

**HARDING TOWNSHIP COMMITTEE  
MONDAY, MARCH 18, 2019  
REGULAR MEETING MINUTES**

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**CALL MEETING TO ORDER – Mayor Yates**

*Mayor Yates called the meeting of the Harding Township Committee to order at 6:00 p.m.*

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**ADEQUATE NOTICE** of this Executive Session meeting of the Harding Township Committee was sent to the Observer Tribune on March 8, 2019 and published in the Observer Tribune on March 14, 2019.

*Mayor Yates announced that Adequate Notice of this executive session meeting 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.*

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**RESOLUTION TC 19-082– Executive Session**

**RESOLUTION TO RECESS 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 return to public session after this executive session.

**Contracts:**

- 1. Appointment of a Redevelopment Attorney – Mayor Yates**
- 2. Property Acquisition Update – Mark Roselli / Tim Jones**

**Litigation:**

- 1. Affordable Housing Litigation Update – Bob Falzarano**
- 2. Potential Litigation – Bob Falzarano**

**Attorney Client Privilege:**

- 1. Diversion Status – Mark Roselli / Dev Modi**

*Mayor Yates asked for a motion to recess into executive session. Upon a motion made by Mr. Jones, seconded by Mr. Modi, and with a vote of all ayes, the meeting recessed into executive session at 6:02 p.m.*

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## RECONVENE INTO PUBLIC SESSION – Mayor Yates

*Mayor Yates asked for a motion to reconvene into public session. Upon a motion made by Mrs. DiTosto, seconded by Mr. Modi, and with all members in agreement, the meeting reconvened 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 11 members of the public in attendance.*

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## RESOLUTION TC 19-083 -- 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: **February 25, 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: **February 25, 2019**.

*Mayor Yates asked if the Township Committee had any comments or questions regarding the February 25<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.*

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## ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Yates

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## DISCUSSION ITEMS

### 1. Kemmerer Library – Alison Maxwell

*Mrs. Alison Maxwell, Director of the Kemmerer Library explained that she is a native of Scotland and a native of New Jersey. She has a PhD in microbiology, started at the library part-time in the children's room (which is her passion), and when Mrs. Newlin stepped down, Mrs. Maxwell stepped in. Mrs. Maxwell presented the 2018-2019 State of the Library to the Township Committee and members of the public. A copy of the presentation is appended to these minutes. Mayor Yates and the members of the Township Committee thanked Mrs. Maxwell for her presentation.*

### 2. HOST Ordinance – Mayor Yates

*Mayor Yates explained that the amendment to the HOST ordinance will not be introduced this evening. Mayor Yates explained that we will discuss policy that is in place relative to stewardship. Mayor Yates prepared a presentation and reviewed each slide with the Township Committee and members of the public. A copy of the presentation is appended to these minutes.*

*Mayor Yates reported that the ordinance is silent with respect to the role of stewardship of Township owned properties. Since 2016, Mayor Yates mentioned he has been discussing the need for a policy from the Township Committee that addresses stewardship of our policies. Mayor Yates explained that he went back to the Open Space minutes from 2016 to 2018 and looked at what was discussed. The ordinance that was discussed last month at the Township Committee meeting was the same ordinance that HOST discussed on two occasions in April and May of 2016 including the revised potential revisions to the ordinance. Based on the review of the minutes, it is evident that the Township Committee has not provided guidance on stewardship to the HOST Committee.*

*Mr. Platt stated he did not believe that this is a fair representation of what HOST speaks about. HOST discusses many items. HOST discusses many items based on the timeframe the committee meets each month. This slide (#2) is not accurate to what HOST discusses. Mr. Jones mentioned that the maintenance budget was discussed more than it was highlighted. Mayor Yates stated that the primary discussion is about mowing. A discussion ensued regarding the entire slide presentation which reported on management plans, stewardship of open space properties, the dedication of one cent for stewardship, and the proposed ordinance. Mayor Yates believes the Township Committee should be directing HOST to spend time evaluating the plans, prepare stewardship activities, and begin implementing some of those activities. The scope of some of the properties is too large to complete everything in every management plan. Mayor Yates mentioned that there is money in the HOST budget as the spending on the properties is minimal, with the exception of about \$40,000 spent on the trails for the Municipal Campus.*

*Mr. Platt stated he believes our HOST policy is fine as well as our ordinance. Mr. Platt explained that the Township Committee has the ability to reach into the HOST funds and pull out monies for any project. Mr. Platt stated he is glad to see that the proposed amendment to the Ordinance will not be introduced this evening as it is based on values that some of us do not share. The HOST Committee reviewed the draft Ordinance from their March meeting. The HOST Committee spent several hours looking at the WHEREAS sentences and did not find them to be accurate with the thinking of what HOST's role is. If the Township Committee would like a robust management plan for the HOST properties, the Township Committee should give a mandate to HOST to review these plans. Monies do not need to be allocated for this, we have dependable funding. Mr. Platt disagrees with what the HOST Committee's responsibilities are. We should be buying dirt. Mr. Platt mentioned he is fine with some of the technical items, but there are items that the HOST Committee sent to the Township Administrator after their review of the draft ordinance that should be taken out. Mr. Platt believes the one cent is not necessary, an allocation of one cent is a bad idea.*

*Mr. Jones reported that he does not view the current composition of the Township Committee to be necessarily what we can have as an expectation going forward. So creating an avenue to dedicate stewardship funds is important. As the Mayor pointed out, at the June 8, 2016 HOST meeting, it was HOST that made a motion to recommend that all management plans be revisited by Harding Land Trust. HOST wanted to start with the Harding Land Trust jointly owned properties and come up with a new five (5) year plan. Unfortunately, this did not happen. Mr. Jones stated that perhaps by earmarking a small amount of money and putting it aside the Township Committee can focus on what HOST should be doing. A discussion ensued regarding mandates on properties, Dear was used as an example property. Mr. Platt does not agree with putting money aside for a special fund. This is a bad idea.*

*Mrs. DiTosto asked Mr. Falzarano if Mr. MacCowatt's email to the Township Committee, HOST's letter on the proposed ordinance, and Mr. Weppler's statement presented at HOST's March meeting can be made available. Mr. Falzarano responded with yes. The email from Mr. MacCowatt, HOST's letter with Mr. Weppler's comments are appended to these minutes. Mrs. DiTosto expressed she was glad to see the ordinance was not being introduced. Mrs. DiTosto explained she is confused on the terminology. We seem to be using, maintenance, stewardship, and management all interchangeably. Are they interchangeable or do they each mean something different? Mrs. DiTosto stated we should have a definition section. It is important to understand what our objectives of open space properties are; i.e., buying to restore, buying to prevent development, buying to protecting wildlife, to keep off the tax roll, or do we want to improve properties. Until we know what our Open Space objective is, we do not necessarily know if we are maintaining, stewarding, or managing. It is clear HOST has been maintaining. Mayor Yates mentioned that Mr. Falzarano can provide the granularity of the records, but it is mostly mowing. Mr. Jones explained that mowing can be all three; maintenance, management, and stewardship. Mrs. DiTosto agreed. We need to understand what we are speaking about when using these three words. Mrs. DiTosto stated she believes HOST has been quite diligent in maintaining and caring about the open space properties. Mayor Yates explained that the issue is the Township Committee policy, not the dereliction on the part of HOST. Mrs. DiTosto stated that instead of rushing, we should be having a discussion and an open dialogue with HOST at the next Township Committee Meeting and the meeting after next. A discussion ensued.*

*Mr. Modi stated procedures are necessary. The Township Committee has the authority to pass a resolution. In good governance, you want to use your legislation power more than your executive power. Having this policy via an ordinance is better than an annual resolution. Mr. Platt believes it is not as much as a resolution as it is the Township Committee providing direction to HOST. Mr. Modi stated the Township Committee's role is policy. Mr. Yates asked; how do we implement the plan. An amount of money set aside each year would seem to be a good policy. A discussion ensued regarding policy.*

*Mrs. Somers, member of HOST, explained that HOST was startled that the Township Committee did not speak with HOST first regarding the proposed amendments. The place to begin, was with the members of HOST, attend a meeting, and visit the properties. What is the best use of each property? Mrs. Somers mentioned that people enjoy seeing hay bales at Margett's Field. Mrs. Somers stated do not govern by minutia. HOST urges the Township Committee to give the open space committee direction, we welcome your guidance. A discussion ensued regarding resolution versus ordinance. Mr. Modi asked that an annual presentation by HOST to the Township Committee be added to the ordinance. Mr. Roselli, Township Attorney, stated that an ordinance codifies the Township's policies. A resolution expresses the consensus of the Township Committee.*

*Mr. Roselli, Township Attorney explained with respect to the question of maintenance, the reason that it is in there is that the definition of maintenance comes from the State statute. The statute does not have a definition, it just says maintenance. You can make maintenance whatever you would like. Mr. Roselli explained that with respect to Paragraph E-2, it states that the Township Committee shall determine the appropriate amount to be*

*allocated to each purpose. This gives the Township Committee the ability to allocate. Mr. Platt stated we can make technical changes. Further discussion is scheduled for the April Township Committee meeting.*

### **3. Affordable Housing - Redevelopment Steering Committee – Mayor Yates**

*Mayor Yates explained that a week ago Friday, we had our compliance hearing before the judge in Morristown and there were several developments. Mayor Yates prepared a slide presentation and went through each slide with members of the Township Committee and members of the public. A copy of the presentation is appended to these minutes. The Court Order of conditions are as follows:*

