HARDING TOWNSHIP COMMITTEE
MONDAY, JUNE 24, 2019
EXECUTIVE SESSION at 6:00 PM
REGULAR MEETING at 7:30 PM
Kirby Hall, Blue Mill Road, New Vernon, New Jersey
MEETING MINUTES

CALL MEETING TO ORDER – Mayor Yates

Mayor Yates called the meeting to order at 6 pm.

ADEQUATE NOTICE of this meeting of the Harding Township Committee was given as follows: notice was sent to the Observer Tribune on May 17, 2019 and published in the Observer Tribune on May 23, 2019.

Mayor Yates read that adequate notice of this meeting was given in accordance with the open public meetings act.

ROLL CALL – Municipal Clerk Ms. DiTosto, Mr. Jones, Mr. Modi, Mr. Platt, Mr. Yates

Mrs. Sharp called the roll. All members of the Township Committee were present.

RESOLUTION TC 19-132– 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. **Ravenswood Easement – Mark Roselli / Paul Fox**
2. **Property Purchase – Tim Jones**
3. **DOT Property – Bob Falzarano**
4. **Greener By Design – Bob Falzarano**
5. **Farm @ Harding – Bob Falzarano**

Mayor Yates asked for a motion to recess into executive session. Upon a motion made by Mr. Modi, seconded by Mr. Jones, and with a vote of all ayes, none opposed, the meeting recessed at 6:05 p.m.

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☒	☐	☐	☐
Mr. Jones	2nd	☒	☐	☐	☐
Mr. Modi	1st	☒	☐	☐	☐
Mr. Platt	☐	☒	☐	☐	☐
Mr. Yates	☐	☒	☐	☐	☐

RECONVENE INTO PUBLIC SESSION – Mayor Yates

Mayor Yates asked for a motion to reconvene into public session. Upon a motion made by Mr. Modi and seconded by Mr. Jones, and with a vote of all ayes, none opposed, the meeting reconvened at 7:30 p.m.

ROLL CALL – Municipal Clerk Ms. DiTosto, Mr. Jones, Mr. Modi, Mr. Platt, Mr. Yates

Mayor Yates asked for a roll call. Mrs. Sharp called the roll. All Township Committee members are in attendance. There were about 24 members of the public in attendance.

PLEDGE OF ALLEGIANCE – Mayor Yates

Mayor Yates led members of the Township Committee and the public in the pledge of allegiance.

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 meeting was called in accordance with the Open Public Meetings Act.

RESOLUTION TC 19-133 -- 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: May 13, 2019.

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: May 13, 2019.

Mayor Yates asked for a motion to accept the Township Committee minutes from the May 13, 2019 meeting. Upon a motion made by Mr. Modi, seconded by Mr. Jones and with a roll call vote of all ayes, none opposed, the meeting minutes for May 13, 2019 were accepted.

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – NONE

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

NON CONSENT RESOLUTIONS

Mayor Yates reported that Mr. & Mrs. DeSimone of 156 Lee's Hill Road are the recipients of the Historic House of the Year for 2019. Mayor Yates read Resolution TC 19-134 in its entirety.

Resolution TC 19-134 -- Historic Preservation Commission – Historic House of the Year

WHEREAS, the Historic Preservation Commission of Harding Township would like to present a residential home that adds aesthetic value and interest to the community; and

WHEREAS, the Historic Preservation Commission is proud of the homes that contribute to the historical character of the Township; and

WHEREAS Historic Districts recognize the architectural importance of commercial and residential buildings all across the nation that preserve the character and identity of the township; and

WHEREAS, the Historic House of the Year will be a chance for the Historic Preservation Commission to highlight a property that enhances the historical character in Harding Township; and

WHEREAS, the home that the Historic Preservation Commission wishes to highlight should be viewed from the road, enhance the streetscape, display proper use of materials and have an architectural style that complements the rural character of Harding Township; and

WHEREAS, Harmony Hill Farm located at 156 Lee's Hill Road is a classic American Foursquare built around 1903 as an equestrian center; and

WHEREAS, it is a traditional two-story, square-footprint home with a hip roof, hip dormers and a porch that spans a considerable length of the front facing facade; and

WHEREAS, the present owners, John and Adrienne DeSimone have added historically appropriate windows, moldings, simulated shake siding and a simulated slate roof with copper accents; and

WHEREAS, Harmony Hill Farm located at 156 Lee's Hill Road is noted as a contributing property in the Logansville District in the Harding Township's Historic District Inventory.

BE IT RESOLVED, by the Mayor and the Township Committee of Harding Township in the County of Morris and State of New Jersey that the property known as Harmony Hill Farm located at 156 Lee's Hill Road is hereby chosen as Historic House of the Year for 2019.

