

**HARDING TOWNSHIP COMMITTEE  
MONDAY, FEBRUARY 25, 2019  
REGULAR MEETING MINUTES**

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**CALL MEETING TO ORDER – Mayor Yates**

*Mayor Yates called the regular meeting of the Harding Township Committee to order at 7:30 p.m.*

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**PLEDGE OF ALLEGIANCE – Mayor Yates**

*Mayor Yates led the Township Committee and members of the Public in the Pledge of Allegiance.*

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**ADEQUATE NOTICE** of this meeting of the Harding Township Committee was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE* on January 7 2019, and published in the *OBSERVER TRIBUNE* on January 10, 2019; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on January 7, 2019, and Notice was posted on the website and filed with the Municipal Clerk on January 7, 2019.

*Mayor Yates announced that Adequate Notice of the Harding Township Committee was called to order in accordance with the Open Public Meetings Act. Mayor Yates asked for a roll call.*

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**ROLL CALL – Municipal Clerk**

Ms. DiTosto, Mr. Jones, Mr. Modi, Mr. Platt, Mr. Yates

*Mrs. Sharp called the roll. There were about 9 members of the public in attendance.*

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**RESOLUTION TC 19-072 -- RESOLUTION TO ADOPT TOWNSHIP COMMITTEE MEETING MINUTES**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the minutes from the following meetings are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: **January 28, 2019**; and

**BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Harding that the minutes from the following Executive Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: **January 28, 2019**.

*Mayor Yates asked if the Township Committee had any comments or questions regarding the January 28<sup>th</sup> meeting minutes. Upon a motion made by Mr. Jones, seconded by Mr. Platt, and with a roll call vote of all ayes, none opposed, the Township Committee meeting minutes were accepted. Mayor Yates asked for a motion to accept the Township Committee executive session minutes for January 28<sup>th</sup>. Upon a motion made by Mr. Jones, seconded by Mr. Platt, Mrs. DiTosto abstained, and with a vote of all ayes, none opposed the Township Committee executive session minutes were accepted.*

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**ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – NONE**

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**DISCUSSION ITEMS**

### **1. Barrett Field Access Road Name – Mayor Yates**

*Mayor Yates explained that Barrett Field cannot be located by GPS as the filed does not have a road name. People from Chatham and Madison cannot locate the field by way of GPS. A discussion ensued. It was recommended to introduce an Ordinance and suggested road name was; Barrett Field Trail. The Township Attorney will prepare an ordinance for introduction for the March 18, 2019 meeting.*

### **2. Open Space Ordinance – Mayor Yates**

*Mayor Yates reported that we are looking to possibly amend the HOST Ordinance. The proposed changes would be:*

- \* Membership*
- \* Terms of Office*
- \* Add language to Powers & Operating Procedures*
- \* Add/Change language to Funding*

*(A copy of the proposed ordinance is appended to these minutes.)*

*Mr. Platt was not in agreement with section E-1(b) where one cent of the annual levy shall be dedicated for the execution of the management plans of properties, flower meadow, stewardship. Mr. Platt explained we should be buying dirt. The mission of HOST is to look at some of the properties for further enjoyment. This can be done without changing the Ordinance or deducting one cent to maintain each property each year. Mr. Steven Griegel, Township Attorney, explained that the Ordinance does not state what is supposed to be done. A discussion ensued regarding the one cent and stewardship.*

### **3. Redevelopment – Mayor Yates/Susan Gruel**

*Susan Gruel, Township Planner, provided members of the public and the Township Committee with the redevelopment process:*

- \* Designate an area of redevelopment*
- \* Proposed land uses – zoning, design standards*
- \* Relationship to zoning and site plan ordinances*

*Mr. Falzarano, Township Administrator, explained the question is the process. There are a number of steps in the process. The first step is for the Township Committee to approve a Steering Committee. The Steering Committee will collect information and then produce the plan. Mr. Falzarano stated that the Township Committee should make the appointments at the March 18<sup>th</sup> Township Committee meeting if they choose to go with a Steering Committee. Mayor Yates proposed that the Township Committee discuss the size of the Steering Committee and then make appointments at the April meeting. The committee must be structured, controlled due to the requirements of the COAH settlement. A question was asked when the draft plan could be ready. Mr. Falzarano responded possibly September.*

*Mr. Dietz, resident, asked for an overview of COAH. Mayor Yates responded that in the Township's settlement agreement, there are 40 affordable housing units. A unit can be a bed in a nursing facility. We have not seen what the mix is; we have only seen a concept. A discussion ensued regarding the process and the development of the plan.*

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### **MEETING OPEN TO THE PUBLIC FOR PUBLIC COMMENT**



## **NOTICE OF PUBLIC COMMENT TIME LIMIT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

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## **ORDINANCES FOR SECOND READING - NONE**

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### **RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)**

*Mayor Yates mentioned that Resolution 19-073 accepts the Harding Township Planning Board's recommendation and designation that Block 27 Lot 2 and Block 34, Lot 1 are two sites in need of redevelopment.*

