

**CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK 2014-01
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.5% 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 2014 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 0.5% increase in the budget for said year, amounting to \$ 3,341.60 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 2014 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 \$ 23,391.17, and that the CY 2014 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.

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 January 2, 2014 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 February 5, 2014 at 7:00 p.m. or as soon there after 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

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 Regular meeting held on the 5th day of February, 2014.

Judith M. Fisher, RMC
Township Clerk

ORDINANCE NO. 2014-02

**AN ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN,
STATE OF NEW JERSEY, DELETING AND REPLACING §2-2 OF THE CODE OF
THE TOWNSHIP OF HARDWICK, INTERMUNICIPAL COURT, IN
ORDER TO CREATE A NEW JOINT MUNICIPAL COURT**

BE IT ORDAINED as follows:

§ 2-2 of the Code of the Township of Hardwick, *Intermunicipal Court*, is hereby deleted in its entirety, and in its place and stead replaced as follows:

Section 1.

2-2 Joint Municipal Court

2-2.1 Creation of Court; Name; Jurisdiction

a. Creation of Court

There has been created a Joint Municipal Court consisting of the following members: The Township of Hope, The Township of Liberty, the Township of Hardwick and the Township of Blirstown, all located in Warren County. The Court was created by the Shared Services Agreement between the aforesaid municipalities, subject to the terms thereof, and shall have an effective date of March 1, 2014.

b. Name of Court

The name of the Joint Municipal Court shall be the Municipal Court of North Warren at Hope.

c. Effective Date

The effective date for the creation of the Municipal Court of North Warren at Hope shall remain March 1, 2014.

d. Jurisdiction

The Joint Municipal Court will have such jurisdiction as is now, or will hereafter be conferred upon it by the laws and court rules of the State of New Jersey, and the practice and procedure of the Court shall be governed by the laws in such case made and provided in such rules as the Supreme Court will promulgate and make applicable to the Court.

2-2.2 Municipal Judge; Powers; Duties and Qualifications

- (a) There shall be a municipal judge appointed as provided by law in the case of a joint municipal court. A municipal judge shall serve for a term of three (3) years from the date of appointment and until a successor shall be appointed and qualified.
- (b) The municipal judge shall have and possess the qualifications and shall have, possess and exercise all of the functions, duties, powers and jurisdiction conferred by law or ordinance. He/she shall be an attorney at law of the State of New Jersey. The municipal judge shall comply with the Vicinage XIII Municipal Judge Rotation Protocol as per the Vicinage Assignment Judge for all times the municipal judge is unable to sit as such. Any such designation shall be in writing and filed with the court, and any person so designated, while sitting temporarily, shall possess all of the powers of the municipal judge.
- (c) The municipal judge shall faithfully carry out all of the duties and responsibilities of a municipal judge and shall abide by all rules and regulations established for municipal court judges by the Judiciary.
- (d) The municipal court judge shall have full management and authority of court operations excluding the hiring and termination of all court personnel, and for the establishment, pursuant to New Jersey Court Rule 1:30-3, the municipal court sessions and violations bureau hours.

2-2.3 Prosecutor; Administrator; Public Defender; Other Personnel

(a) Municipal Prosecutor

There shall be a municipal prosecutor of the municipal court who shall prosecute cases in the municipal court, except each member, at its discretion, may appoint its own prosecutor for municipal or board of health ordinance violation cases at the sole cost of that member. The municipal prosecutor shall be appointed for a one (1) year term by the Township of Hope. The compensation of the municipal prosecutor shall be determined by the Township of Hope.