NON-CONSENT AGENDA VOTE:

Mayor Yates asked for a motion to accept Resolution TC 19-134 listed on the Non-Consent agenda.

Committee Member Platt made a motion to approve the resolution placed on this evening's Non-Consent Agenda by consent of the Township Committee, seconded by Mrs. DiTosto.

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

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☐	☐	☐	☐
Mr. Jones	☐	☐	☐	☐	☐
Mr. Modi	☐	☐	☐	☐	☐
Mr. Platt	☐	☐	☐	☐	☐
Mr. Yates	☐	☐	☐	☐	☐

Mrs. Gwenn Claytor informed the DeSimone's that a plaque with the resolution is forthcoming and informed the public if you are interested in submitting your house for Historic House of the year, please submit your application to Lori Tagliarino by September 30, 2019.

The Township Committee thanked the DeSimone's for the work completed on their house.

DISCUSSION ITEMS

1. Dickson's Mill Bridge – Chris Vitz, Morris County Engineer

Mr. Chris Vitz, Engineer for Morris County and Roslyn Khurdan, Assistant County Engineer, made a presentation to the Township Committee and members of the public regarding the condition of the Dickson's Mill Bridge. Mr. Vitz mentioned that the bridge is an existing concrete span bridge. The abutments underneath are covered with concrete and are originally from 1923. There is stone covered with concrete. The rest of the span was replaced in 1984. The State's bridge and inspection cycle inspects the roads and bridges every two years. In 2001, they noted that there was a large crack in one of the abutments underneath the bridge as well as scour underneath the bridge. The abutment is being undermined. The County has placed large stones and pumped in some concrete into the settlement, but the crack remains and continues to grow.

This bridge is still noted as a structurally deficient bridge and functionally obsolete. It has been on the radar of Morris County since 2001 to replace the structure. There has been some discussions with regard to the overall width of the bridge and in 2015, Morris County went before the Township's Historic Preservation Commission and discussed the reasoning for the County to go with a 26 foot wide bridge compared to the existing 20 foot wide bridge (24 ft. rail to rail). Morris County follows the AASHTO Bridge guidelines for their structures, and 26 feet is the minimum that the County goes with. Mr. Platt did some research for Morris County to see if the State would fund a narrower than 26 foot width. Mr. Vitz explained that this project has not moved forward since 2015. Morris County is ready to design a 26 foot wide bridge (two 10 ft lanes with 3 ft shoulders), but if the Municipality is looking at something narrower than 26 feet, Morris County would look back to the Municipality to fund that design.

Mr. Platt explained that the last offer was if the Township wanted to take on the engineering and the building of the bridge and take it up with the State to see if the Township could go with the footprint category that recognizes the historical nature of the bridge. Mr. Platt believes a 24 foot wide bridge with two 12 foot lanes curb to curb would be better than the 26 feet wide bridge currently being proposed. Mr. Platt explained that

keeping the curve in the bridge is a speed dampener. The Historic Preservation Commission believes the curve is an important part of the bridge as well as the stone.

Mayor Yates asked for a detailed condition of the bridge. Ms. Khurdan explained the concrete box springs have been taking in water, the asphalt on top is cracked, and the beams are starting to rot. Morris County is concerned with a giant hole forming. Morris County will test the beams to see how many beams require replacement. Morris County is looking at getting a design and to commence construction within the next 1 ½ years. Mayor Yates asked how close Morris County is to closing the bridge. Ms. Khurdan explained that if there is a severe rain storm and a tree comes down and hits the abutment, the structure can be lost. Any storm could have a possible effect.

Mayor Yates mentioned that a resolution will be required for the July 15th Township Committee meeting and explained that this project has been delayed for many years and this bridge is truly at its end of life and is a safety hazard. This is an artery for the Green Village Fire Company. In 2015, a traffic study was conducted that showed that 463 cars a day travel this bridge.

Mr. Platt explained that we are at 24 feet for the bridge and Morris County is a 26 feet. Mr. Vitz explained that we would have to get a design exception for the 24 feet and this bridge would still show up on the State's list as functionally obsolete. A discussion ensued. It was noted that Mr. Vitz stated the curve in the bridge would remain and the bridge would be threaded through the trees.

Mrs. DiTosto explained she is good with the 26 foot wide bridge and asked if the bridge could possibly be assembled off site and done in one week. Mrs. DiTosto mentioned that when the bridge on Route 202 was conducted it was built off site. If you could use that bridge as a model to help move this project on an accelerated basis that would be good.

Mr. Modi mentioned with the 26 foot wide bridge, Harding Township would accept no liability in the design, the plan, and the installation. Mr. Vitz, responded that is correct. Mr. Fox, Township Engineer, agreed with Mr. Modi's summary. Mr. Fox explained that if the Township goes with a narrower bridge, the Township would be required to fund the design and then the Township would need to see if the State would fund the project. Since this has been delayed for so long, does the Township want to risk a potential failure.

