

**HARDING TOWNSHIP  
BOARD OF HEALTH  
THURSDAY, JANUARY 12, 2023**

**Reorganization Meeting Minutes**

Secretary, Sharp called the reorganization meeting of the Harding Township Board of Health to order on January 12, 2023, at 7:30 p.m., and announced the meeting was called in accordance with the laws of the State of New Jersey.

Secretary Sharp reported that on January 5, 2023, the Township Committee of the Township of Harding held their reorganization meeting and at that time they appointed to the Board of Health; Dr. Joseph Cervone as a Regular Member, Mrs. Rita Chipperson as a Regular Member, Mrs. Christina McKittrick as Alternate #1, and Mrs. Julia Somers as Alternate #2. Mr. Joe Sordillo, BOH Attorney conducted the Oath of Office for the above BOH members.

**ROLL CALL:**

Secretary Sharp called the following Board of Health members in attendance.

**BOH Attendance:** Dr. Cervone, Mrs. Chipperson, Mr. DeNave, Dr. Lacz, Mrs. McKittrick, and Mrs. Somers

**Absent:** Mrs. DiTosto

**Health Department Attendance:** Mrs. Lisa Sharp and Mr. George Byrnes

**County of Morris Attendance:** Miss Shelby Meyers, REHS

**BOH Counsel:** Joseph Sordillo, Esq.

**Public:** 1

**ELECTION OF CHAIRMAN AND VICE CHAIRMAN:**

Secretary Sharp opened the floor to accept nominations for the office of Chair of the Board of Health for 2023. A motion was made by Mrs. McKittrick, seconded by Dr. Lacz, to nominate Dr. Cervone as Chairman of the Board of Health. Secretary Sharp asked if there were any further nominations for Chair of the Board of Health. With no further nominations, Secretary Sharp asked for a motion to close nominations for Chair. Upon a motion made by Mrs. Somers, seconded by Mrs. McKittrick, and with a vote of all ayes none opposed, nominations for Chair were closed.

Secretary Sharp called for a motion to accept Dr. Cervone as Chair of the Harding Township Board of Health. Upon a motion made by Dr. Lacz, seconded by Mrs. McKittrick, Dr. Cervone abstained, and with a roll call vote of all ayes, none opposed, Dr. Cervone was appointed Chair of the Board of Health.

Secretary Sharp opened the floor to accept nominations for the office of Vice Chair of the Board of Health for 2023. Dr. Cervone nominated Dr. Lacz and Mrs. McKittrick seconded the motion. Secretary Sharp asked if there were any further nominations for Vice Chair of the Board of Health. With no further nominations, Secretary Sharp asked for a motion to close the nominations for Vice

Chair. Upon a motion made by Mrs. Somers, seconded by Mrs. McKittrick, and with a vote of all ayes, none opposed, the nominations for Vice Chair were closed.

Secretary Sharp called for a motion to accept Dr. Lacz as Vice Chair of the Board of Health. Upon a motion made by Dr. Cervone, seconded by Mrs. McKittrick, and with the roll call vote of all ayes, none opposed, Dr. Lacz was appointed Vice Chair of the Board of Health.

Secretary Sharp congratulated Dr. Cervone and Dr. Lacz and turned the meeting over to Dr. Cervone.

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### **REGULAR MEETING MINUTES**

#### **RESOLUTION BOH #01-2023 SCHEDULING OF MEETING DATES FOR THE NEXT TWELVE MONTHS:**

Dr. Cervone, Chair asked for a motion to accept Resolution BOH #01-2023. Upon a motion made by Mr. DeNave, seconded by Dr. Lacz, and with a roll call vote of all ayes, none opposed, Resolution BOH #01-2023 scheduling of the Board of Health meeting dates for the next twelve months was accepted and is attached hereto and made a part of these minutes. A copy of this resolution will be published in the legal newspaper of the Township of Harding.

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#### **RESOLUTION BOH #02-2023 DESIGNATION OF NEWSPAPERS AND FIXING THE CHARGES FOR NOTICES OF PUBLIC MEETINGS:**

This resolution is required by State law and the Open Public Meetings Act. Public notices will be published in the *Observer Tribune* or the *Daily Record*. The Open Public Meetings Act allows the Board of Health to charge anyone who would like to receive by mail a copy of our meeting agenda, minutes, and other material upon payment of a fee.