(b) Municipal Court Administrator

There shall be an administrator of the municipal court who shall perform the functions and duties prescribed for the administrator by law, by the rules applicable to municipal courts and by the municipal judge. The administrator shall be appointed in accordance with New Jersey Court Rule 1:34-3 by the Township of Hope for a term of one (1) year, subject however, to the tenure provisions as set forth in New Jersey Statute 2A:8-13.3, and considered an employee of the Township of Hope. The compensation of the administrator shall be determined by the Township of Hope. The municipal court administrator shall have the authority granted by law and the Rules of Court to administrators and clerks of courts of record. The administrator's duty shall include, but not be limited to:

1. Carrying out the rules, regulations, policies and procedures relating to the operation of the court.
2. Interviewing and speaking to persons wishing to file criminal or quasi-criminal complaints or wishing information in this regard.
3. Receiving complaints and dispensing information relating to court matters.
4. Maintaining the financial records of the court, including receiving an accounting for fines and costs.
5. Attending court; recording pleas, judgments and dispositions; arranging trial calendars; signing court documents; preparing and issuing warrants and commitments and other court-related documents.
6. Maintaining and classifying records and files of the court.
7. Maintaining, forwarding, receiving and reporting such records, reports and files as required by the appropriate agencies.
8. Carrying out such additional duties as may be required in order to fulfill the duties of court administrator.

(c) Public Defender

There shall be a municipal public defender who shall represent those defendants assigned by the municipal court judge. The municipal public defender shall be appointed for a one (1) year term by the Township of Hope. Compensation of the public defender shall be determined by the Township of Hope.

(d) Deputy Municipal Court Administrator

There may be one or more deputy administrators of the municipal court who shall be appointed by the Township of Hope, provided that funds are provided for such purpose in the municipal court budget. Deputy municipal court administrator shall perform the functions assigned to them by the municipal judge and the municipal court administrator. Any appointment pursuant to this section shall be made in accordance with New Jersey Court Rule 1:34-3.

(e) Necessary Clerical and Other Assistants

There may be appointed such other necessary clerical and other assistants for the municipal court as is necessary for the efficient operation of the municipal court. The Township of Hope shall appoint such clerical and other assistants.

(f) Auditor

The auditor for the Township of Hope shall act as the auditor for the Municipal Court of North Warren at Hope. The auditor shall perform a yearly audit of the municipal court, which audit shall be prepared generally in accordance with the requirements of the Local Fiscal Affairs Law, N.J.S.A. 4A:5-1 et seq. A copy of the complete audit shall be supplied to each participating municipality by September 1 of each year.

2-2.4 Withdrawal by Member; Expansion of Membership

(a) Withdrawal by Member

Any member of the joint municipal court may withdraw at the end of a next calendar year; provided, however, that on or before July 1 the member has given the Municipal Court of North Warren at Hope and each member thereof six (6) months' written notice of its intention to withdraw. The withdrawing member shall remain responsible for its share (based upon the format established in the Shared Services Agreement) of all court expenses through the date of withdrawing member's actual physical departure from the Joint Court's facility.

(b) Inclusion of Members

The members of the Municipal Court of North Warren at Hope may be expanded by the admission of new members. The admission of new members will take place after the Mayor and Municipal Clerk of Hope Township interview the municipality seeking admission and present to the then existing members of the Joint Municipal Court of North Warren at Hope their recommendations, along with an audit of the three most recent years of the applying municipality's existing court expenses and revenues, and any other information they feel relevant to the admission application. Admission shall be granted upon an affirmative vote of the majority of the then existing members of the Joint Municipal Court of North Warren at Hope. (By way of example: if there are three members of the municipal court, two must vote in favor of the admission). The municipality granted admission to the Joint Municipal Court of North Warren at Hope must adopt a resolution accepting membership and authorizing the execution of the Interlocal Services Agreement. The Interlocal Services Agreement shall be amended as necessary to revise the formula for the allocation of the court's budget between the members.

2-2.5 Budget and Appointments

The municipal judge shall prepare or have prepared a budget for the municipal court which shall be submitted to the governing body of the Township of Hope by November 1 of each year. The budget shall set forth, based on income and expenses for the prior twelve-month period ending September 30th, an estimate of all expenses and revenues for the upcoming calendar year, and shall be in a form that is consistent with municipal budgets. The proposed budget shall be circulated by the Township of Hope to the governing body of every other participating municipality.