The following comments were made by members of the public:

** Kenneth Friedman, 58 Dickson's Mill Road – Commented that the County calls it guidelines, they can change it. The most important factor is the safety. Right now there is a natural safety facture there; no car will pass while another car is on the bridge. If you take three feet onto his neighbor's property, there is not much space being left for this resident before the fence. If the curb is not there, the railing will be knocked down. Mr. Friedman commented that you are taking the charm of Harding Township away. Bikers, pedestrians and horses use this bridge. Mr. Friedman believes a one- way bridge would speed the traffic up.*

** Nik Bjorkedal, 7 Cherry Lane – Commented how wide would a one way bridge be to stay in the County funding. Mr. Vitz responded that it would depend on the number of vehicles and this bridge at 26 feet is at the minimum. Mr. Bjorkedal believes this would create a more significant of a hazard because of the narrowness in the road and trees that line that road. The road is a pedestrian and cyclist highway. Pedestrians, cyclists, and groups use this bridge. By widening the road, would promote more traffic. Mr. Bjorkedal believes that you would be taking a resource away from the people. Mr. Bjorkedal asked for restrictions to be placed on the bridge to stop speeding, etc. Asked if there was any environmental study done for the change of this bridge and the slowing of the speed of the water.*

** Julia Somers, Spring Valley Road – Commented that she has driven this bridge for many years. Delighted that the curve will remain, the curve is very important. Believes a traffic hazard is being created and that this will create funding for the Township. The road is the Town's problem. Believes this will create traffic, safety, and speed concerns. This is a very special bridge, do not widen it. Mentioned that if you could take a look at the Route 202 Bridge. That bridge was constructed offsite and completed in one week. Commented that Hunterdon County has narrow bridges. It can be done. Mrs. Sommers mentioned that she could invite her trustee from the NJ Highland's Coalition to come in and speak to the Township Committee.*

Mayor Yates explained that having your trustee come in would continue the conversation next month, however a resolution is necessary for the July meeting. Mayor Yates explained that NJDEP does not allow an increase of the structure of the stream water. This is restricted. We have a bridge that is at its end of life cycle. The Township does not have the funds for this bridge. Mr. Platt explained it is structurally deficient only.

** Mr. Modi, Township Committee Member – Based on the projected 26 feet wide, can the road be one way so one car can go through the drive lane and equestrians, bikers, pedestrians use the other side as a walkway.*

** Mr. Platt, Township Committee Member – Commented that he is willing to contact the State to see if the State would fund a narrow road. Mr. Vitz explained if the bridge is approached two way, the bridge would have to be two way. The bridge cannot be narrowed for a one way bridge. Mayor Yates explained that Morris County has different standards than the State. However, if you receive a response before the July 15th meeting, we will continue the discussion.*

Van Beuren Road Bridge

Mr. Vitz mentioned that the Van Beuren Road Bridge is a temporary bridge and was built 32 years ago. This bridge is functionally obsolete and is the last temporary structure for the County. It is rusting, labor intensive and is held together with pins. Mr. Paul Fox, Township Engineer explained that this bridge is important for fire safety.

2. Chase Bank – Chris Yates

Mayor Yates explained that he has not been able to get in contact with Chase Bank for a meeting.

3. 2020 DOT Project – Paul Fox

Mr. Fox explained that the Township will apply for the 2020 DOT funding cycle. Mr. Fox asked Mr. Toribio, DPW Superintendent to evaluate his road list. The recommendation for the next DOT funding cycle will be to look at Sand Spring Road from Blue Mill to Silverbrook. Mr. Fox explained this would be a full overlay. A discussion ensued. Mr. Fox will prepare his portion of the grant application for the July 15th Township Committee approval.

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.

Mayor Yates opened the meeting for public comment.

***Marian Harris**—Commenting on behalf of the Cultural Resources Subcommittee of the NJ Highlands Coalition and the Morris County Trust for Historic Preservation, which is not part of the County government it is an independent non-profit. Ms. Harris commented that she was pleased to see that her comments made at the Planning Board last month made it into the Planning Board report.*

Ms. Harris commented on the easement -- with respect to the protected elements of the Glen Alpin Building, what the developer is required to do (or person donating the easement), is on one hand not change the protected elements and on the other hand maintain the protected elements. This leaves a possibility for someone to say they did not change it, they were just maintaining it. If it is not done properly to the standards, that could go wrong before the Trust comes around to make its annual inspection. If this strikes the Township Committee as a serious change that should be placed in the easement, then the Township should speak with their attorney to see if this is a concern.