Dr. Cervone asked for a motion to accept Resolution BOH #02-2023. Upon a motion duly made by Mr. DeNave, seconded by Mrs. Somers, and with a roll call vote of all ayes, none opposed, Resolution BOH #02-2023, which sets the fee at \$50.00, was accepted. The Resolution is attached hereto and made a part of these minutes.

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#### **RESOLUTION BOH #03-2023 RESOLUTION TO APPOINT BOARD OF HEALTH PERSONNEL:**

Dr. Cervone, asked if there were any comments with regard to BOH Resolution #03-2023. This resolution re-appoints personnel for the Board of Health so they can act as the administrative authority for the Board and conduct the work of the Board of Health.

Dr. Cervone asked for a motion to accept Resolution BOH #03-2023. Upon a motion duly made by Dr. Lacz, seconded by Mr. DeNave, and with a roll call vote of all ayes, none opposed, Resolution BOH #03-2023, was accepted. The Resolution is attached hereto and made a part of these minutes.

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**RESOLUTION BOH #04-2023 – RESOLUTION TO APPOINT BOARD OF HEALTH SPECIAL COUNSEL:**

Mrs. Sharp explained this resolution reappoints Mr. Joseph Sordillo, Esq., as Counsel to the Board of Health. Mr. Sordillo has provided all the necessary documents for the professional services agreement. Dr. Cervone asked if there were any further comments or questions. With no further comments, Dr. Cervone asked for a motion to accept Resolution BOH #04-2023. Upon a motion made by Mrs. DeNave, seconded by Mrs. Chipperson, and with a roll call vote of all ayes, none opposed, Resolution BOH #04-2023 was accepted. The resolution is attached hereto and made a part of these minutes.

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**RESOLUTION BOH #05-2023 - RESOLUTION AUTHORIZING THE BOARD OF HEALTH CHAIRMAN TO EXECUTE CERTAIN DOCUMENTS ON BEHALF OF THE BOARD OF HEALTH OF THE TOWNSHIP OF HARDING:**

This resolution enables the Chair to execute certain documents on behalf of the Board of Health, such as, Deed Restrictions, Professional Services Agreements, etc. Dr. Cervone, asked if there were any comments with regard to BOH Resolution #05-2023. Upon a motion duly made by Mrs. McKittrick, seconded by Dr. Lacz, and with a roll call vote of all ayes, none opposed, Resolution BOH #05-2023 was accepted. The Resolution is attached hereto and made a part of these minutes.

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**BOH WAIVER – THE SHALEBROOK GROUP 2 LLC, 19 LEE’S HILL ROAD, BLOCK 17, LOT 54**

Mr. Sordillo, Board of Health Attorney, conducted the swearing in of Mr. Jonas Goldberg, owner of 19 Lee’s Hill Road. Mr. Goldberg explained to the Board that the Board of Health granted a waiver for this property in June of 2022. At that time the Board approved the following Waiver:

- Waiver of the requirement under section 422-26 of the Township Code that requires a septic disposal field be setback from a property line a minimum of 25 feet. The request is for 12.8 feet

Unfortunately, during construction of the septic disposal field, the septic field was installed at 10 feet from the property line which complies with the State code instead of the 12.8 feet that was granted. The septic has been completed and has passed all inspections. Dr. Cervone asked who the installer was. Mr. Goldberg responded with Elite Excavation. Mr. DeNave asked Mr. Byrnes if we have run into this situation before. Mr. Byrnes responded with not that he is aware of. Mr. Byrnes explained that the location should have been staked out by Civil Engineering. A brief discussion ensued.

Dr. Cervone asked if there were any further comments or questions. With no comments, a motion was made by Mrs. McKittrick, seconded by Dr. Lacz, to approve the waiver request for the septic bed to be located 10 feet from the property line. With a roll call vote of all ayes, none opposed the Waiver requested was accepted.

**MINUTES OF DECEMBER 8, 2022:**

Dr. Cervone asked if there were any questions with regard to the December 8, 2022, minutes. Upon a motion made by Dr. Lacz, seconded by Mrs. McKittrick, Mrs. Chipperson and Mrs. Somers abstained and with votes of all ayes, none opposed, the minutes for the December 8, 2022, meeting were accepted.

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**MONTHLY REPORT FOR DECEMBER 2022:**

Dr. Cervone asked if there were any questions regarding the monthly Health Department report for December 2022.