- 1. Provide for the modification of the bedroom composition of the two (2) new units to be constructed at the Farm at Harding – one is a two bedroom unit and one is a three bedroom unit.  
Mr. Falzarano reported this was satisfied at the time of hearing with the three bedroom unit at the Farm.*
- 2. Demonstrate that the Universal Institute Group Home (on Tiger Lily) meets the requirements for crediting under the applicable COAH rules.  
Mr. Falzarano reported, that the deed is being reviewed.*
- 3. Demonstrate that the Cerebral Palsy of North Jersey group home meets the requirements for crediting under the applicable COAH rules.  
Mr. Falzarano reported this was satisfied at the time of hearing.*

*Mayor Yates explained that this left two more conditions on the Hurstmont side as follows:*

- 1. Adopt a redevelopment plan; and*
- 2. Enter into a redevelopment agreement for the Hurstmont/Glen Alpin Age Restricted development by October 31, 2019.*

*Our deadline imposed by the court is October 31, 2019. The judge has requested monthly conference calls to keep him updated on our status. Assuming that we get to October 31, 2019 with an agreed upon concept plan for Hurstmont Redevelopment, the Special Master will certify that we are in compliance and the judge will enter a final unconditional order.*

*Mrs. Somers, resident, asked when you say agreed upon, whom is it with; Endeavor or the Courts. Mayor Yates responded agreed upon means two things. One is that the Township agreed with Fair Share Housing on our Settlement Agreement and second the Concept Plan we have to agree with the Developer.*

*Mayor Yates reported we have retained a Development Attorney who has deep experience in redevelopment projects in New Jersey, especially in Morris County. This Attorney will be guiding the Township. Our first step is to adopt a redevelopment plan that is minimal in scope but meets all the requirements that New Jersey has for redevelopment plans. This will be completed by May. The Redevelopment Plan will be introduced at the April meeting, referred to the Planning Board, and then go back to the Township Committee at their May meeting for adoption. Subsequent to the adoption, we will have an Advisory Committee that will consist of professionals.. Mr. Falzarano is working on the Advisory Committee. At the May meeting the Township will be able to set the Redevelopment Committee and we hope to have a redevelopment plan at the end of July 2019.*

*Chris Allyn, resident, asked what the status of the Diversion is. Mayor Yates explained that the Diversion is on a separate track but is related. Under the current Concept Plan, a section of the Glen Alpin site is necessary for the septic system for the development on Hurstmont. They are linked in this concept. Mr. Modi reported that the current status of the Diversion is that the Township has proposed that a permanent Historic Easement be*

*placed on the Glen Alpin property. That easement was finalized and submitted to the NJ Historic Sites Council. Mr. Modi explained that we are waiting to receive an answer from the NJ Historic Sites Council. Once we receive a response, the Township will take the next step which is the formal submission of paperwork from Trenton.*

*A question was asked regarding 40 affordable units, what does this mean? Mayor Yates responded it is 40 affordable units which means a total of about 240 to 250 units. A question was asked if this presentation would be available on the Township's website. Mayor Yates responded yes. Mr. Falzarano reported that the previous COAH presentation is currently on the website. Mayor Yates explained that some of the units are beds not apartments. A question was asked if the existing concept plan have a breakdown of units. Mayor Yates responded with he believes the concept plan does have a break down. Mayor Yates explained that the Concept Plan is not public until the Township adopts the first redevelopment plan. A discussion ensued regarding the Concept Plan and Redevelopment Plan.*

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

**Mayor Yates** asks Committee Member Modi to proceed with Resolution TC 19-084 listed on the Non-Consent agenda.

### **Resolution TC 19-084 -- 2019 Budget to be Read by Title Only at the Public Hearing**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

**WHEREAS**, these conditions will be met.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the budget shall be read by title only.

### **NON-CONSENT AGENDA VOTE:**

**Mayor Yates** asked **Committee Member Modi** to proceed with Resolution TC 19-084 listed on the Non-Consent agenda.

*Committee Member Modi made a motion to approve the resolution placed on this evening's Non-Consent Agenda by consent of the Township Committee. Seconded by Township Committee Member DiTosto.*

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

### **Vote on Resolution:**

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

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

**Mayor Yates** asks Committee Member Modi to proceed with Resolution TC 19-085 listed on the Non-Consent agenda.

**Resolution TC 19-085 – Introduction of Budget -- Municipal Budget Notice – Fiscal Year 2019**

**BE IT RESOLVED**, that the attached statements of revenues and appropriations shall constitute the Municipal Budget for year 2019; and

**BE IT FURTHER RESOLVED**, that said Budget be published in the Observer-Tribune in the issue of March 21, 2019; and

**BE IT FURTHER RESOLVED**, that the Governing Body of the Township of Harding does hereby approve the attached as the Budget for the year 2019; and

SUMMARY OF REVENUES - CURRENT FUND		ANTICIPATED	
		2019	2018
1	SURPLUS	2,100,000.00	2,041,512.00
2	TOTAL MISCELLANEOUS REVENUES	1,272,639.00	1,382,771.00
3	RECEIPT FROM DELINQUENT TAXES	90,000.00	90,000.00
4	LOCAL TAX FOR MUNICIPAL PURPOSE	5,777,133.00	5,675,195.47
	TOTAL GENERAL REVENUES	9,239,772.00	9,189,478.47
SUMMARY OF APPROPRIATIONS - CURRENT FUND		ANTICIPATED	
		2019	2018
1	OPERATING BUDGET		
	SALARIES & WAGES	3,264,600.00	3,123,100.00
	OTHER EXPENSES	3,777,555.00	3,577,373.00
2	OPERATIONS – EXCLUDED FROM “CAPS”	291,675.00	450,507.47
3	DEFERRED CHARGES & OTHER APPROPRIATIONS	0.00	0.00
4	CAPITAL IMPROVEMENT FUNDS	616,000.00	750,000.00
5	DEBT SERVICE	377,539.00	380,172.00
6	RESERVE FOR UNCOLLECTED TAXES	912,403.00	908,326.00
	TOTAL GENERAL APPROPRIATIONS	9,239,772.00	9,189,478.47
SUMMARY OF REVENUES - SEWER UTILITY FUND		ANTICIPATED	
		2019	2018
1	SURPLUS	30,000.00	30,000.00
2	TOTAL MISCELLANEOUS REVENUES	200,000.00	200,000.00
	TOTAL GENERAL REVENUES	230,000.00	230,000.00
SUMMARY OF APPROPRIATIONS - SEWER UTILITY FUND		ANTICIPATED	
		2019	2018
1	OPERATING BUDGET		
	SALARIES & WAGES	25,000.00	25,000.00
	OTHER EXPENSES	188,000.00	188,000.00
2	DEFERRED CHARGES & OTHER APPROPRIATIONS	2,000.00	2,000.00
	CAPITAL IMPROVEMENT FUNDS	15,000.00	15,000.00
	TOTAL GENERAL APPROPRIATIONS	230,000.00	230,000.00
BALANCE OF OUTSTANDING DEBT			
TOTAL PRINCIPAL TO BE PAID IN 2019			390,000
TOTAL INTEREST TO BE PAID IN 2019			178,675
REMAINING PRINCIPAL AND INTEREST TO BE PAID AFTER 2018			4,535,000
TOTAL NUMBER OF PERSONS BUDGTED		2019	2018
		39	37

**BE IT FURTHER RESOLVED**, that a Hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 15, 2019, at 7:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

**NON-CONSENT AGENDA VOTE:**

**Mayor Yates** asked Committee Member Modi to proceed with Resolution TC 19-085 listed on the Non-Consent agenda.

*Committee Member Modi made a motion to approve the resolution placed on this evening's Non-Consent Agenda by consent of the Township Committee. Seconded by Township Committee Member Jones.*

**Mayor Yates** asks 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	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<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"/>

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

**Mayor Yates** asked **Committee Member Modi** to proceed with Resolution TC 19-086 listed on the Non-Consent agenda.

**Resolution TC 19-086 – Emergency Temporary Appropriations Resolution**

**WHEREAS**, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2019 budget and no adequate provision has been made in the 2019 temporary budget for the aforesaid purposes; and

**WHEREAS**, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

**WHEREAS**, the total emergency temporary appropriation resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,625,730.00.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$2,625,730.00 as follows:

Department	Budget Line Item	2019 Emergency Temporary Appropriations (3/18/19)
HUMAN RESOURCES	OTHER EXPENSES	910.00
GENERAL ADMINISTRATION	SALARIES AND WAGES	106,450.00
GENERAL ADMINISTRATION	OTHER EXPENSES	40,000.00
MIS	OTHER EXPENSES	25,190.00

MAYOR AND COUNCIL	SALARIES AND WAGES	1,040.00
MAYOR AND COUNCIL	OTHER EXPENSES	2,440.00
MUNICIPAL CLERK	SALARIES AND WAGES	21,090.00
MUNICIPAL CLERK	OTHER EXPENSES	10,880.00
ELECTION	OTHER EXPENSES	1,010.00
FINANCIAL ADMINISTRATION	SALARIES AND WAGES	40,530.00
FINANCIAL ADMINISTRATION	OTHER EXPENSES	4,260.00
AUDIT SERVICES	OTHER EXPENSES	8,960.00
TAX COLLECTION	SALARIES AND WAGES	13,730.00
TAX COLLECTION	OTHER EXPENSES	1,460.00
TAX ASSESSMENT	SALARIES AND WAGES	13,840.00
TAX ASSESSMENT	OTHER EXPENSES	2,420.00
COST OF TAX APPEAL	OTHER EXPENSES	8,670.00
TAX MAP REVISION	OTHER EXPENSES	1,880.00
LEGAL SERVICES	OTHER EXPENSES	60,000.00
ENGINEERING SERVICES	OTHER EXPENSES	15,160.00
PLANNING BOARD	SALARIES AND WAGES	3,120.00
PLANNING BOARD	OTHER EXPENSES	11,630.00
BD OF ADJUSTMENT	SALARIES AND WAGES	12,660.00
BD OF ADJUSTMENT	OTHER EXPENSES	7,740.00
UNIFORM CONST. CODE	SALARIES AND WAGES	75,230.00
UNIFORM CONST. CODE	OTHER EXPENSES	4,790.00
LIABILITY INSURANCE	OTHER EXPENSES	50,540.00
GROUP INSURANCE	OTHER EXPENSES	349,590.00
HEALTH BENEFIT WAIVER	OTHER EXPENSES	4,340.00