2.2.6 Insurance

Insurance coverage and/or bond shall be obtained that protects the joint municipal court and its personnel from claims against them arising out of worker's compensation, bodily injury, property damage, personal injury, civil rights violations or defalcations by court personnel and such coverage as may be necessary, which claims arise in whole or in part from participating members' cases. The coverage may be provided through policies issued to the members and/or through separate policies issues to the joint municipal court.

2.2.7 Contribution Requirement; Revenue Distribution

Improvements to the existing court facility that are required to render the court facility in compliance with state and/or assignment judge mandates shall be undertaken as soon as possible, and the cost for said improvement shall be shared equally by all four municipalities. All other expenses for administering the joint municipal court, including salaries for the judge and court personnel, and costs of materials and equipment for the court, will be shared by all four municipalities in accordance with § 2-2.7 of the enabling ordinance:

- (a) The legally permitted municipal share of all fines, assessments, costs or other charges collected by the court (hereinafter "Municipal Income") shall be forwarded monthly to Hope Township and credited to the court account and applied to the expenses of maintaining and operating the court. The court administration shall simultaneously submit a monthly summary of all income and disbursements to each municipality.
- (b) All other received fines, assessments, court costs and other charges, shall be distributed as required by law.
- (c) To the extent that the annual expenses necessary to maintain and operate the court are the greater or lesser than the Municipal Income received, they shall be allocated among these members pursuant to the following formula: The percentage share of each municipality shall be a total of the fines divided by the amount of the fine generated by that municipality.
- (d) Each municipality shall pay monthly to Hope Township its estimated share of anticipated deficit as established by the budget described in Article 2-6.5 of the Code of the Township of Hope.
- (e) On or about February 1 of each year, Hope Township shall submit to each municipality a final accounting for the prior fiscal/calendar year with any credit due to be applied to future contributions.

2-2.8 Uniform Shared Services and Consolidation Act. The governing bodies of the Township of Hope, the Township of Liberty, the Township of Blirstown and the Township of Hardwick are hereby authorized to enter into a contract with each other embodying the provisions of this ordinance pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., in accordance with the terms of the Act. In the event of any discrepancy between this section and said Act, including any amendments thereto, the Act shall take precedence.

Section 2:

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 3. Repealer.

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

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication.

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 January 22, 2014, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on February 26, 2014, 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, Municipal Clerk

**** Note that the Public Hearing was carried over to March 5, 2014 and at this Public Meeting the Hardwick Township Committee adopted same.

**TOWNSHIP OF HARDWICK
ATTEST:**

Judith Fisher, Clerk

James Perry, Mayor

DATED: _____, 2014

CERTIFICATION

I, JUDITH FISHER, Clerk of Hardwick Township, do hereby certify that the foregoing Ordinance was duly adopted by the Hardwick Township Committee on the 5th day of March, 2014.

Judith Fisher, RMC
Hardwick Township

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". 2014-03

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 2014

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hardwick that salary for 2014 for the following employees shall be as follows:

SECTION 1: The annual salaries for the following Township Employees shall be:	
Township Committee Members	2,801.93 per annum
Township Clerk	40,354.30 per annum
Chief Financial Officer	16,687.57 per annum
Tax Collector	14,205.45 per annum
Tax Assessor	18,524.14 per annum
Secretary to Board of Adjustment	3,674.51 per annum
	77.48 per extra meeting above
12**	
Secretary to Planning Board	6,104.55 per annum
	77.48 per extra meeting above
12**	
Recreation Coordinator	835.94 per annum
Animal Control Officer	7,373.38 per annum
Licensing Clerk	1,135.80 per annum
Zoning Official	11,283.78 per annum
911 Coordinator	835.94 per annum
Emergency Management Coordinator	2,073.11 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	32.97 per hour
Equipment Operator/Laborer	23.64 per hour
Emergency Truck Driver	18.07 per hour
Extra Help	12.88 per hour
Mechanic Stipend	2,766.62 per annum
On Call Stipend - Road Foreman	1,512.88 per annum
On Call Stipend - Road Laborer	1,512.88 per annum

SECTION III: RECYCLING

Recycling Coordinator	213.74 per annum
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The salaries set forth in this ordinance herein shall be effective and retroactive to January 1, 2014.