Mr. Byrnes commented that due to a complaint received regarding Wightman Farms, an inspections was conducted with no findings. Mr. Byrnes mentioned that the annual retail food inspection was conducted a week prior to the complaint. The complaint seems to be an isolated incident.

Dr. Cervone asked if there were any further comments. With no further comments, Dr. Cervone asked for a motion to accept the December 2022 monthly Health Department report. Upon a motion made by Mr. DeNave, seconded by Mrs. McKittrick, and with a vote of all ayes, none opposed, the monthly Health Department report for December 2022 was accepted.

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**COUNTY OF MORRIS MONTHLY REPORT OF ACTIVITIES FOR THE TOWNSHIP OF HARDING – DECEMBER 2022:**

Dr. Cervone asked if there were any comments or questions with regard to the Morris County Monthly Report.

Miss Myers reported that at the December Board of Health meeting, the Board asked for a flyer regarding COVID-19 to be disseminated for the Holidays. The flyer was prepared and sent to Mrs. Sharp. A brief discussion on COVID ensued.

With no further comments, a motion was made to accept the December 2022 Monthly County of Morris report by Mr. DeNave, seconded by Mrs. McKittrick, and with a vote of all ayes, none opposed the monthly Morris County report for December 2022 was accepted.

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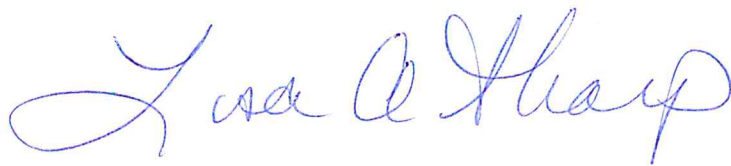
**OTHER MATTERS AND HEARING PERSONS PRESENT:**

There were no other matters, and no hearing persons present.

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With no further business, a motion to adjourn was duly made by Dr. Lacz, seconded by Mrs. McKittrick, and with a vote of all ayes, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

A handwritten signature in blue ink, reading "Lisa A. Sharp". The signature is written in a cursive style with a large, looping initial "L".

Lisa A. Sharp  
Secretary, Board of Health



**RESOLUTION BOH #01-2023  
OF THE HARDING TOWNSHIP BOARD OF HEALTH  
MORRIS COUNTY, NEW JERSEY  
JANUARY 12, 2023  
REGULAR MEETING SCHEDULE**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-19 requires that every public body shall post and maintain posted throughout the year for the purpose of public inspection, a schedule of the regular meetings of the public body to be held during the succeeding year;

**BE IT RESOLVED**, by the Board of Health of the Township of Harding in the County of Morris and the State of New Jersey that:

Public meetings of the Harding Township Board of Health for **2023** shall be held in person in the main meeting room of the Township Municipal Building, Kirby Hall, at 21 Blue Mill Road in New Vernon in Harding Township. All participants attending via GOTOMEETING are to register with the BOH Secretary before each meeting. All Board of Health meetings will start at **7:30 p.m.** on the dates listed below:

February 9  
March 9  
April 13  
May 11  
June 8  
July 13

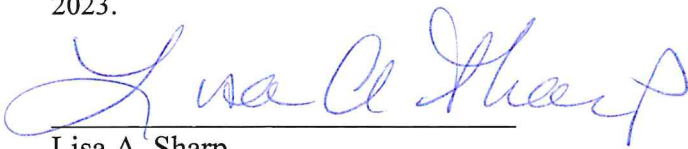
August 10  
September 14  
October 12  
November 9  
December 14

**January 11, 2024** – Re-organization meeting to be held for the purposes of electing officers for the year 2024

**BE IT FURTHER RESOLVED**, that the above schedule and any revision thereof shall be posted on the bulletin board in Kirby Hall and a certified copy shall be filed with the Clerk of the Township of Harding and mailed to *The Observer Tribune* and the *Daily Record*, and, upon prepayment of mailing costs, to all persons requesting copies of such schedule or any revision thereof.

**Dated:** January 12, 2023

I, Lisa A. Sharp, Secretary of the Harding Township Board of Health, County of Morris, State of New Jersey, do hereby certify this is a true copy of a Resolution approved by the Board of Health at a meeting held on January 12, 2023.