UNEMPLOYMENT INSURANCE	OTHER EXPENSES	30.00
POLICE DEPARTMENT	SALARIES AND WAGES	522,630.00
POLICE DEPARTMENT	OTHER EXPENSES	24,110.00
EMERGENCY MANAGEMENT	OTHER EXPENSES	2,030.00
FIRE HYDRANT SERVICE	OTHER EXPENSES	1,740.00
STREETS & ROAD MAINT	SALARIES AND WAGES	166,330.00
STREETS & ROAD MAINT	OTHER EXPENSES	23,970.00
SNOW REMOVAL	SALARIES AND WAGES	22,000.00
SNOW REMOVAL	OTHER EXPENSES	66,000.00
SOLID WASTE COLLECTION	SALARIES AND WAGES	580.00
SOLID WASTE COLLECTION	OTHER EXPENSES	26,570.00
RECYCLING	SALARIES AND WAGES	2,310.00
RECYCLING	OTHER EXPENSES	4,910.00
BUILDING & GROUNDS	OTHER EXPENSES	25,410.00
VEHICLE MAINT.	OTHER EXPENSES	24,400.00
CONDOMINIUM REIMB	OTHER EXPENSES	13,000.00
HEALTH SERVICE	SALARIES AND WAGES	26,180.00
HEALTH SERVICE	OTHER EXPENSES	4,010.00
ENVIRONMENTAL COMMISSION	SALARIES AND WAGES	660.00
ENVIRONMENTAL COMMISSION	OTHER EXPENSES	1,040.00
ANIMAL CONTROL COST	OTHER EXPENSES	730.00
WELFARE ADMINISTRATION	OTHER EXPENSES	220.00
OPENSACE COMMISSION	SALARIES AND WAGES	660.00
HISTORICAL PRESERVATION	OTHER EXPENSES	3,040.00
CONT. TO S/C PROGRAM	OTHER EXPENSES	1,300.00

MAINT. OF PARKS	OTHER EXPENSES	10,110.00
MAINT OF LIBRARY	OTHER EXPENSES	11,550.00
MUNICIPAL ALLIANCE	OTHER EXPENSES	150.00
ACCUMULATED LEAVE COMP	SALARIES AND WAGES	22,000.00
ELECTRICITY	OTHER EXPENSES	11,550.00
STREET LIGHTING	OTHER EXPENSES	1,160.00
TELEPHONE	OTHER EXPENSES	9,390.00
WATER & SEWER	OTHER EXPENSES	290.00
NATURAL GAS/HEATING OIL	OTHER EXPENSES	3,760.00
GASOLINE	OTHER EXPENSES	17,330.00
CONTINGENCY	OTHER EXPENSES	730.00
PERS	OTHER EXPENSES	158,500.00
SOCIAL SECURITY	OTHER EXPENSES	88,000.00
PFRS	OTHER EXPENSES	372,400.00
JUDGEMENTS	OTHER EXPENSES	30.00
MORRIS COUNTY I/L	OTHER EXPENSES	32,260.00
JOINT MUNICIPAL COURT	OTHER EXPENSES	23,100.00
<b>TOTAL CURRENT BUDGET EXCLUDING CAPITAL IMPROVEMENT FUND &amp; DEBT SERVICE</b>		<b>2,625,730.00</b>

2. Said emergency temporary appropriations will be provided for in the 2019 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

**NON-CONSENT AGENDA VOTE:**

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

**Mayor Yates** asks 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	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</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"/>

## 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.

*Mr. Allyn, resident, mentioned that he is aware of several gas generators that had failed asked if there is a problem in town with gas generators. Mr. Falzarano reported that PSE&G completed an extension gas line extension in town last summer. The purpose was due to they were under sized. PSE&G is monitoring this. Mayor Yates asked if Mr. Allyn could provide Mr. Falzarano with names of residents that have concerns. Mayor Yates explained that whoever is conducting your gas piping should perform a test to see what pressure is being delivered. A discussion ensued regarding gas generators.*

## ORDINANCES FOR SECOND READING - NONE

## ADD-ON RESOLUTIONS

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

### 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 19-087 THROUGH RESOLUTION TC 19-099 HAVE BEEN PLACED ON THE CONSENT AGENDA

*Mrs. DiTosto asked for an explanation for Resolution TC 19-093 regarding the change orders to the DPW Administration Building. Mr. Falzarano explained that the architect conducted a review and the changes are as follows:*

***Change Order #1** -- three electrical outlets and carpentry were not in the original specifications and had to be added.*

**Change Order #2** – we were about to install a natural gas line. The original plan had an electric furnace with the oil tank being removed. The Township can now go to natural gas for the existing building and new building. Natural gas is cleaner and cheaper. The installation of the gas line was \$34,000.00. Mr. Falzarano spoke with PSE&G and they came back at a cost of \$24,000.00 for the gas line. Mr. Falzarano spoke with PSE&G again and asked what the cost would be if the trenches were completed by the Township's DPW employees. Their response was it would cost \$2,000.00. Mr. Falzarano explained this is a savings to the town of \$32,000.00.

**Change Order #3** – this change is for a manual transfer switch. A generator was approved in 2005 for a natural gas generator. If it fails, DPW can put a portable generator in.

**Change Order #4** – this change represent the water line size. The architect under sized the water line.

Mrs. DiTosto thanked Mr. Falzarano for the explanation.

Mayor Yates asked that a thank you letter be sent to Mr. & Mrs. Dietsch for the donation to the Police Department. Mr. Falzarano will prepare the letter on behalf of the Mayor and Township Committee.

### **CONSENT AGENDA VOTE:**

**Mayor Yates** asked Committee Member Platt to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 19-087 through TC 19-099.

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 Jones.

**Mayor Yates** asks 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	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<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"/>

### **APPOINTMENTS:**

#### **Resolution TC 19-087 – Resolution Appointment Elizabeth Sovolos to the Board of Adjustment**

**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 appointment as member of the Harding Township Board of Adjustment commencing March 22, 2019, be made:

Elizabeth Sovolos  
 Member

4 year unexpired term expiring  
 December 31, 2020

### **CONTRACTS:**

Q 03-18-2019

**Resolution TC 19-088 – A Resolution Authorizing the Purchase of Electricity Supply Services for Public Use on an Online Auction Website**

**WHEREAS**, the Township of Harding in the County of Morris, State of New Jersey has determined to move forward with the EMEX Reverse Auction in order procure electricity for the Township of Harding; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, the Township of Harding will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at [www.energymarketexchange.com](http://www.energymarketexchange.com); and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**WHEREAS**, if the auction achieves a price of \$0.083/kWh or less for a 12 month term, a price of \$0.082/kWh or less for an 18 month term, a price of \$0.084/kWh or less for a 24 month term; Harding Township N.J. may award a contract to the winning supplier for the selected term.

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey authorizes the Mayor to execute on behalf of the Township of Harding any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.083/kWh or less for a 12 month term, a price of \$0.082/kwh or less for an 18 month term, a price of \$0.084/kwh or less for a 24 month term; Harding Township N.J. may award a contract to the winning supplier for the selected term; and

**BE IT FURTHER RESOLVED**, that all other Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

---

**Resolution TC 19-089 – Resolution Awarding Professional Services Contract to Appraisal Systems, Inc., for Revaluation Services**

**WHEREAS**, the Township of Harding has a need to acquire professional appraisal services for the Township of Harding in connection with the Township’s requirement to conduct a Township-wide revaluation of all real property in the Township for the 2020 tax year; and

**WHEREAS**, the Township solicited and received a written proposal for said services from Appraisal Systems, Inc., 264 South Street, Building 2, Suite 1 B, Morristown, New Jersey 07960, dated March 7, 2019, a copy of which is on file with the Township Purchasing Agent; and

**WHEREAS**, pursuant to said proposal, Appraisal Systems, Inc. can provide said revaluation services to the Township for One Hundred Ninety Nine Thousand Four Hundred Fifty Dollars and no cents (\$199,450.00) based upon the Township having 2069 line items as outlined in the proposal, with an additional cost for any line items exceeding the 2069 line items outlined in the proposal; and

**WHEREAS**, the Township's CFO has certified that funds are available for this purpose in Accounts # 04-2016-201602-4022-4-00000 (\$25,000.00); 04-2017-201702-4022-4-00000 (\$75,000.00); and 04-2018-201803-4022-4-00000 (\$99,455.00); and

**WHEREAS**, the anticipated term of the contract shall not exceed 1 year; and

**WHEREAS**, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, the Township's Tax Assessor and Purchasing Agent have reviewed the proposal submitted by Appraisal Systems, Inc. and have recommended that the Township Committee award a contract to Appraisal Systems, Inc. for the township wide revaluation; and

**WHEREAS**, this contract is being awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that it does hereby award a contract to Appraisal Systems, Inc., 264 South Street, Building 2, Suite 1 B, Morristown, New Jersey 07960 for the township revaluation for tax year 2020, in the amount of One Hundred Ninety Nine Thousand Four Hundred Fifty Dollars and no cents (\$199,450.00) based upon the Township having 2069 line items as outlined in the proposal, with an additional cost for any line items exceeding the 2069 line items outlined in the proposal and in accordance with Appraisal System Inc.' March 7, 2018 proposal, a copy of which is on file with the Township's Purchasing Agent and the Mayor and Township Clerk are hereby authorized to execute the Agreement for Revaluation Services on behalf of the Township of Harding; and

**BE IT FURTHER REVOLVED**, that the award of this contract is subject to approval by the New Jersey Department of Taxation; and

**BE IT FURTHER RESOLVED**, that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED**, that the contract shall be made available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract shall be published in a newspaper of general circulation in the municipality in accordance with N.J.S.A. 40A:11-5(1).