**TC Resolution 19-073 – Resolution of Township Committee of the Township of Harding Accepting the Township of Harding Planning Board's Recommendation and Designation Block 27, Lot 2 and Block 34, Lot 1 as a Non-Condemnation area in need of redevelopment**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "LRHL"), by Resolution No. 18-196 adopted on November 19, 2018, the Township Committee directed the Township Planning Board (hereinafter "Board") to undertake a preliminary study, conduct the necessary investigation, and to hold a public hearing to determine whether the real property located at 679 and 685 Mt. Kemble Avenue and designated on the Township Tax Map as Block 27, Lot 2 and Block 34, Lot 1, respectively, inclusive of any and all streets, "paper" streets, private drives and right of ways (hereinafter "Study Area") meets the criteria for designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, Heyer, Gruel & Associates, planning consultants for the Township and Board, subsequently prepared a report entitled "Area in Need of Redevelopment Investigation Report" dated February 1, 2019 for the Study Area (hereinafter "Investigation Report") that was submitted to the Board; and

**WHEREAS**, on February 19, 2019, the Board conducted a public hearing on notice as provided for in N.J.S.A. 40A:12A-6, at which professional planners Susan Gruel, P.P. and McKinley Mertz, P.P., A.I.C.P., LEED Green Associate of Heyer, Gruel & Associates testified concerning the Investigation Report and presented their professional opinion based on substantive evidence that the Study Area meets the statutory criteria to be deemed an area in need of redevelopment; and

**WHEREAS**, at the public hearing, the Board considered testimony from the public and discussed the Investigation Report; and

**WHEREAS**, the Board, based upon the analysis set forth in the Investigation Report and the professional planning testimony presented by Susan Gruel, P.P. and McKinley Mertz, P.P., A.I.C.P., LEED Green Associate, determined that the Study Area meets the criteria set forth in the LRHL and is in need of redevelopment and therefore recommended to the Township Committee that the Study Areas be determined to be a redevelopment area consistent with the LRHL; and

**WHEREAS**, by Board Resolution adopted on February 19, 2019, the Board formalized its recommendation to the Township Committee; and

**WHEREAS**, the Township Committee has determined to accept the Planning Board's findings and recommendations and TO designate the Study Area as a non-condemnation redevelopment area in accordance with the LRHL.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the Township Committee hereby accepts the Planning Board of Harding Township's findings and recommendation to designate the Study Area, comprised of the real property located at 679 and 685 Mt. Kemble Avenue and designated on the Township Tax Map as Block 27, Lot 2 and Block 34, Lot 1, respectively, inclusive of any and all streets, "paper" streets, private drives and right of ways as an area in need of redevelopment and hereby so designates the Study Area as a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Commissioner of the Department of Community Affairs, Township Clerk, Chief Financial Officer, Township Planning Board and Planning Board Secretary and Tax Assessor.

**NON-CONSENT AGENDA VOTE:**

*Committee Member Platt made a motion to approve Resolution TC 19-073 placed on this evening's Non-Consent Agenda by consent of the Township Committee. Seconded by Township Committee Member Modi.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll.*

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. DiTosto		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**ADD-ON RESOLUTIONS**

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE**

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**CONSENT AGENDA**

The following items are considered to be routine by the Harding Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a Township Committee Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

**RESOLUTIONS TC 19-074 THROUGH RESOLUTION TC 19-080 HAVE BEEN PLACED ON THE CONSENT AGENDA**

**CONSENT AGENDA VOTE:**



**Mayor Yates** asked Committee Member Platt to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 19-074 through TC 19-080.

Committee Member Platt made a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Township Committee. Seconded by Township Committee Member Modi. *(Please note that Mr. Modi abstained from voting on Resolution TC 19-074 and Mr. Jones seconded the motion for Resolution TC 19-074)*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll.*

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**CONTRACTS:**

**Resolution TC 19-074 – Resolution Appointing D. A. Denson Architects as the Professional Architect for the Salt Storage Shed**

**WHEREAS**, the Township of Harding has a need for the services of a professional architect for the purposes of the design of a Salt Storage Shed at the Department of Public Works yard at 8 Millbrook Road, New Vernon; and

**WHEREAS**, the Township Administrator has secured a proposal for services from D.A. Denson Architects dated January 17, 2019; and

**WHEREAS**, it has been determined by the Chief Financial Officer for the Township of Harding that funds can be certified as available in the amount not to exceed \$7,500.00 for this purpose from account numbers #04-2016-201602 for the following tasks:

DPW RECYCLING BUILDING DESIGN SERVICES			
PHASE 1a:	HOURLY RATE	EST. HOURS	NOT TO EXCEED
Construction Cost Estimate	150.00	2	\$ 300.00
PHASE 1b:			
Design Development & Construction Documents	150.00	20	\$3,000.00
PHASE 2:			
Bid Document / Project Manual	150.00	16-20 not to exceed	\$3,000.00
PHASE 3:			
Construction – Contract Administration	150.00	6	\$ 900.00