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 5, 2014 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on April 2, 2014 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

Judith M. Fisher, RMC
Township Clerk

**TOWNSHIP OF HARDWICK
ORDINANCE NO. 2014-04**

**CAPITAL ORDINANCE PROVIDING FOR ROLLER WITH TRAILER BY THE
TOWNSHIP OF HARDWICK, IN THE COUNTY OF WARREN, NEW JERSEY,
APPROPRIATING \$15,348.00 THEREFOR FROM THE CAPITAL IMPROVEMENT
FUND OF THE TOWNSHIP TO PAY FOR THE COST THEREOF. 2014-04**

**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 \$15,348.00 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 for the purchase of a roller with trailer necessary therefore 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 above entitled ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Hardwick on April 2, 2014 and will be considered for final reading and adoption at the Regular Meeting of the Township Committee held on April 23, 2014 at 7:00PM at the Municipal Building, 40 Spring Valley Road, Hardwick Township, New Jersey.

Judith M. Fisher, RMC
Township Clerk

BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF A SALT SHED AND THE RESURFACING OF ROADS IN, BY AND FOR THE TOWNSHIP OF HARDWICK, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$505,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS. 2014-05

BE IT ORDAINED by the Township Committee of the Township of Hardwick, in the County of Warren, State of New Jersey, as follows:

Section 1. The Township of Hardwick, in the County of Warren, State of New Jersey (the "Township") is hereby authorized to install a salt shed and to resurface roads in, by and for said Township, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that a \$150,000 grant from the New Jersey Department of Transportation shall be received by the Township to finance the cost of the resurfacing of Ward Road set forth in Section 4.B hereof. Said grant funds shall be applied as set forth in Section 12 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Installation of a salt shed behind the Department of Public Works Building.

Appropriation and Estimated Cost	\$115,000
Down Payment Appropriated	\$ 5,500
Bonds and Notes Authorized	\$109,500
Period of Usefulness	20 years

B. Resurfacing of all or a portion of the following Township roads: (i) Millbrook Stillwater Road, (ii) Paulinskill Road, (iii) Ward Road and (iv) such other roads as determined by the Township Committee. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$390,000
Down Payment Appropriated	\$ 19,500
Bonds and Notes Authorized	\$370,500
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$505,000
Aggregate Down Payment Appropriated	\$ 25,000
Aggregate Amount of Bonds and Notes Authorized	\$480,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$21,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$25,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$25,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$480,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$480,000 are hereby

authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into

consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 12.28 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$480,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Warren, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by

this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

TOWNSHIP OF HARDWICK
ORDINANCE NO. 2014-06

CAPITAL ORDINANCE PROVIDING FOR MCCPC DUMP TRUCK BY THE TOWNSHIP OF HARDWICK, IN THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$64,433.10 THEREFOR FROM THE PSE&G RESERVE FUND OF THE TOWNSHIP TO PAY FOR THE COST THEREOF.

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 \$64,433.10 from the PSE&G fund of the township.

Section 2. (a) The capital improvement hereby authorized and the purpose for the use of the capital improvement fund is for the purchase of an MCCPC dump truck 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 on first reading at a regular meeting of the Township Committee of the Township of Hardwick held on August 6, 2014, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a Work Meeting of the Township Council to be held on August 27, 2014 at 1:00 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, RMC
Township Clerk

NO ADOPTED DIED ON ROLL CALL VOTE AUGUST 27, 2014

ORDINANCE NO. 2014 - 07

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.

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 Council 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 Council 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:

SECTION I

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 amended to include funding to be used for historic preservation and Blue Acres projects and debt service for historic preservation and blue acres projects. The referendum would also allow the acquisition of lands/properties for active recreation. These purposes would be added to the five already approved uses set forth in in the Open Space Ordinance.