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**Resolution TC 19-090 – Resolution Authorizing the Township of Harding to Participate in the Union County Cooperative Pricing Agreement**

**WHEREAS**, N.J.S.A. 40A:11-1 et. Seq. authorizes contracting unites to enter into Cooperative Pricing Agreements; and

**WHEREAS**, the County of Union hereinafter referred to as "the Lead Agency" has offered voluntary participation in a renewal participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

**WHEREAS**, the Township of Harding, in the County of Morris desires to participate in the Union County Cooperative Pricing Agreement.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that the Township Committee authorizes the Township of Harding to participate in the Union County Cooperative Pricing Agreement and execute a Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services; and

**BE IT FURTHER RESOLVED**, that the County of Union as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq. and all of the provisions of the revised statutes of the State of New Jersey).

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**Resolution TC 19-091 – Resolution Authorizing Engineering Services for Construction of Bayne Park/Municipal Campus Trail**

**WHEREAS**, Paul Fox of Apgar Associates serves as the Township Engineer; and

**WHEREAS**, it is the desire of the Township Committee to construct a Pedestrian Trail through Bayne Park & Kirby Municipal Building; and

**WHEREAS**, in the course of preparation and construction of the Bayne Park / Kirby Municipal Campus Trail, it is was necessary to increase the authorization for the services of Apgar Associates, under their professional services contract to perform various tasks; and

**WHEREAS**, the Chief Financial Officer for the Township of Harding has certified that monies are available in the amount of \$7,700.00 from account number #05-5000-0000-9403-2-00000, for the following tasks:

<b>TRAIL GRANT</b>	<b>DOLLAR AMOUNT</b>
Revise Plans, Re-Bid, Contract Administration, Closeout Documents	\$3,500.00
Coordination with MC	500.00
Surveying Plan Revisions	1,000.00
Construction Inspection	1,800.00
Added Loop Construction Oversight	900.00
<b>GRAND TOTAL</b>	<b>\$7,700.00</b>

**BE IT RESOLVED**, the Township Committee of the Township of Harding, does hereby authorize the Harding Township Purchasing Agent to issue a Purchase Order in the amount not to exceed \$7,700.00 for work outlined within this resolution.

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**Resolution TC 19-092 Resolution to Authorize a Tonnage Grant Applicant**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand the existing program; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**; the recycling regulations impose on the municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the 2018 recycling grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Harding Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**BE IT RESOLVED**, by the Harding Township Committee that:

1. Harding Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Tracy Toribio to ensure that the application is properly filed.
2. The monies received from the recycling tonnage grant will be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.
3. This resolution replaces resolution TC 18-086 which was approved on March 12, 2018.

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**Resolution TC 19-093 – Resolution Authorizing Change Orders #001, #002, #003, and #004 for Additions to DPW Administration Building Representing 2.51% Contract Increase with Goksu Construction, LLC**

**WHEREAS**, pursuant to Resolution No. 18-163, the Mayor and Committee of the Township of Harding approved and awarded a Contract to Goksu Construction, LLC for the Addition to Department of Public Works Administration Building in the amount of \$351,000.00 (hereinafter the “Project”); and

**WHEREAS**, during the performance of the work, David A. Denson, the Township’s Architect Consultant for the Project in conjunction with the Contractor determined that certain items were requested be added by the Township that were not included as part of the Project, thereby necessitating certain change orders; and

**WHEREAS**, the additional work necessitating the change orders are set forth in Change Orders 001, 002, 003 and 004 (hereinafter jointly referred to as the “Change Orders”), attached hereto and made a part hereof; and

**WHEREAS**, Change #1, represents the labor, and materials relative to the addition of (3) three electrical outlets and related carpentry to allow for the installations of wall mounted television /monitors at an additional cost of \$979.44; and

**WHEREAS**, Change #2, represents the labor, materials, fees and charges relating to changing the HVAC system from Heat Pump (electric) to Furnace/Air Conditioner (natural gas with propane conversion) at an additional cost of \$2,877.11; and

**WHEREAS**, Change #3, represent the labor and materials relating to installation of manual transfer switch, power line, and outdoor receptacle, at an additional cost of \$2,301.68; and

**WHEREAS**, Change #4, represents a change in the water line size, as required for plumbing code compliance at and additional cost of \$2,668.97; and

**WHEREAS**, Goksu Construction, LLC was not previously granted any change orders; and

**WHEREAS**, the Township's Architect has recommended that the Change Orders be approved by the Township Committee and the costs related to the additional work and furnishing of such services totaling \$8,827.20 will result in a 2.51% increase in the cost of the Contract above the original contract amount of \$351,000.00, for a final contract amount of \$359,827.20; and

**WHEREAS**, the regulations governing local public contracts, specifically N.J.A.C. 5:30-11.3(a)(1) allows a governing body to authorize change orders that do not increase the original contract amount by more than 20%; and

**WHEREAS**, the Township Chief Financial Officer has certified funds in the additional amount of \$8,827.20 from Fund # 04-2018-201808-4024-4-04042; and

**WHEREAS**, based upon the Contractor's Certification and the recommendation of the Township Architect, David A. Denson, the Township Committee has determined that it is in the best interest of the residents of the Township of Harding to authorize Change Orders 001; 002, 003; and 004, for a total increase in contract awarded to Goksu Construction, LLC in the amount of Eight Thousand, Eight Hundred Twenty Seven and twenty cents (\$8,827.20).

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey, that Change Order 001, Change Order 002, Change Order 003 and Change Order 004 for the Contract for the DPW Administration Building Addition in the sum of \$8,827.20 representing an increase of 2.51% above the original contract amount of \$351,000.00 with Goksu Construction, LLC be and are hereby authorized and approved as set forth in the attached Change Orders; and

**BE IT FURTHER RESOLVED**, that the modified cost of services after these Changer Orders is as follows:

Original Contract	\$351,000.00
Changer Orders 001-004 Increase	<u>\$ 8,827.20</u>
<b>TOTAL AMOUNT</b>	<b>\$359,827.20</b>

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#### **FINANCE:**

##### **Resolution TC 19-094– 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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**Resolution TC 19-095 - Self Examination of Budget as Required by DCA**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Harding has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

**BE IT RESOLVED**, by the governing body of the Township of Harding that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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**MISCELLANEOUS:**

**Resolution TC 19-096 – Resolution to Support the Harding Land Trust Application for Green Acres Stewardship Funding for the Gatehouse Property**

**WHEREAS**, the Harding Land Trust will submit an application for Green Acres Stewardship Funding for the Gatehouse property; and

**WHEREAS**, the Harding Open Space Trust Committee approves of the Green Acres Stewardship to enhance the streetscape and meadow at the Gatehouse property; and

**WHEREAS**, the Harding Township Committee concurs with the Harding Open Space Committee that the Green Acres funding for stewardship will enhance the streetscape and meadow at the Gatehouse property; and

**WHEREAS**, the Green Acres Stewardship application is due April 30, 2019.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that we give our support for the Gatehouse project.

---

**Resolution TC 19-097 – Resolution to Accept a Donation for Personal Protective Gear for the Harding Township Police Department**

**WHEREAS**, Kevin and Kristie Dietsch are residents of the Township of Harding; and

**WHEREAS**, they have generously offered, by way of a donation, to the Township of Harding in the amount of Three Thousand Four Hundred (\$3,400.00) Dollars for the purchase of personal protective gear for the Harding Township Police, which was accepted on October 12, 2018; and

**WHEREAS**, the Township Committee desires to accept said donation pursuant to N.J.S.A. 40A:11-13.1 and/or N.J.S.A. 40A:5-29, as applicable.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the Township Committee has determined it is in the best interests of the Township and its residents to accept the generous donation from Mr. & Mrs. Dietsch of Three Thousand Four Hundred (\$3,400.00) Dollars for the purchase of personal protective gear for the Harding Township Police; N.J.S.A. 40A:11-13.1 and/or N.J.S.A. 40A:5-29, as applicable.

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**PERSONNEL:**

**Resolution TC 19-098 – Resolution to Accept Resignation of M.N.**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding accepts the resignation of M. N. effective March 4, 2019.