Miscellaneous – Out of Pocket Expenses plus 15%	Not to exceed	\$300.00
<b>TOTAL</b>		<b>\$7,500.00</b>

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the retention of certain professional services without competitive bidding must be publicly advertised:

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of Jersey as follows:

1. The following appointment for 2019 by made:

Township Architect	David Denson	1/17/2019 to 12/31/19
	28 Center Street	\$150.00 per hour
	Clinton, NJ	Not to Exceed \$7,500.00

2. Said appointment is made in accordance with N.J.S.A. 19:40A-20.26, pursuant to a non-fair and open process and without competitive bidding as professional services under the provisions of the Local Public Contracts Law because accountants, lawyers, engineers, prosecutors, insurance brokers, professional planners and government consultants are recognized professions licensed and regulated by law.
3. A copy of this resolution shall be published in the legal newspaper of the Township of Harding as required by law.

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**Resolution TC 19-075 – Resolution to Award Professional Services to Greener by Design for the Diversion Process**

**WHEREAS**, the Township of Harding has a need to award a contract for expert professional services in the field of Green Acres Diversion; and

**WHEREAS**, the firm of Greener by Design, LLC possesses expertise in the field of historic preservation, NJDEP, Morris County Open Space, and compliance with the various regulations necessary to complete the diversion process; and

**WHEREAS**, Greener by Design, LLC has prepared a proposal dated November 28, 2018, outlining the tasks and costs associated with the steps necessary to secure diversion; and

**WHEREAS**, funds are available for this purpose.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the following contract is hereby awarded for a one year period:

Township Diversion	Greener By Design	1/1/2019 to 12/31/2019
	94 Church Street, Suite 402	Not to Exceed \$15,000.00
	New Brunswick, NJ 08901	01-2019-1110-0100-2-00020

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**Resolution TC 19-076 – Resolution to Provide Planning Services – Heyer, Gruel & Associates**

**WHEREAS**, the Township of Harding has previously approved through a non-fair and open process, Heyer, Gruel & Associates as Professional Planner for the year 2018 pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a) in an amount not to exceed \$55,000.00; and

**WHEREAS**, it has been determined that there is a need to increase the account authorizations approved in Resolutions TC-18-003, TC-18-065 and TC-18-186; and

**WHEREAS**, the Chief Financial Officer has certified that additional funds are available and shall be encumbered through account # 01-2018-1110-0100-2-00020 in an amount of \$10,000.00

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that the 2018 contract with Heyer, Gruel & Associates is hereby increased for a total contract amount not to exceed \$65,000.00; and

**BE IT FURTHER RESOLVED**, a copy of this Resolution shall be distributed to the Chief Financial Officer, the Qualified Purchasing Agent, and the Municipal Clerk to be filed in the annual contract file.

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**FINANCE:**

**Resolution TC 19-077– Bill List**

**WHEREAS**, vouchers for payment have been submitted to the Township Committee by various municipal departments.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

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**MISCELLANEOUS**

**Resolution TC 19-078 – Resolution Authorizing the Township of Harding’s Support and Participation in the New Jersey Volunteer Tuition Credit Program (P.L. 1998, c. 145)**

**WHEREAS**, the Mayor and Township Committee of the Township of Harding in the County of Morris, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Township of Harding; and

**WHEREAS**, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government.

**BE IT RESOLVED**, by the Mayor and the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

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**BE IT FURTHER RESOLVED**, that the Municipal Clerk is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145.

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## **PERSONNEL**

### **Resolution TC 19-079 – Appointment of Mr. Frank Catanese as a Part-Time Building Inspector**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective March 1, 2019, Frank Catanese is hereby appointed as a part-time Building Inspector for the Building Department at an hourly rate of \$35.00.

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### **Resolution TC 19-080 – Appointment of Mr. Mark Jandoli as a Part-Time Building Inspector**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective March 1, 2019, Mark Jandoli is hereby appointed as a part-time Building Inspector for the Building Department at an hourly rate of \$35.00.

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## **ORDINANCES FOR FIRST READING - NONE**

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### **RESOLUTION TC 19-081– Executive Session**

#### **RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION**

**BE IT RESOLVED**, by the Harding Township Committee that it shall adjourn into executive session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b; and

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Harding provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Township Committee will not return to public session after this executive session.

#### **Contracts:**

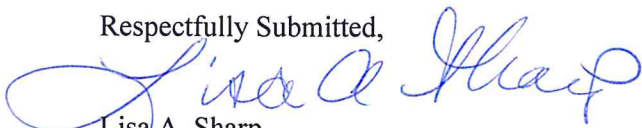
##### **1. Property Acquisitions – Mr. Jones**

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## **ADJOURNMENT**

*Upon a motion made by Mr. Modi, seconded by Mrs DiTosto, the meeting adjourned into Executive Session at 8:40 p.m. No formal action will be made in Executive Session.*

Respectfully Submitted,



Lisa A. Sharp  
Municipal Clerk

J 02-22-2019