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 to pass on first reading at a regular meeting of the Township Committee of the Township of Hardwick held on August 6, 2014, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a Work Meeting of the Township Council to be held on August 27, 2014 at 1:00 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, RMC
Township Clerk

ORDINANCE NO. 2014-08

AN ORDINANCE OF THE TOWNSHIP OF HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY, DELETING AND REPLACING §2-2 OF THE CODE OF THE TOWNSHIP OF HARDWICK, INTERMUNICIPAL COURT, IN ORDER TO CREATE A NEW JOINT MUNICIPAL COURT

BE IT ORDAINED as follows:

§ 2-2 of the Code of the Township of Hardwick, *Intermunicipal Court*, is hereby deleted in its entirety, and in its place and stead replaced as follows:

Section 1.

2-2 Joint Municipal Court

2-2.1 Creation of Court; Name; Jurisdiction

a. Creation of Court

There has been created a Joint Municipal Court consisting of the following members: the Township of Hope, the Township of Liberty, the Township of Hardwick, the Township of Blainstown, and the Township of White, all located in Warren County. The Court was created by the Shared Services Agreement between the aforesaid municipalities, subject to the terms thereof, and shall have an effective date of September 1, 2014.

b. Name of Court

The name of the Joint Municipal Court shall be the Municipal Court of North Warren at Hope.

c. Effective Date

The effective date for the creation of the Municipal Court of North Warren at Hope shall remain September 1, 2014.

d. Jurisdiction

The Joint Municipal Court will have such jurisdiction as is now, or will hereafter be conferred upon it by the laws and court rules of the State of New Jersey, and the practice and procedure of the Court shall be governed by the laws in such case made and provided in such rules as the Supreme Court will promulgate and make applicable to the Court.

2-2.2 Municipal Judge; Powers; Duties and Qualifications

- (a) There shall be a municipal judge appointed as provided by law in the case of a joint municipal court. A municipal judge shall serve for a term of three (3) years from the date of appointment and until a successor shall be appointed and qualified.
- (b) The municipal judge shall have and possess the qualifications and shall have, possess and exercise all of the functions, duties, powers and jurisdiction conferred by law or ordinance. He/she shall be an attorney at law of the State of New Jersey. The municipal judge shall comply with the Vicinage XIII Municipal Judge Rotation Protocol as per the Vicinage Assignment Judge for all times the municipal judge is unable to sit as such. Any such designation shall be in writing and filed with the court, and any person so designated, while sitting temporarily, shall possess all of the powers of the municipal judge.
- (c) The municipal judge shall faithfully carry out all of the duties and responsibilities of a municipal judge and shall abide by all rules and regulations established for municipal court judges by the Judiciary.
- (d) The municipal court judge shall have full management and authority of court operations excluding the hiring and termination of all court personnel, and for the establishment, pursuant to New Jersey Court Rule 1:30-3, the municipal court sessions and violations bureau hours.

2-2.3 Prosecutor; Administrator; Public Defender; Other Personnel

(a) Municipal Prosecutor

There shall be a municipal prosecutor of the municipal court who shall prosecute cases in the municipal court, except each member, at its discretion, may appoint its own prosecutor for municipal or board of health ordinance violation cases at the sole cost of that member. The municipal prosecutor shall be appointed for a one (1) year term by the Township of Hope. The compensation of the municipal prosecutor shall be determined by the Township of Hope.

