M.C.
Township Clerk

ORDINANCE NO. 2012-03

**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.**

WHEREAS, the Township Committee of the Township of Hardwick believes it is in the best interest of the Township to require a license to ensure that certain health, safety and welfare matters are addressed to safeguard the public; and

WHEREAS, to safeguard the public health, safety and welfare, the Committee desires to create a special event license requirement;

NOW THEREFORE BE IT ORDAINED, that:

Section 1. Section 4-7 is hereby created as follows:

ARTICLE 4-7. SPECIAL EVENTS

4-7.1. Definitions.

(a) Municipal Costs – Any and all expenses incurred by the Township of Hardwick for a licensed special event including operating expenses, salary and wages, benefits and any other expenses of any department.

(b) Special Event – All shows, carnivals, circuses, festivals, fairs, flea markets, outdoor plays, outdoor dances, outdoor concerts or outdoor theatrical events, parades, sporting events not directly involved in interscholastic sports or not directly sponsored by Hardwick Township. Special events also includes any event requiring the temporary or permanent closure of any Township streets or sidewalks or any event impacting on the public health, safety or welfare of the Township of Hardwick or its residents. Excluded are any funerals, memorials, graduations, weddings, Township sponsored functions or non-profit organizations located within the Township. Also excluded are any events conducted inside any permanent structure and which do not impact on Township services.

(c) Flea Market – A sale of items of tangible personal property wherein on one (1) location there are multiple vendors who have paid a fee for the privilege or occupying the space allotted to each such vendor for the purpose of displaying and selling items of tangible personal property.

4-7.2. License Required.

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No person, corporation or organization shall carry on or conduct a special event without having first obtained a license from the Township Committee, unless otherwise excluded from the requirements of this Article.

4-7.3. Issuance of License.

(a) Application – All applicants shall submit an application to the Township Clerk for consideration by the Township Committee at least 60 days prior to the special event. The application shall include the following information:

1. Date, times and location including zone of special event.
2. Name, address and phone number of applicant, property owner and emergency contact.
3. Detailed description of special event, including activities planned, estimated number of persons attending, etc.
4. Description of security.
5. Description of sanitary provisions.
6. Description of health, fire and rescue squad provisions.
7. Traffic and parking control.
8. Evidence of insurance.
9. Alcohol or food permits required, if any.
10. Lighting.
11. Description of any proposed open flame cooking facilities or proposed use of any pressurized flammable or combustible gases.
12. Any and all other information necessary for the Township Committee to properly evaluate the application

(b) The Construction Official, State Police, Fire Chief of each Fire Department serving the Township, Chief of Blairstown First Aid and Rescue Squad and Superintendent of the Department of Public Works shall all review the application and provide their comments and estimated costs of the Township services required prior to the consideration of the application by the Township Committee.

4-7.4. Reimbursement Agreement.

1. The approval of any license application in which it is the opinion of the Township Committee that the special event will require the Township to incur municipal costs shall be conditioned upon the execution by the applicant of an agreement providing that the applicant will pay for all municipal costs incurred for the special event.

2. The applicant shall deposit with the Township 50% of the estimate municipal costs required to be reimbursed to the Township by the applicant prior to the issuance of the license by the Clerk. The applicant shall pay the balance owed for municipal costs within 10 days of the issuance of a bill from the Township.

3. The Township Committee may in their sole discretion vote to waive all or some of the required reimbursement for special events sponsored by charitable or nonprofit organizations.

4. All Township employees, staff required to work a special event shall be paid their regular rate.

4-7.5. Flea Markets; License Required.

No person, firm or corporation may conduct a flea market other than a bona fide charitable, eleemosynary, educational or cultural organization organized not for profit and being able to establish that it is such type of nonprofit organization, subject, however, to the following requirements:

(a) Each organization authorized to conduct a flea market in accordance with this section shall obtain a special events license in accordance with this article.

(b) Flea markets shall be limited to two (2) consecutive calendar days, and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m. There will be a maximum of two (2) rain dates allowed. No organization will be granted more than two (2) licenses for a flea market in any calendar year.

4-7.6. Violations.

Any person who shall violate any provision of this Article shall, upon conviction, thereof, be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars, or by imprisonment in the County Jail for a term not exceeding ninety (90) days, or both. Each day any violation of this Article shall continue shall constitute a separate offense and be punishable as such. The

institution of any fine or penalty shall not relieve any applicant of the obligation to pay any municipal costs related to the special event.

Section 2. This Ordinance shall become effective twenty (20) days after final passage, adoption and publication according to law.

Section 3.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4.

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 5.

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading meeting of the Township Committee of the Township of Hardwick held on March 7, 2012, 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 April 4, 2012, 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 passage of said Ordinance.