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**PROFESSIONALS:**

**Resolution TC 19-099 – Resolution to Appoint Redevelopment Attorney for Glen Alpin**

**WHEREAS**, the Township of Harding has a need to award a contract for a redevelopment attorney for redevelopment purposes for the Township; and

**WHEREAS**, the firm of Greenbaum Rowe Smith & Davis LLP possesses expertise in the field of redevelopment; and

**WHEREAS**, Greenbaum Rowe Smith & Davis LLP has prepared a proposal dated March 12, 2019, outlining the tasks and costs associated with the steps necessary for redevelopment for the Township; 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:

Redevelopment Attorney	Greenbaum Rowe Smith & Davis LLP	1/1/2019 to 12/31/2019
	75 Livingston Avenue, Suite 301	Not to Exceed \$5,000.00
	Roseland, NJ 07068	01-2019-1110-0100-2-00105

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#### **ORDINANCES FOR FIRST READING**

#### **ORDINANCE #07-2019 – AN ORDINANCE OF THE TOWNSHIP OF HARDING NAMING BARRETT FIELD ACCESS ROAD**

**Mayor Yates** asks Township Committee Member Jones to introduce Ordinance TC #07-2019.

**Township Committee Member Jones** introduces Ordinance TC #07-2019 by title as follows:

#### **HARDING TOWNSHIP ORDINANCE #07-2019**

#### **AN ORDINANCE OF THE TOWNSHIP OF HARDING NAMING BARRETT FIELD ACCESS ROAD - “BARRETT FIELD TRAIL”**

**Township Committee Member Jones** explained the purpose of the Ordinance and moved for introduction on first reading.

Township Committee Member Jones read:

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on March 18, 2019.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on April 15, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

*Township Committee Member Jones offered Ordinance #07-2019 and moved its introduction. Township Committee member Platt seconded the motion.*

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

*Mr. Allyn, resident, asked if this is a separate parcel. Mr. Jones responded it is the driveway which will now receive a sign. Mayor Yates explained that the point of this ordinance is so Barrett Field can get onto Google Maps and people can put it in their GPS.*

**Vote on Introduction:**

	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	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</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"/>

**ORDINANCES FOR FIRST READING**

**ORDINANCE #08-2019 – CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFOR THE SUM OF \$616,000**

**Mayor Yates** asked **Township Committee Member Modi** to introduce Ordinance TC #08-2019.

**Township Committee Member Modi** introduced Ordinance TC #08-2019 by title as follows:

**HARDING TOWNSHIP  
 ORDINANCE #08-2019**

**CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFOR THE SUM OF \$616,000**

**Township Committee Member Modi** explained the purpose of the Ordinance and moved for introduction on first reading.

**Township Committee Member Modi** reads:

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on March 18, 2019.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on April 15, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

*Township Committee Member Modi offered Ordinance #08-2019 and moved its introduction.  
 Township Committee member Jones seconded the motion.*

*Mrs. Egea, resident, asked if prior year's capital could be broken out since it is going down so much (\$135,000). Mr. Fiore responded with yes. Mr. Fiore explained that the breakdown for last year and this year is on the website.*

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

**Vote on Introduction:**

	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	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<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"/>

**ORDINANCES FOR FIRST READING**

**ORDINANCE #09-2019 –SEWER CAPITAL ORDINANCE -- CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFOR THE SUM OF \$31,500 FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

**Mayor Yates** asked **Township Committee Member Modi** to introduce Ordinance TC #09-2019.

**Township Committee Member Modi** introduced Ordinance TC #09-2019 by title as follows:

**HARDING TOWNSHIP  
 SEWER CAPITAL ORDINANCE #09-2019**

**CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFOR THE SUM OF \$31,500 FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

**Township Committee Member Modi** explained the purpose of the Ordinance and moved for introduction on first reading.

**Township Committee Member Modi reads:**

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on March 18, 2019.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on April 15, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

*Township Committee Member Modi offered Ordinance #09-2019 and moved its introduction.  
 Township Committee Member DiTosto seconded the motion.*

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

**Vote on Introduction:**

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

**ORDINANCES FOR FIRST READING**

**ORDINANCE #10-2019 –“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”**

**Mayor Yates** asked Township Committee Member Modi to introduce Ordinance TC #10-2019.

**Township Committee Member Modi** introduced Ordinance TC #10-2019 by title as follows:

**HARDING TOWNSHIP  
 ORDINANCE #10-2019**

**“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”**

**Township Committee Member Modi** explained the purpose of the Ordinance and moved for introduction on first reading.

Township Committee Member Modi read:

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on March 18, 2019.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on April 15, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

*Mr. Allyn, resident, asked if the CAP bank could be explained. Mr. Fiore explained that the Township Committee can increase appropriations by 10% or less. Mayor Yates stated that the CAP Bank provides the previous three years of capital.*

*Township Committee Member Modi offered Ordinance #10-2019 and moved its introduction. Township Committee member DiTosto seconded the motion.*

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

**Vote on Introduction:**

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

**ORDINANCES FOR FIRST READING – *Tabled***

*Mr. Roselli asked for Mayor Yates to call a motion. Upon a motion made by Mrs. DiTosto, seconded by Mr. Jones, and with a vote of all ayes, none opposed, Ordinance #11 was tabled for further discussion.*

**ORDINANCE #11-2019 – “AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7 OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY §7-37.1 ENTITLED “OPEN SPACE TRUST COMMITTEE”**

**Mayor Yates** asks Township Committee Member Jones to introduce Ordinance TC #11-2019.

**Township Committee Member Jones** introduces Ordinance TC #11-2019 by title as follows:

**HARDING TOWNSHIP  
 ORDINANCE #11-2019**

**“AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7 OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY §7-37.1 ENTITLED “OPEN SPACE TRUST COMMITTEE”**

**Township Committee Member Jones** explains the purpose of the Ordinance and moves for introduction on first reading.

**Township Committee Member Jones reads:**

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on March 18, 2019.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on April 15, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

**Township Committee Member Jones:** I offer Ordinance #11-2019 and move its introduction.

Township Committee member \_\_\_\_\_ seconds the motion.

**Mayor Yates** asks the Municipal Clerk for a Roll Call:

**Vote on Introduction:     *TABLED FOR FURTHER DISCUSSION***

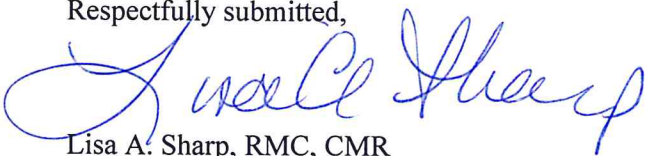
	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**ADJOURNMENT – Mr. Yates**

Mayor Yates asked for a motion to adjourn. Upon a motion made by Mrs. DiTosto, seconded by Mr. Platt, and with all members in agreement the meeting adjourned at 9:45 p.m.

Respectfully submitted,



Lisa A. Sharp, RMC, CMR  
Municipal Clerk

# Kemmerer Library, Harding Township

STATE OF THE LIBRARY, 2018-2019

PRESENTED BY DR ALISON MAXWELL, DIRECTOR

# Library Overview

- ▶ Director and 4 part-time staff operate the Library, 6 days per week
- ▶ Long term and new volunteers perform critical functions including cataloging and processing interlibrary loans as well as supporting circulation desk staff
- ▶ Member of Morris County library consortium (MAIN). Harding patrons can borrow materials from all county libraries.
- ▶ Kemmerer Library is Harding's Community Center
  - ▶ Programs and events
  - ▶ Meeting rooms
  - ▶ Warming Center

# The Library as a Library

- ▶ In 2018, almost 14,000 items were borrowed via Kemmerer Library
  - ▶ 40% adult books
  - ▶ 37% children and teen books
  - ▶ 16% audiovisual (audiobooks and DVDs)
  - ▶ 7% e-Readers, eBooks and eAudiobooks
- ▶ Total circulation increased by 8% in the last 3 years
- ▶ Circulation of children's materials increased by 26% in 3 years
- ▶ Of note:
  - ▶ 33% of over-the-counter items came from other libraries in consortium
  - ▶ eLibrary available 24/7 for access to eBooks, eAudiobooks and eMagazines

# The Library as a Community Center

- ▶ A place to gather – Yoga, Mah Jongg, card games and puzzles
- ▶ Programs for all ages
  - ▶ Babies and toddlers (Story Hour, Playgroup)
  - ▶ After-school (Friday Crafternoons, Jr. Garden Club)
  - ▶ Teens (Middle School Book Club, Teen Board, College Prep.)
  - ▶ Adults (Author visits, Senior Health, Tech. help, Local interest)
- ▶ Major annual events
  - ▶ New Jersey Symphony Orchestra Chamber Players
  - ▶ Lanzerotti Lecture

# The Library as a Community Center

- ▶ Partner events with Harding community groups
  - ▶ Coffee with a Cop
  - ▶ Public Health Nurse monthly visits
  - ▶ Great Swamp Watershed Association well water testing
  - ▶ New Vernon First Aid Squad offered CPR training
  - ▶ 'Celebrate Harding' photo contest with Harding Land Trust
  - ▶ HTS Day of Service to benefit Malawi Visions
- ▶ Meeting room free to local community groups and clubs
- ▶ Open as a Warming and Recharging Center in times of power outage

# Who Uses Our Meeting Spaces?

## No Charge/Donations

- ▶ Friends of the Library/Fundraisers
- ▶ Harding Civic Association
- ▶ Harding Democrats
- ▶ Harding Republican Committee
- ▶ Harding Republican Club
- ▶ Harding Non-Partisans
- ▶ HTEF
- ▶ HTRA
- ▶ HTS PTO
- ▶ Bridge clubs (2)
- ▶ Harding Land Trust
- ▶ Girl Scouts (2 groups)
- ▶ NVV First Aid Squad

## Fee Paying

- ▶ Harding Green Association
- ▶ Meraki Futbol Club
- ▶ 'Have a Heart' Theater Group
- ▶ Herb Society of North America
- ▶ Garden Club of Morristown
- ▶ Garden Club of Madison
- ▶ Ford V8 Club
- ▶ Individuals
- ▶ Master Swim Club
- ▶ Better Angels