(b) Municipal Court Administrator

There shall be an administrator of the municipal court who shall perform the functions and duties prescribed for the administrator by law, by the rules applicable to municipal courts and by the municipal judge. The administrator shall be appointed in accordance with New Jersey Court Rule 1:34-3 by the Township of Hope for a term of one (1) year, subject however, to the tenure provisions as set forth in New Jersey Statute 2A:8-13.3, and considered an employee of the Township

of Hope. The compensation of the administrator shall be determined by the Township of Hope. The municipal court administrator shall have the authority granted by law and the Rules of Court to administrators and clerks of courts of record. The administrator's duty shall include, but not be limited to:

1. Carrying out the rules, regulations, policies and procedures relating to the operation of the court.
2. Interviewing and speaking to persons wishing to file criminal or quasi-criminal complaints or wishing information in this regard.
3. Receiving complaints and dispensing information relating to court matters.
4. Maintaining the financial records of the court, including receiving an accounting for fines and costs.
5. Attending court; recording pleas, judgments and dispositions; arranging trial calendars; signing court documents; preparing and issuing warrants and commitments and other court-related documents.
6. Maintaining and classifying records and files of the court.
7. Maintaining, forwarding, receiving and reporting such records, reports and files as required by the appropriate agencies.
8. Carrying out such additional duties as may be required in order to fulfill the duties of court administrator.

(c) Public Defender

There shall be a municipal public defender who shall represent those defendants assigned by the municipal court judge. The municipal public defender shall be appointed for a one (1) year term by the Township of Hope. Compensation of the public defender shall be determined by the Township of Hope.

(d) Deputy Municipal Court Administrator

There may be one or more deputy administrators of the municipal court who shall be appointed by the Township of Hope, provided that funds are provided for such purpose in the municipal court budget. Deputy municipal court administrator shall perform the functions assigned to them by the municipal judge and the municipal court administrator. Any appointment pursuant to this section shall be made in accordance with New Jersey Court Rule 1:34-3.

(e) Necessary Clerical and Other Assistants

There may be appointed such other necessary clerical and other assistants for the municipal court as is necessary for the efficient operation of the municipal court. The Township of Hope shall appoint such clerical and other assistants.

(f) Auditor

The auditor for the Township of Hope shall act as the auditor for the Municipal Court of North Warren at Hope. The auditor shall perform a yearly audit of the municipal court, which audit shall be prepared generally in accordance with the requirements of the Local Fiscal Affairs Law, N.J.S.A. 4A:5-1 et seq. A copy of the complete audit shall be supplied to each participating municipality by September 1 of each year.

2-2.4 Withdrawal by Member; Expansion of Membership

(a) Withdrawal by Member

Any member of the joint municipal court may withdraw at the end of a next calendar year; provided, however, that on or before July 1 the member has given the Municipal Court of North Warren at Hope and each member thereof six (6) months' written notice of its intention to withdraw. The withdrawing member shall remain responsible for its share (based upon the format established in the Shared Services Agreement) of all court expenses through the date of withdrawing member's actual physical departure from the Joint Court's facility.

(b) Inclusion of Members

The members of the Municipal Court of North Warren at Hope may be expanded by the admission of new members. The admission of new members will take place after the Mayor and Municipal Clerk of Hope Township interview the municipality seeking admission and present to the then existing members of the Joint Municipal Court of North Warren at Hope their recommendations, along with an audit of the three most recent years of the applying municipality's existing court expenses and revenues, and any other information they feel relevant to the admission application. Admission shall be granted upon an affirmative vote of the majority of the then existing members of the Joint Municipal Court of North Warren at Hope. (By way of example: if there are three members of the municipal court, two must vote in favor of the admission). The municipality granted admission to the Joint Municipal Court of North Warren at Hope must adopt a resolution accepting membership and authorizing the execution of the Interlocal Services Agreement. The Interlocal Services Agreement shall be amended as necessary to revise the formula for the allocation of the court's budget between the members.

2-2.5 Budget and Appointments

The municipal judge shall prepare or have prepared a budget for the municipal court which shall be submitted to the governing body of the Township of Hope by November 1

of each year. The budget shall set forth, based on income and expenses for the prior twelve-month period ending September 30th, an estimate of all expenses and revenues for the upcoming calendar year, and shall be in a form that is consistent with municipal budgets. The proposed budget shall be circulated by the Township of Hope to the governing body of every other participating municipality.