Judith Fisher, R.M.C., Township Clerk
Township of Hardwick

REVISED: March 7, 2012

Township of Hardwick
Warren County, New Jersey

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF THE EMPLOYEES OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY". 2012/04

WHEREAS, the Township Committee of the Township of Hardwick wishes to adopt an ordinance establishing the salaries and compensation of several employees of the Township in 2012

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick that salary for 2012 for the following employees shall be as follows:

SECTION 1: The annual salaries for the following Township Employees shall be:

Township Committee Members	2,641.08 per annum
Township Clerk	35,330.53 per annum
Township Clerk	169.20 per extra meeting**
Chief Financial Officer	15,729.63 per annum
Tax Collector	13,390.00 per annum
Tax Assessor	17,460.78 per annum
Secretary to Board of Adjustment	3,463.58 per annum
	73.03 per extra meeting above 12**
Secretary to Planning Board	5,754.13 per annum
	73.03 per extra meeting above 12**
Recreation Coordinator	787.95 per annum
Animal Control Officer	6,950.12 per annum
Licensing Clerk	1,070.60 per annum
Construction Code Official	12,217.72 per annum
Secretary to Construction Official	7,563.45 per annum
Electrical Sub Code Official	3,687.61 per annum
Plumbing Sub Code Official	2,458.40 per annum
Fire Sub Code Official	2,637.97 per annum
Zoning Official	10,636.05 per annum
911 Coordinator	787.95 per annum
Emergency Management Coordinator	1,954.11 per annum
Deputy Emergency Management Coordinator	1.00 per annum

**EXTRA MEETINGS SHALL BE CONSIDERED ANY MEETING OTHER THAN THE REGULARLY SCHEDULED BUSINESS MEETING

SECTION II: ROAD DEPARTMENT

Road Foremen/Certified Public Works Manager	31.08 per hour
Equipment Operator/Laborer	22.28 per hour
Emergency Truck Driver	17.54 per hour
Extra Help	12.50 per hour
Mechanic Stipend	2,607.81 per annum
On Call Stipend - Road Foreman	1,426.04 per annum
On Call Stipend - Road Laborer	1,426.04 per annum

SECTION III: RECYCLING

Recycling Coordinator	201.47 per annum
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The salaries set forth in this ordinance herein shall be effective and retroactive to January 1, 2012. Any and all other portions and sections of this ordinance inconsistent with this ordinance which are heretofore passed and adopted are hereby repealed only to their inconsistencies.

NOTICE

NOTICE IS HEREBY GIVEN that the above entitled ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Hardwick on March 7, 2012 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on April 4, 2012 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

Judith M. Fisher, RMC
Township Clerk

ORDINANCE NO. 2012-5

AN ORDINANCE AMENDING CHAPTER VIII, BUILDING AND HOUSING, OF THE CODE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY, AND TRANSFERRING JURISDICTION FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM CONSTRUCTION CODE TO THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS.

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Hardwick, in the County of Warren, State of New Jersey, that:

- I. Sections 8-1 through 8-1.4, inclusive, of Chapter VIII of the Code of the Township of Hardwick regarding the function and duties of the Hardwick Township Building Department, are hereby repealed, effective upon the assumption of jurisdiction by the State of New Jersey, Department of Community Affairs, as provided below.
- II. The following new Section 8-1 of Chapter VIII, Building and Housing, of the Code of the Township of Hardwick is hereby established as follows:

8.1 STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY

8-1.2 Relinquishment of Jurisdiction. The Township of Hardwick, pursuant to N.J.S.A. 51:27D et seq. and N.J.A.C. 5:23-4.3, hereby relinquishes its jurisdiction of the administration and enforcement of the Uniform Construction Code and hereby transfers jurisdiction for the administration and enforcement of the Uniform Construction Code to the Department of Community Affairs of the State of New Jersey. The transfer of jurisdiction pursuant to this section shall not take effect until the expiration of 120 calendar days from the date a certified copy of this section is forwarded to the Department of Community Affairs or until the Department of Community Affairs shall exercise its jurisdiction to enforce the Uniform Construction Code, whichever is sooner.

8-1.2 Records and Files. The Township of Hardwick shall deliver or make available to the Department of Community Affairs any and all records and files of the municipality necessary for the Department to carry out its function, and the Department is hereby authorized to transfer such records and files to a location designated by the Department.

- III. **Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- IV. **Repealer.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.
- V. **Effective Date.** This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass the first reading at a regular meeting of the Township Committee of the Township of Hardwick held on March 28, 2012, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Township Committee to be held on April 24, 2012, 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 passage of said Ordinance.