# Managing the Library Budget

- ▶ Income in 2018 was \$209,000
  - ▶ Twice yearly solicitations from the Board (67%)
  - ▶ Support from the Township (19%)
  - ▶ Friends of the Library fundraising events (10%)
  - ▶ Meeting room fees, book sales and fines (4%)
- ▶ Expenditure is stable
  - ▶ Facilities, utilities, administration and wages are bulk of costs
  - ▶ Frugal with \$s for materials and programs

# Growth in 2019

- ▶ Major upgrade to children's non-fiction collection, sponsored by the Friends of Kemmerer Library
- ▶ Continue to engage community and build on our successes
  - ▶ Increase volunteer involvement with patron guided book selection and programming committee
  - ▶ Introduce new reasons to gather eg. movie matinees
  - ▶ Strengthen links with HTS students – another 'Day of Service'
  - ▶ Community-wide, plastic bag recycling project run by Teen Board
  - ▶ New neighbor welcome (third year)
  - ▶ 'Know Your Town' initiative proposed to bring representatives from Township boards and committees to the Library
  - ▶ Seek further collaborative opportunities with Harding community groups

# Harding Open Space Discussion

# What Does The Current Ordinance Direct The HOST Committee To Do?

- § 7-37.1, paragraph D (4)

Procedures. The Open Space Trust Committee shall determine the criteria which are to be used in analyzing properties for possible acquisition by the Township whether in fee, by easement or by means of development rights. From time to time, the Committee is to advise the Township Committee of properties which it has determined meet the criteria and might be suitable for acquisition. The Township Committee shall determine which properties, easements or development rights should be acquired. After selection of the lands, easements or development rights as hereinabove provided, the Township may proceed to acquire by gift, purchase or by eminent domain proceedings pursuant to N.J.S.A. 20:3-1 et seq. the identified lands, easements or development rights within the financial constraints established by the Township Committee.

## For What Purposes May the Tax Proceeds Be Used?

- Paragraph E (1) (a) through (e)
- Acquisition of lands for conservation and recreation purposes
- Maintenance of lands acquired for recreation and conservation purposes
- Acquisition of farmland for farmland preservation purposes
- Payment of debt service on indebtedness issues or incurred for the acquisition of land for conservation and recreation purposes
- Historic preservation and the acquisition of historic properties, structures, facilities, sites or areas, up to 10% of the annual tax levy

The Township Committee shall determine the amount to be allocated to each purpose.

# HOST Committee Stewardship Activities and Discussions

## 2016-2018

Maintenance Topic	2016	2017	2018
Noted TC suggested additional maintenance was needed on properties	2 discussions, including discussing the revised ordinance		
Maintenance budget	2 discussions		1 discussion
Management plans, general	2 discussions	1 discussion	1 discussion
Glen Alpin	3 discussions		
Margetts	8 discussions	5 discussions	3 discussions
Von Zuben	3 discussions	2 discussions	
Dear	5 discussions		
James Street Fields / Wexford	1 discussion	1 discussion	
Gatehouse		1 discussion	
Supporting HLT's stewardship activities		1 discussion	
Silver Brook		1 discussion	
Municipal Trails		1 discussion	1 discussion

Property	2016	2017	2018	Three Year Total
Kirby Hall Campus				38,585.00
Glen Alpin	15,588.00	12,134.00	10,030.00	37,752.00
Gate House	9,987.00	6,790.00	8,138.00	24,915.00
Anderson Woods				
James Street			300.00	300.00
Margetts Field		4,128.00		4,128.00
Other	4,110.00	2,460.00		6,570.00
Showgrounds				
Bayne Park				
Barrett Field				
Bailey's Mill Field				
Youngs Road				
Waterman Meadow	1,194.00		700.00	1,894.00
Scudder (Post House)				
Bailey's Mill				
Egberts				
Von Zuben	200.00	1,205.00	885.00	2,290.00
Frelinghuysen			587.50	587.50
Dear	800.00	870.00	1,904.00	3,574.00
Total	31,879.00	27,587.00	22,544.50	82,010.50

# Management Plan for the Dear Property

- Improve regeneration of native plant species while removing invasive species
- Manage for multiple wildlife species
- Restore ecological balance to the site
- Conserve soil and water resources
- Year-by-year task list through 2020 includes
  - Replant stream buffer / Stream bank restoration
  - Restore Field 2 with native wildflowers
  - Restore Field 1 with native grasses, shrubs, herbs and flowers
  - Monitor riparian/streambank restoration and plantings
  - Remove hazardous trees from the easement area
  - 2020, inventory the property and prepare new management plan

# Management Plan for Waterman Meadow

- Manage meadow to improve habitat for native plants and wildlife
- Enhance wetland habitat
- Tree and shrub maintenance
- Create safe access for public enjoyment of the property
- Annually monitor and gather information, USFW biologist to inspect the property and data every three years

# Management Plan for Von Zuben

- Create native perennial wildflower meadow
- Manage invasives
- Create site-appropriate public access
- Evaluate and revise management practices to ensure conservation objectives are met
- Annually monitor and gather information, USFW biologist to review data and inspect the property every two years

## Lisa Sharp

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**From:** Tom MacCowatt <tmaccowatt@williamsjones.com>  
**Sent:** Monday, March 4, 2019 9:36 AM  
**To:** cmyates; Devanshu Modi; Tim Jones; Nanette Di Tosto; Nic Platt  
**Cc:** Larry Weppler; Loren Pfeiffer ; Lisa Sharp; Robert Falzarano  
**Subject:** HOST Stewardship debate

Dear TC:

I was extremely disappointed to read in the newspaper about the potential change in the open space tax ordinance to dedicate 1 cent to stewardship, or 25% of the annual amount – that is a huge number and not justified with any facts to back it up, and some points made to justify the change are not true. It appears that a revision was being proposed by the TC without consulting the HOST committee and the Harding Land Trust first. Good governance starts with committee discussion first with those that know the issue best, and a recommendation is then made and discussed at the TC level.

Reasons I disagree:

- 1) Why is it necessary to add this change to the ordinance when you already have the flexibility now to use the money for stewardship if HOST and the TC desire?
- 2) There is no current plan/proposal or justification to spend \$200K per year on stewardship. We currently spend less than one sixth of that amount for maintenance on all of our properties and could spend more if desired, but it would never get anywhere near the \$200K amount annually.
- 3) Which residents are asking for more stewardship, and what specifically are they asking for and how much would it cost? No resident has ever come to a HOST meeting to voice that nor has anyone ever told me that in my 8 years on the committee, with the exception of Chris Yates, primarily with regards to spending HOST funds to create wildflower meadows on larger properties like Primrose.
- 4) There is not a desire by HOST or HLT to spend more at this time as they do not think it is necessary and would rather preserve the funds for acquisition. The idea that we have not spent more on maintenance “because of a lack of dedicated funding” is nonsense – the money is there.
- 5) I believe we have management plans for all of the properties currently and the budget for each property has been reviewed annually for many years with little in the way of major changes. Not a lot of money is required to keep properties in their natural state as a hay field, woods, etc., unless there is storm damage, and we have farmers and volunteers that help us. Which properties do we not have a “real stewardship plan” on at all? If we don’t have one, have HOST/HLT prepare one.
- 6) We do not need to fence in our open space properties with deer fencing. Most property owners in town do not have deer fences, and none of the properties we acquire typically have deer fencing, so why should we spend the money to put fencing in and maintain it?
- 7) We should be “maintaining” properties, not “beautifying” them. Beautifying costs money – lots of it up front and then even more to maintain what was beautified. We approved giving \$5,000 to HLT within the past year or so to create a small pocket wildflower meadow on Von Zuben as a test case. You can barely see it from the road and it is apparently hard to maintain and invaded by weeds, despite volunteer efforts to keep it under control. Imagine what that would cost to implement and maintain on a larger scale on properties like Margetts, Frelinghuysen and Primrose.
- 8) We have several large potential land acquisitions in the pipeline, one that I believe you are all aware of that was discussed at the January HOST meeting, so for this amendment to be proposed at this time baffles me.

I urge you not to proceed with this amendment and would be happy to discuss further with any of you.

Best regards,

Tom

**Thomas H. MacCowatt, CFA**

Partner

Williams Jones | Investment Management

717 Fifth Avenue, 11 FL | New York, NY 10022 | P: (212) 935-1127

240 Royal Palm Way, STE 208 | Palm Beach, FL 33480 | P: (561) 515-1125

E: [tmaccowatt@williamsjones.com](mailto:tmaccowatt@williamsjones.com)

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March 13, 2019

Mr. Robert Falzarano  
Township Administrator  
Harding Township  
21 Blue Mill Road, Box 666  
New Vernon, NJ 07976

**RE:** Harding Township Open Space Ordinance

Dear Mr. Falzarano:

The Harding Open Space Trust Committee reviewed the proposed amended HOST Ordinance at their March 13, 2019 meeting and have the following recommendations:

1. HOST asks that the following **WHEREAS** paragraphs from page one of the proposed Ordinance be removed:

**WHEREAS**, nearly the entire emphasis of the open space activity in the Township to date has been regarding acquisition with little focus on the stewardship of the properties owned; and

**WHEREAS**, in instances where management plans that have been prepared, they have primarily focused on maintenance of the status quo at the time of acquisition instead of restoration of the property or their clean up and repair following the occurrence of natural events, such as Superstorms Sandy or Irene; and

**WHEREAS**, this has resulted in properties that are not environmentally healthy or that do not contribute to the ecological fabric of the township; and

**WHEREAS**, this result is a reflection of the lack of dependable funding for the execution of management plans that reach beyond mere maintenance thereby causing such plans to be minimal in their objectives; and

**WHEREAS**, the Township Committee desires to amend §7-37.1 to encourage the creation of management plans that will improve the properties and seek to determine the best and highest uses of the properties and to provide a stable and dependable funding stream for the implementation of the plans; and

2. Under Section C. Terms of Office new sentence #2; add an s to the word member.
3. Under Section D. Powers and Operating Procedures remove the following new paragraph in

its entirety. HOST believes this to be unnecessary as the Township already asks for this.