2.2.6 Insurance

Insurance coverage and/or bond shall be obtained that protects the joint municipal court and its personnel from claims against them arising out of worker's compensation, bodily injury, property damage, personal injury, civil rights violations or defalcations by court personnel and such coverage as may be necessary, which claims arise in whole or in part from participating members' cases. The coverage may be provided through policies issued to the members and/or through separate policies issues to the joint municipal court.

2.2.7 Contribution Requirement; Revenue Distribution

Improvements to the existing court facility that are required to render the court facility in compliance with state and/or assignment judge mandates shall be undertaken as soon as possible, and the cost for said improvement shall be shared equally by all five municipalities. All other expenses for administering the joint municipal court, including salaries for the judge and court personnel, and costs of materials and equipment for the court, will be shared by all five municipalities in accordance with § 2-6.7 of the enabling ordinance:

- (a) The legally permitted municipal share of all fines, assessments, costs or other charges collected by the court (hereinafter "Municipal Income") shall be forwarded monthly to Hope Township and credited to the court account and applied to the expenses of maintaining and operating the court. The court administration shall simultaneously submit a monthly summary of all income and disbursements to each municipality.
- (b) All other received fines, assessments, court costs and other charges, shall be distributed as required by law.
- (c) To the extent that the annual expenses necessary to maintain and operate the court are the greater or lesser than the Municipal Income received, they shall be allocated among these members pursuant to the following formula: The percentage share of each municipality shall be a total of the fines divided by the amount of the fine generated by that municipality.
- (d) Each municipality shall pay monthly to Hope Township its estimated share of anticipated deficit as established by the budget described in Article 2-6.5 of the Code of the Township of Hope.

(e) On or about February 1 of each year, Hope Township shall submit to each municipality a final accounting for the prior fiscal/calendar year with any credit due to be applied to future contributions.

2-2.8 Uniform Shared Services and Consolidation Act. The governing bodies of the Township of Hope, the Township of Liberty, the Township of Blirstown, the Township of Hardwick and the Township of White are hereby authorized to enter into a contract with each other embodying the provisions of this ordinance pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., in accordance with the terms of the Act. In the event of any discrepancy between this section and said Act, including any amendments thereto, the Act shall take precedence.

Section 2:

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 3. Repealer.

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

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication.

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 27th day of August, 2014, and will be considered for a second reading and final passage at a work meeting of the Township Committee to be held on 24th day of September, 2014, 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, Municipal Clerk

ATTEST:

TOWNSHIP OF HARDWICK

Judith Fisher, Clerk

James Perry, Mayor

DATED: _____, 2014

ORDINANCE 2014-09

**TO AMEND THE LAND DEVELOPMENT ORDINANCE
OF THE TOWNSHIP OF HARDWICK
TO AMEND THE REGULATIONS PERTAINING TO THE
HEIGHT OF STRUCTURES**

BE IT ORDAINED by the Township Committee of the Township of Hardwick that the Land Development Ordinance of the Hardwick Township, Chapter XIII of the Revised General Ordinances of the Township of Hardwick shall be and is hereby amended as follows:

SECTION 1. Section 13-12.2f entitled "*Maximum Building Height,*" is hereby amended to read as follows:

f. Maximum Building Height : 35 feet or 2 ½ stories, whichever is less, except that agricultural storage structures may have a height determined by their function.

There is an exemption from the height limitations contained in this chapter when a structure is required to be raised to meet the state or federal flood elevation standards. This exemption also applies to the construction of a staircase or other attendant structure necessitated by such raising. This exemption from the height limitation shall only apply to the minimum extent necessary to allow the structure to meet the new elevation requirements with adequate means of ingress and egress.

SECTION 2. Effective Date. This ordinance shall take effect upon final passage and publication as provided by law.

SECTION 3. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or cause 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.

SECTION 4. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons

entitled thereto pursuant to N.J.S. 40:55D-15. Upon the adoption of this Ordinance after public hearing hereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Warren County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1. Notice pursuant to N.J.S. 40:55D-62.1 is not required.

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 October 1, 2014, 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 November 5, 2014, 2014 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 adoption of said Ordinance.

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