Judith Fisher, R.M.C.
Township Clerk

ATTEST:

TOWNSHIP OF HARDWICK

JUDITH M. FISHER, R.M.C.
HARDWICK TOWNSHIP
MUNICIPAL CLERK

JAMES J. PERRY, MAYOR

**TOWNSHIP OF HARDWICK
ORDINANCE NO. 2012-06**

CAPITAL ORDINANCE PROVIDING FOR ROADWAY MAINTENANCE TO VARIOUS ROADS IN THE TOWNSHIP BY THE TOWNSHIP OF HARDWICK, IN THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$10,500.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP TO PAY FOR THE COST THEREOF. 2012-06

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDWICK, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 2 of this capital ordinance is hereby authorized to be undertaken by the Township of Hardwick, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$10,500.00 from the capital improvement fund of the township.

Section 2. (a) The capital improvement hereby authorized and the purpose for the use of the capital improvement fund is Roadway improvements necessary therefor or incidental thereto.

Section 3. The capital budget of the Township of Hardwick is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect immediately after final adoption in accordance with applicable law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass the first reading at a regular meeting of the Township Committee of the Township of Hardwick held on August 1, 2012, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Township Committee to be held on August 22, 2012, 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 passage of said Ordinance.

Judith Fisher, R.M.C.
Township Clerk

ORDINANCE NO. 2012-07

ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER VII, SCHEDULE VIII, TO ADD A STOP SIGN ON SHANNON ROAD AT SAND POND ROAD AND AMENDING CHAPTER VII, SCHEDULE IX, TO DELETE THE YIELD INTERSECTION AND SHANNON ROAD AND SAND POND ROAD

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey, that the Code of the Township of Hardwick is hereby amended as follows:

SECTION I.

Chapter VII, Schedule VIII is amended to include the following:

Shannon Road and Sand Pond Road A Stop Sign shall be installed on Shannon Road

Chapter VII, Schedule IX is amended to delete the following:

Shannon Road/Sand Pond Road and Sand Pond Road - Yield Sign shall be installed on the northerly approach of Sand Pond Road facing southbound traffic

SECTION II. *Effective Date.* This Ordinance shall take effect upon final passage and publication as provided by law.

SECTION III. *Severability.* The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause 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.

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 August 1, 2012 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 August 22, 2012 at 7:00 p.m. or 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.

Judith Fisher, R.M.C., Township of Hardwick

NOT ADOPTED, VOTED DOWN ON A ROLL CALL VOTE AUGUST 15, 2012

ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY PETITIONING THE CLERK OF WARREN COUNTY TO PLACE ON THE BALLOT A REFERENDUM TO INCLUDE HISTORIC PRESERVATION AND BLUE ACRES PROJECTS AS PURPOSES OF OPEN SPACE TAX. 2012-08

WHEREAS, N.J.S.A. 40:12-15.7 allows a municipality to create a Municipal, Open Space, Recreation, and Farmland and Historic Preservation Trust Fund to fund projects that meet the requirements of the statute; and

WHEREAS, N.J.S.A. 40:12-15.7 provides for seven (7) purposes for which the funds may be used; and

WHEREAS, the municipality, by referendum, must determine the amount of tax to be raised and which of those seven purposes the municipal open space monies can fund; and

WHEREAS, the Township of Hardwick currently only allows for the funding of projects related to five of the seven purposes; and

WHEREAS, the Township of Hardwick wishes to amend its Municipal, Open Space, Recreation, and Farmland and Historic Preservation Trust Fund to allow for the funding of projects related to historic preservation as set forth in N.J.S.A. 40:12-15.7(e); and

WHEREAS, the Township of Hardwick wishes to amend its Municipal, Open Space, Recreation, and Farmland and Historic Preservation Trust Fund to allow for the funding of projects related to the Blue Acres as set forth in N.J.S.A. 40:12-15.7(g); and

WHEREAS, the Township Committee of the Township of Hardwick is desirous of placing this issue on the ballot to be voted upon by the voters of Hardwick Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick, County of Warren and State of New Jersey, that it does hereby petition the County Clerk of the County of Warren to place on the ballot in the next general election the following referendum and interpretive statement:

REFERENDUM: Shall the use of open space tax of the Township of Hardwick be for the following purposes:

- (a) acquisition of lands for recreation and conservation purposes;
- (b) development of lands acquired for recreation and conservation purposes;
- (c) maintenance of lands acquired for recreation and conservation purposes;
- (d) acquisition of farmland for farmland preservation purposes;
- (e) historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects for historic preservation purposes;

(f) payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in subparagraph (a), (b), (d) , (e) or (g) of this paragraph ; or
(g) Blue Acres projects.

Yes No

**INTERPRETIVE
STATEMENT:**

The purpose of this referendum is to determine whether or not the Municipal Open Space Trust Fund may be used for historic preservation and Blue Acres projects and debt service for historic preservation and blue acres projects. These purposes would be added to the five already approved uses set forth in in the Open Space Ordinance.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of the Township of Hardwick held on August 1, 2012, 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 Council to be held on August 15, 2012 at 12:30p.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 passage of said Ordinance.