Lisa A. Sharp  
Secretary, Board of Health

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mrs. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. DeNave	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. DiTosto	Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. McKittrick, Alt #1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Somers, Alt #2		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Cervone		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION BOH #02-2023**  
**OF THE HARDING TOWNSHIP BOARD OF HEALTH**  
**MORRIS COUNTY, NEW JERSEY**  
**JANUARY 12, 2023**  
**DESIGNATION OF OFFICIAL NEWSPAPER**

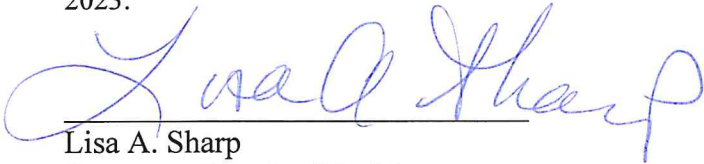
**WHEREAS**, the "Open Public Meeting Act" R.S. 10:4-6 and following, requires that the designation of newspapers and fixing charges for notices of public meetings shall be as defined and set forth herein;

**BE IT RESOLVED**, by the Board of Health of the Township of Harding, in the County of Morris, State of New Jersey as follows:

1. The **OBSERVER-TRIBUNE** and the **DAILY RECORD** are hereby designated for the calendar year **2023** as two newspapers to receive notice of meetings of the Open Public Meeting Act, as it appears that these newspapers are most likely to inform the local public of such meetings.
2. The **OBSERVER-TRIBUNE** has been designated as the official newspaper for public notices for the Township of Harding as set forth in Resolution adopted by the Township Committee of the Township of Harding.
3. The public place for the posting of notices of meetings of the Board of Health for the calendar year **2023** shall be on the bulletin board in the main hallway of the Township Hall and a copy given to the Municipal Clerk of the Township of Harding.
4. The sum of \$50.00 is hereby fixed as the fee to be paid by any person requesting that notices of meetings of the Board of Health during the entire calendar year **2023** be mailed to such person, all as specified in R.S. 10:4-19, provided, however, that no charge shall be made to any newspaper requesting the mailing to its business office and;
5. Certified copies of this Resolution shall be mailed by the Secretary of the Board of Health to the **OBSERVER-TRIBUNE** and the **DAILY RECORD**, and a certified copy shall be filed with the Municipal Clerk of the Township of Harding.

**Dated:** January 12, 2023

I, Lisa A. Sharp, Secretary of the Harding Township Board of Health, County of Morris, State of New Jersey, do hereby certify this is a true copy of a Resolution approved by the Board of Health at a meeting held on January 12, 2023.



Lisa A. Sharp  
Secretary, Board of Health

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mrs. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. DeNave	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. DiTosto	Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. McKittrick, Alt #1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Somers, Alt #2	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Cervone		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION BOH #03-2023**  
**OF THE HARDING TOWNSHIP BOARD OF HEALTH**  
**MORRIS COUNTY, NEW JERSEY**  
**JANUARY 12, 2023**  
**RESOLUTION TO APPOINT BOARD OF HEALTH PERSONNEL**

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**WHEREAS**, Title 26 of the New Jersey Statutes Annotated, requires and authorizes local Boards of Health to appoint its officers, agents and employees to accomplish the goals, objectives, duties, and responsibilities of said Board.

**BE IT RESOLVED**, by the Board of Health of the Township of Harding in the County of Morris and the State of New Jersey, that Lisa A. Sharp be reappointed Secretary to the Board of Health for the term ending December 31, 2023 and

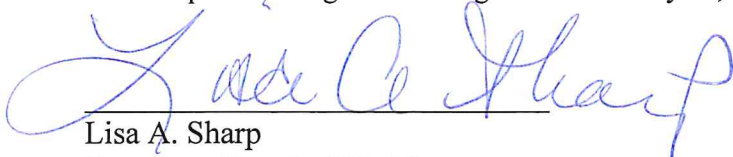
**BE IT RESOLVED**, by the Board of Health of the Township of Harding in the County of Morris and the State of New Jersey, that George Byrnes be reappointed as Registered Environmental Health Specialist to the Board of Health for the term ending December 31, 2023; and

**BE IT FURTHER RESOLVED**, that for the purposes of N.J.A.C. 7:9A, Dr. Carlos Perez, Jr, Stephanie Gorman, Jessica Freer, Shelby Meyers, and George Byrnes be appointed as the Administrative Authority acting on behalf of the Harding Township Board of Health for the term ending December 31, 2023; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be mailed by the Secretary of the Board of Health, to the State Department of Health and Senior Services, and a certified copy shall be filed with the Municipal Clerk of the Township of Harding

**Dated:** January 12, 2023

I, Lisa A. Sharp, Secretary of the Board of Health in the Township of Harding in the County of Morris and the State of New Jersey do hereby certify this is a true copy of a Resolution approved by the Board of Health of the Township of Harding at a meeting held on January 12, 2023.