**Additionally, the Open Space Trust Committee shall prepare or direct to be prepared a management plan for each property owned by the Township. Such plan shall describe the management goal(s) for each property and the method(s) to each achieve the identified goal(s). For properties jointly owned with another entity the management plan shall be prepared jointly by all owners. The Township Committee shall review and approve each plan, including making such amendments or revisions that the Township Committee deems necessary at time of approval.**

4. Under Section E. Funding, Section (b) change the first sentence as follows: "Maintenance of lands placed on the Rosi acquired by the Township for conservation and recreation purposes."
5. Under Section E. Funding Section (b) remove the entire underlined paragraph.

**"One cent of the annual levy shall be dedicated for the execution of the management plans of properties prepared in accordance with paragraph D (4) above. Such dedicated funds shall be accumulated if not spent annually and may not be used for other purposes unless so determined by the Township Committee, after conducting at least one public hearing thereon."**

The HOST Committee would also ask that this discussion item be removed from the March 18, 2019 Township Committee meeting and added their April 15, 2019 meeting for public discussion so members of HOST can be in attendance.

Please find attached a copy of a statement made into the record regarding the HOST Ordinance by Mr. Wepler.

Harding Open Space Trust Committee

Attachment

21 BLUE MILL ROAD, POST OFFICE BOX 666  
NEW VERNON, NEW JERSEY 07976  
TELEPHONE (973) 267-8000  
MARIAN & ALLAN P. KIRBY MUNICIPAL BUILDING

### **Statement of Larry Weppler**

First let me be clear, the views expressed here are my views, and my views solely, and do not necessarily represent the position of the HOST Committee.

I was surprised to see the revised HOST ordinance which was first presented at the Township Committee meeting on February 25, 2019. To my recollection, this was the first time that I had seen this proposed revision of the HOST ordinance. I believe the recitals purporting to justify this proposed ordinance revision are inaccurate and do not accurately reflect the discussions of the HOST committee, at least during the term of my tenure and at meetings which I attended as a member of the public.

I do not believe that the conclusion drawn in the recitals, namely that a lack of "stable and dependable funding stream" has resulted in HOST properties being maintained in the "status quo at the time of acquisition" and that the HOST properties are not environmentally healthy; nor do I believe the proposed changes to HOST ordinance address that issue. The funding source supposedly created by this source Section E.1.(b) can be used for "other purposes" if so determined by the Township Committee after a single public meeting. This differs from the current situation only in that the Township Committee must meet once to divert this supposedly stable funding source which it does when it approves any use of funds. So, in reality, there is no difference. And what "other purposes," surely not a purpose other than those authorized by the ordinance, although the ordinance does not so state.

The recitals themselves are in fact inaccurate, stating that the HOST properties were "not cleaned up or repaired following the occurrence of natural events such as Superstorms Sandy or Irene." There was extensive clean up of Margetts' Woods after Superstorm Sandy and tree work was performed on other properties after those events to address hazardous conditions which might impede public access. Additional work was done after last year's storms to address hazardous conditions along the bridle trail in Margetts Woods and to protect the iconic tree located at the east end of Margetts Woods. It is not clear that cleanup for the sake of cleanup in a wooded area is, in fact, healthy for the forest. Downed trees that do not provide a hazard to public access provide cover and habitat for wildlife. In each case the HOST committee considered this issue after major natural weather events and took the appropriate actions. In another instance not related to a weather event, an open well was noted on a HOST property. After an investigation by HOST upon

communication to Township officials, the situation was remediated. HOST members walk the HOST properties, I personally have been on each of them.

I acknowledge that the HOST committee is an advisory committee which has no power to raise or spend funds, these functions being left solely to the Township Committee. Thus, the need for the funding change in the proposed regulation is hard to perceive, as the Township Committee already has the power and authority to do what these changes purport to grant to it. The only thing this ordinance does is restrict the flexibility of the Township Committee in an inconsequential way by requiring it to hold a public meeting to reallocate the funds previously segregated for maintenance, which as previously pointed out could and probably would be done at the time the funds are being spent for some "other purpose."

The suggestion that "one cent of the annual levy" or approximately \$200,000 per year, be set aside for stewardship, in my opinion, is not a very wise decision and goes against good business practices. Judging from recent history, this is an expenditure of more than 5 times what has ever been spent for maintenance. Without having plans that support that level of expenditures, there is no justification to segregate such a large amount. Even if one were to conclude that segregating funds should be the accepted concept, the amount should be based on a percentage of the amount raised to take into account changes over time in the levy rate. Arguments can also be made, both pro and con, that any unused amount should be returned to the general fund at the end of each year or at least the excess over the committed amount.

In the past, the HOST committee prepared an annual budget, which it presented to the Township Committee. During the preparation of this budget, the HOST committee reviewed each of its properties to determine what level of maintenance should be done on each property. This review of the properties and the preparation of the budget made members of the HOST committee stakeholders in the decisions that were made, even though the budget was subject to Township Committee approval. Under prior administrations, written management plans were prepared and reviewed; issues were raised; the plans were revised and ultimately approved. Budgets were prepared based on these plans, which were approved by the Township Committee. One theme of these discussions was a minimization of maintenance expenditures in most instances but in some instances increases were suggested and implemented. Since my return to the HOST committee, I am told that the budget for the HOST committee will be determined by Township officials,

not by the Committee. This devalues the contribution of the HOST committee and does not afford the HOST committee the opportunity it had in the past to review each of the properties and determine what maintenance should be recommended for each site.

By presenting this revision at the Township Committee level, rather than initially to HOST, I believe the Township Committee devalues the service of the volunteers who sit on the HOST committee. If the Township Committee wishes to modify the previously articulated policies of prior Township Committees, there were other ways that it could have been done. If this change does in fact represent a consensus of the Township Committee, then it is a waste of the HOST committees' time and effort to debate it.

While the "technical fixes" are not objectionable, the substantive changes are a proposed regulation looking for a purpose. The segregation of maintenance funds is superfluous and limits the options of future Township Committees. The recitals are inaccurate and do not accurately reflect the discussions or actions of the HOST committee. This draft resolution misstates facts and devalues the volunteers who serve on the HOST committee.

Finally, I believe there is no reason to increase the size of the HOST committee unless to represent an underrepresented constituency (one not currently represented on the committee), which has not been identified. In my experience, when committees become too large they become unwieldy and end up accomplishing less.

In summation, I agree in part and respectfully disagree in part. I strongly disagree that there is a need to segregate funds, but I don't disagree that the HOST committee could be charged with again reviewing each of its properties to determine what the use of those properties should be taking into account the intended use at the time of purchase, the current condition of the property, its size and the Township's ownership stake. This does not require a change in the ordinance, simply a request from the Township to do so. Once such a review is complete, a decision can be made regarding whether changes should be made to the current maintenance levels. I suggest that there may be at most 2 or 3 properties on which the maintenance levels may change materially.



March 14, 2019

Mr. Loren Pfeiffer  
Chairman  
Harding Open Space Trust Committee  
PO Box 666  
New Vernon, NJ 07976

**RE:** Harding Township Open Space Ordinance

Dear Loren:

I am in receipt of the letter from HOST dated March 13, 2019 regarding the proposed draft amendments to Chapter 7 of the code of the Township of Harding, specifically Chapter 7-37.1 entitled "Open Space Trust Committee".


The recommendations received from HOST and outlined in the March 13, 2019 letter from the HOST committee have been sent to the Township Committee.

Mayor Yates has advised the following:

- \* The attached proposed ordinance is scheduled as a discussion item for the March 18, 2019 Township Committee meeting.
- \* The attached proposed ordinance is scheduled for introduction at the March 18, 2019 Township Committee meeting. However, Mayor Yates anticipates that the discussion and ordinance introduction will be continued to the April 15, 2019 Township Committee meeting.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

  
Robert J. Falzarano  
Township Administrator

cc: Township Committee

Attachment

21 BLUE MILL ROAD, POST OFFICE BOX 666  
NEW VERNON, NEW JERSEY 07976  
TELEPHONE (973) 267-8000  
MARIAN & ALLAN P. KIRBY MUNICIPAL BUILDING

**HARDING TOWNSHIP  
ORDINANCE NO. XX-19**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7 OF THE  
CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY §7-37.1 ENTITLED "OPEN  
SPACE TRUST COMMITTEE"**

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WHEREAS, Section §7-37.1 of the Township Code identifies five uses for the Township open space tax: acquisition of open space, acquisition of farmland, maintenance of open space properties, service of open space debt and for historic preservation; and

WHEREAS, the only limitation in the ordinance is that a maximum of 10% of the fund's annual tax collection may be used for historic preservation; and

WHEREAS, the section also directs the Township Committee to determine the allocation of funds among these purposes following at least one public hearing; and

WHEREAS, nearly the entire emphasis of the open space activity in the Township to date has been regarding acquisition with little focus on the stewardship of the properties owned; and

WHEREAS, in instances where management plans have been prepared, they have not been used to direct the stewardship activities required for the properties; and