Judith Fisher, RMC
Township Clerk

NOT ADOPTED, VOTED DOWN ON A ROLL CALL VOTE AUGUST 15, 2012

**TOWNSHIP OF HARDWICK
WARREN COUNTY, NEW JERSEY**

ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF A CONSERVATION EASEMENT BY HARDWICK TOWNSHIP ON REAL PROPERTY FROM GCCG, INC. KNOWN AS BLOCK 601, LOTS 7 & 19, PURSUANT TO N.J.S.A. 40A:12-3, ET SEQ. 2012-09

SECTION I:

WHEREAS, the property located on Block 601, Lots 7 and 19, in the Township of Hardwick, consisting of approximately 202.5 acres, has available for purchase a conservation easement and restrictions in accordance with the requirements of the State of New Jersey Green Acres program; and

WHEREAS, the Hardwick Township Open Space Committee has recommended to the Township Committee the purchase of this easement, which among other things will preserve the natural features of the township consistent with the Township Open Space Plan and afford recreational opportunities for the public by adding to the trails system already in place within the Township; and

WHEREAS, the Ridge and Valley Conservancy (“RVC”) has offered to partner with the Township to co-hold this easement conservation easement; and

WHEREAS, the Township and the RVC have negotiated a purchase price of the conservation easement of \$4,402 per acre or approximately \$891,362; and

WHEREAS, the conservation easement will cover both lots with the exception of two non-severable exception areas (a 3 acre exception area on Lot 7 and a 1 acre exception area on Lot 19); and

WHEREAS, only one residence will be permitted on each exception area; and

WHEREAS, the public will be granted access to the property by way of a hiking trail accessible from Butler Road, a public thoroughfare; and

WHEREAS, the Township will be utilizing \$14,350.00 from the Hardwick Township Open Space Trust Fund and \$300,000 from the Township’s Green Acres Planning Incentive Grant funds to fund the purchase of this property; and

WHEREAS, the purchase of this easement will also be funded by Warren County Open space Trust funds, Ridge and Valley Conservancy Green Acres Planning Incentive Grant funds, Open Waters Fund funding, and a grant from Conservation Resource; and

WHEREAS, proposed Contract for the sale of said easement has been prepared and signed by GCCG, Inc. and Ridge and Valley Conservancy; and

WHEREAS, Ridge and Valley Conservancy has obtained three appraisals of the property to insure that the purchase price is within the range of the value fixed by the contract and shared these with the Township; and

WHEREAS, the State Green Acres Program has approved and certified the value of the appraisals, and

WHEREAS, GCCG, Inc. will provide a restricted stewardship endowment to maintain and defend the easement, which will be held by Ridge and Valley Conservancy and made available to the Township should the need arise, and

WHEREAS, the Township is desirous of entering into said Contracts, and to effectuate the purchase of the same, contingent on receiving the necessary funding.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hardwick, Warren County, New Jersey, that the Township is hereby authorized to partner with Ridge and Valley Conservancy to purchase a conservation easement on Block 601, Lots 7 and 19 in Hardwick Township from GCCG, Inc., for the total sum of \$891,362 (\$240,000), conditioned upon the Township receiving funding for said purchase from the following sources:

Hardwick Township Green Acres Planning Incentive Grant:	\$300,000.
Hardwick Township Open Space Trust Fund:	\$14,350
Warren County Open Space Trust Fund:	\$350,000
Ridge and Valley conservancy Open Space Trust Fund:	\$202,712
Open Waters Fund:	\$12,000
Conservation Resources Grant:	\$3,500

BE IT FURTHER ORDAINED that the conservation easement will be jointly held by the Township of Hardwick and the Ridge and Valley Conservancy and will cover 202.5 acres of the 206.5 acre property, with two exception areas each permitted to have one residence (3 acre exception area on Lot 7 and 1 acre exception area on Lot 19). The property will provide public access via hiking trails to be established through an agreement with the property owner.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Hardwick are hereby authorized to execute all necessary documents, including the Contract of Sale, Assignment Agreement and Green Acres Deed of Conservation Restriction to purchase the conservation easement.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee on the first reading at a meeting of the Township Committee of the Township of Hardwick, held on November 7, 2012, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on December 5, 2012, at 7:00 p.m., at the Municipal Building, located at 40 Spring Valley Road, Hardwick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Judith Fisher, RMC
Municipal Clerk

TOWNSHIP OF HARDWICK

ATTEST:

Judith Fisher, RMC
Municipal Clerk

James Perry
Mayor

DATED: _____, 2012

CERTIFICATION

I, Judith Fisher, Clerk of the Township of Hardwick, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Hardwick Committee on the ____ day of _____, 2012.

Judith Fisher, Municipal Clerk