Lisa A. Sharp  
Secretary, Board of Health

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mrs. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. DeNave	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. DiTosto	Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. McKittrick, Alt #1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs.Somers, Alt #2		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Cervone		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**RESOLUTION BOH #04-2023  
OF THE HARDING TOWNSHIP BOARD OF HEALTH  
MORRIS COUNTY, NEW JERSEY  
JANUARY 12, 2023  
RESOLUTION TO APPOINT BOARD OF HEALTH SPECIAL COUNSEL**

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**WHEREAS**, the Board of Health of the Township of Harding has a need to acquire a professional service contract for the year 2023 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a); and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the following professional service contractor has submitted a proposal for 2023 and has completed and submitted their Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, certifying that reportable contributions to a political or candidate committee in the Township of Harding have not been made in the previous one year period and that the award of contract will prohibit the following professional service vendors from making any reportable contributions through the term of the contract.

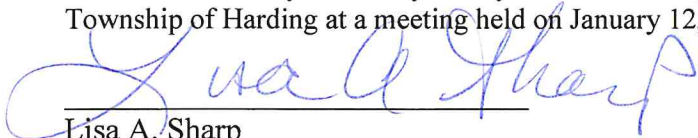
**BE IT RESOLVED**, by the Board of Health of the Township of Harding in the County of Morris and State of New Jersey that the following professional service contract is hereby awarded for a one-year period; and

**BE IT FURTHER RESOLVED**, one quarter of these funds are currently certified with the remainder of funds being certified pending final 2023 budget approval.

Special Counsel	DiFrancesco, Bateman, Coley, Yospin, Davis, Lehrer & Flaum, P.C. (Joseph Sordillo, Esq.)	1/1/23 to 12/31/23 \$170.00 per hour Not to exceed \$6,000.00 01-2023-1330-0330-2-00035 (health)
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**Dated:** January 12, 2023

I, Lisa A. Sharp, Secretary of the Board of Health in the Township of Harding in the County of Morris and the State of New Jersey do hereby certify this is a true copy of a Resolution approved by the Board of Health of the Township of Harding at a meeting held on January 12, 2023.



Lisa A. Sharp  
Secretary, Board of Health

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mrs. Chipperson	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. DeNave	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. DiTosto	Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. McKittrick, Alt #1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Somers, Alt #2		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Cervone		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**TOWNSHIP OF HARDING  
BOARD OF HEALTH  
RESOLUTION #05-2023  
JANUARY 12, 2023**

**AUTHORIZING CHAIRMAN TO EXECUTE CERTAIN DOCUMENTS ON BEHALF OF THE  
BOARD OF HEALTH OF THE TOWNSHIP OF HARDING**

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**WHEREAS**, from time to time it is necessary for the Board of Health to execute deed restrictions, easements, or other similar documents ("Certain Documents") related to certain Board of Health Approvals or as required by the New Jersey law; and

**WHEREAS**, it is administratively expedient to have the Chairman of the Board of Health authorized to execute these Certain Documents.

**BE IT RESOLVED**, that the Board of Health of the Township of Harding, County of Morris, State of New Jersey, does hereby authorize the Chairman of the Board of Health to execute such Certain Documents; and


**FURTHER BE IT RESOLVED**, that this resolution shall be retroactively effective to January 1, 2023.

**DATED:** January 12, 2023

I, Lisa A. Sharp, Secretary of the Harding Township Board of Health, County of Morris, State of New Jersey, do hereby certify this to be true copy of a Resolution approved by the Board of Health at a meeting held on January 12, 2023.

**ATTEST:**

**BOARD OF HEALTH OF THE  
TOWNSHIP OF HARDING**

  
\_\_\_\_\_  
Lisa A. Sharp  
Secretary, Board of Health

  
\_\_\_\_\_  
Chairman, Board of Health

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mrs. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. DeNave		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. DiTosto	Absent 2nd 1st	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. McKittrick, Alt #1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Somers, Alt #2		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Cervone		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>