WHEREAS, this has resulted in properties that are not environmentally healthy or that do not contribute to the ecological fabric of the township; and

WHEREAS, one reason for this result is a lack of dependable funding for the execution of management plans that reach beyond mere maintenance thereby causing the implantation of such plans to be minimal in their objectives; and

WHEREAS, an additional reason for this result has been the lack of a strong stewardship policy of the Township Committee; and

WHEREAS, the Township Committee desires to amend §7-37.1 to establish a policy of encouraging active stewardship of open space properties, to require the creation of management plans that will improve the properties and seek to determine the best and highest uses of the properties and to provide a stable and dependable funding stream for the implementation of the plans; and

WHEREAS, the amendments further modifies the appointment process, makes clear that donations of land, easements, and development rights are encouraged, and revises the process for disposing of open space properties acquired by open space tax proceeds,

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. §7-37.1 of the Code of the Township of Harding is hereby amended to read as follows (bolded and underlined text is new, text with strikethrough is deleted):

**§ 7-37.1 Open Space Trust Committee.**

- A. Establishment of Open Space Trust Committee. There is hereby established an Open Space Trust Committee.
- B. Membership. The Open Space Trust Committee shall consist of a minimum of nine members as follows:
- (1) ~~Mayor or his/her designee.~~
  - (2) 1 Township Administrative Officer.
  - (3) 2 ~~One~~ Two members of the Township Committee of the Township of Harding, ~~in addition to the Mayor,~~ appointed by the Township Committee.
  - (4) 3 One representative from each of the Planning Board, the Environmental Commission and the Shade Tree Commission, to be appointed by the Mayor Township Committee.
  - (5) 4 A minimum of three citizens and no more than five citizens of the Township to be appointed by the Mayor Township Committee to serve at large.
- C. Terms of office.
- (1) ~~The Mayor shall serve for so long as he or she holds such position.~~
  - (2) 1 The Administrative Officer shall serve as a member of the Open Space Trust Committee as long as he or she is employed by the Township in the capacity of Township Administrative Officer.
  - (3) 2 The member of the Township Committee appointed to the Open Space Trust Committee shall have a term of one year.
  - (4) 3 The representatives of the Planning Board, Environmental Commission and Shade Tree Commission shall serve for a term of one year.
  - (5) 4 ~~One of the~~ The citizens of the Township appointed by the Mayor ~~and so designated by the Mayor at the time of appointment~~ Township Committee shall have a term of three years.
  - (6) ~~One of the citizens of the Township appointed by the Mayor and so designated by the Mayor at the time of appointment shall have a term of two years.~~
  - (7) ~~One of the citizens of the Township appointed by the Mayor and so designated by the Mayor at the time of appointment shall have a term of one year.~~
- D. Powers and operating procedures.
- (1) Officers. The Open Space Trust Committee shall select from among its members a Chairman and a Vice Chairman to serve as the presiding officer in the absence of the Chairman. The Committee shall also select a Secretary whose function shall be to maintain minutes of the Committee's meetings and records of its proceedings.

- (2) Initial organization meeting. The Open Space Trust Committee shall hold its initial organization meeting within 60 days after the final adoption of this section.
- (3) Meetings. The Open Space Trust Committee shall hold public meetings, which public meetings shall be held in accordance with the Open Public Meetings Act.
- (4) Procedures. The Open Space Trust Committee shall determine the criteria which are to be used in analyzing properties for possible acquisition or receipt by gift by the Township whether in fee, by easement or by means of development rights. From time to time, the Committee is to advise the Township Committee of properties which it has determined meet the criteria and might be suitable for acquisition. The Township Committee shall determine which properties, easements or development rights should be acquired or received by gift. After selection of the lands, easements or development rights as hereinabove provided, the Township may proceed to acquire by gift, purchase or by eminent domain proceedings pursuant to N.J.S.A. 20:3-1 et seq. the identified lands, easements or development rights within the financial constraints established by the Township Committee.

**Additionally, the Open Space Trust Committee shall prepare or direct to be prepared a management plan for each property owned by the Township. Such plan shall describe the management goal(s) for each property and the method(s) to each achieve the identified goal(s). For properties jointly owned with another entity the management plan shall be prepared jointly by all owners. The Township Committee shall review and approve each plan, including making such amendments or revisions that the Township Committee deems necessary at time of approval.**

E. Funding.

- (1) There is hereby established a reserve in the Township's general capital fund which shall be known and designated as the "Open Space Trust Fund." A separate bank account shall be opened and maintained for this purpose. The Open Space Trust Fund shall be funded through the dedication to the fund of an amount not to exceed \$0.05 per \$100 of assessed valuation of each annual tax levy. The fund shall also be permitted to accept donations and testamentary bequests. The monies accumulated within the fund may be used for the following purposes, or any combination thereof:
  - (a) Acquisition of lands for conservation and recreation purposes.
  - (b) Maintenance of lands acquired for conservation and recreation purposes. **One half-cent of the annual levy shall be dedicated for the implementation of the management plans of properties prepared in accordance with paragraph D (4) above. Such dedicated funds shall be accumulated if not spent annually and may not be used for other purposes unless so determined by the Township Committee, after conducting at least one public hearing thereon.**
  - (c) Acquisition of farmland for farmland preservation purposes.
  - (d) Payment of debt service on indebtedness issued or incurred by the Township of Harding for the acquisition of lands for conservation and recreation purposes.

(e) Historic preservation and the acquisition of historic properties, structures, facilities, sites or areas, to the extent of up to 10% of annual open space tax levies. Such amounts may be accumulated for this purpose or redirected to the other purposes authorized by Subsection E(1)(a) through (d) above.

(2) The Township Committee shall determine the appropriate amount to be allocated to each purpose after conducting at least one public hearing thereon. Any and all interest or other income earned on monies in the fund shall be credited to the fund to be used for the above-described purposes.

F. Disposition of property or other interest in land. No property or interest in land acquired with funds from the Open Space Trust Fund shall be sold or otherwise disposed of by the Township until the disposition has been authorized by the Township Committee ~~after and~~ in accordance with ~~a public referendum~~ N.J.S.A. 40:12-15.9 or any successor statute thereto.

G. Review. ~~In the event that no property is acquired for a period of three consecutive years, then~~ Every three years, the Township Committee shall review the activities of the Open Space Trust Committee and issue a report with recommendations and conclusions relating to the Open Space Trust Fund

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING

\_\_\_\_\_  
Lisa A. Sharp, RMC  
Township Clerk

\_\_\_\_\_  
Christopher M. Yates  
Mayor

INTRODUCED:

ADVERTISED:

PUBLIC HEARING:

ADOPTED:

ADVERTISED:

**Vote on Adoption:**

MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



***Affordable Housing Court Order***

***Redevelopment Steering Committee***

## Background

The TC has been approached by multiple parties with an interest in developing the Hurstmont property.

Each proposal was for a use and density not permitted in the zone.

## Background

The Endeavor Group, the contract purchaser of the property, first approached the TC with a concept plan for an age-restricted development with significantly higher density than currently proposed and that plan was rejected by the TC with instructions to revise the plan at a lower density level.

## Background

At a point during our negotiations with Fair Share Housing Center Fair Share learned of the Hurstmont proposal and from that point forward we had to treat Endeavor as a de facto intervenor. As a result 40 affordable units on that site were incorporated into Harding's plan.

## Background

In order to maximize control over the development of the parcel the TC asked the planning board to determine if the parcel could be declared an area in need of redevelopment. After conducting the statutory study and review the planning board recommended declaring that parcel and the adjoining Glen Alpin site areas in need of redevelopment.

## Court Order Conditions

4. The Township has implemented or will implement agreed-upon compliance mechanisms to address its Third Round obligations as set forth in the Settlement Agreement, and the 2018 HEFSP and implementing ordinances, as well as the following Conditions, as set forth in the Master's Report:

## Court Order Conditions

a. Provide for the modification of the bedroom composition of the two (2) new units to be constructed at the Farm at Harding 100% affordable project so that one is a two (2) bedroom unit and one is a three (3) bedroom unit to be in accordance with the requirements of the UHAC Regulations, N.J.A.C 5:80-26.3.

## Court Order Conditions

b. Demonstrate that the Universal Institute group home meets the requirements for crediting under the applicable COAH rules,

N.J.A.C. 5:93-1, et. seq.

c. Demonstrate that the Cerebral Palsy of North Jersey group home meets the requirements for crediting under the applicable COAH rules, N.J.A.C. 5:93-1, et. seq

## Court Order Conditions

- d. Adopt a redevelopment plan and enter into a redevelopment agreement for the Hurstmont /Glen Alpin Age Restricted development by October 31, 2019.

## **Court Order Conditions**

5. The Township shall address the conditions set forth on the attached Master's Report on or before October 31, 2019, after which the Special Master shall submit a letter to the Court confirming compliance which shall enable the Court to enter a final unconditional judgment.

# *Steering Committee & Membership*

May 13, 2019 - Steering Committee approval & appointments

June 20, 2019 - Steering Committee public information session #1

June 30, 2019 - Steering Committee public information session #2

July 15, 2019 - Township Committee approves revised Redevelopment Plan

July 16, 2019 - Send revised Redevelopment Plan to Affordable Housing Special Master

# **Steering Committee & Membership**

August 12, 2019 - Township Committee review Hurstmont Concept Plan

August 26, 2019, - Send Hurstmont concept plan to Affordable Housing Special Master

September 9, 2019 - Review and approve revised Hurstmont Concept Plan

September 10, 2019 - Send revised Hurstmont Concept Plan to Special Master for submission to the Court