Ms. Harris commented that she is confused as to the way the easement is named, expected the easement to be called Glen Alpin/Hurstmont, but some items are called Hurstmont and other items are called Glen Alpin. Ms. Harris made mentioned that the Township has chosen not to have a conservation easement but that the preservation easement is enough. Mr. Modi explained that what was submitted was required by the State. Mr. John Hague, Special Counsel, explained that it would be helpful that the criticisms be put in writing so that they can be reviewed with the document in terms of correctness and then comments can be made in terms of correctness and solutions.

Ms. Harris commented that she raised a concern with the Planning Board that there is no credentialed preservation supervision of the process. It is applied differently under the Glen Alpin easement and to the Hurstmont property under whatever protections turn out to be in the redevelopment plan. Preservation Supervision should be included in the document.

Ms. Harris mentioned she brought up her concern with regards to the Revolutionary War to the Planning Board and believes that an archeologist should be retained. This is an important concern.

Mayor Yates thanked Ms. Harris for coming this evening and speaking before the Township Committee. The Township Committee is committed and have mentioned many times about respecting the historical nature of these properties. Mayor Yates asked that Ms. Harris summarize her comments and send them to the attention of Mr. Falzarano, Township Administrator.

***Mary Prendergast, President of the Glen Alpin Conservancy** – Commented on the following items regarding the Glen Alpin House:*

* *Security Concerns - Alarm continues to go off*
* *Keys - concerned too many people have keys, the doors are being left open*
* *Building condition not good*
* *Grass is high*
* *How will the grave site and markers be maintained and kept accessible?*
* *Would appreciate better maintenance*

Mr. Jones explained the grave site and marker are currently on the diversion and easement negotiations.

Business Opportunities:

Mr. Jones, explained that the Township was approached by someone who expressed interest to open a business that is currently not a clearly defined business under Chapter 225-145. The business was to teach coding and video game information. It was the opinion of the Zoning Officer and the Township Attorney that this business does not meet the permitted use. The Township Attorney explained that the Ordinance should be revisited as some of the permitted uses in the B2 zone are archaic. A discussion ensued. Mayor Yates asked that Mr. Falzarano, Township Administrator send a memorandum to the Planning Board to accelerate the review of the B2 and B1 zones with regard to their restrictive uses are currently described.

Mayor Yates closed the public comments at 9:00 p.m.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

NON CONSENT RESOLUTIONS

TC Resolution 19-135 – RESOLUTION ACCEPTING THE REPORT OF THE PLANNING BOARD CONCERNING THE HURSTMONT REDEVELOPMENT PLAN

WHEREAS, on November 19, 2018, the Township Committee of Harding Township adopted Resolution #18-196, directing the Planning Board to undertake a preliminary investigation to determine whether the properties identified as Block 27, Lot 2, located at 679 Mt. Kemble Avenue (the "Hurstmont Parcel") and Block 34, Lot 1 (the "Glen Alpin Parcel") (collectively referred to as the "Redevelopment Study Area") qualify as a "non-condemnation" area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, et seq. (the "Redevelopment Law"); and

WHEREAS, on February 19, 2019, the Planning Board conducted a duly-noticed public hearing, pursuant to *N.J.S.A.* 40A:12A-6, during which the Planning Board considered the preliminary investigation report of Heyer, Gruel & Associates ("HGA"), dated February 1, 2019 (the "Preliminary Investigation Report"), and heard the testimony of Susan S. Gruel, P.P. and McKinley Mertz, P.P. of HGA concerning the Preliminary Investigation Report; and

WHEREAS, after the Planning Board hearing and consideration of the Preliminary Investigation Report, the Planning Board determined that the Redevelopment Study Area meets the criteria for designation as an area in need of redevelopment under the Redevelopment Law and recommended that the Harding Township Committee designate the Redevelopment Study Area as an area in need of redevelopment, pursuant to the Redevelopment Law; and

WHEREAS, the Harding Township Committee accepted the recommendation of the Planning Board and, on February 25, 2019, via Resolution #TC-073, designated the Redevelopment Study Area as a "non-condemnation" redevelopment area; and

WHEREAS, on May 13, 2019, on behalf of Harding Township, HGA prepared a redevelopment plan for the Redevelopment Study Area, dated May 13, 2019 (the "Hurstmont Redevelopment Plan"), and referred such plan to the Planning Board for review and comment, pursuant to *N.J.S.A.* 40A:12A-7; and

WHEREAS, the Planning Board considered the Hurstmont Redevelopment Plan at its meeting of May 20, 2019 and submitted a report of its review of the Hurstmont Redevelopment Plan dated June 3, 2019 (the "Report") to the Harding Township Committee; and

WHEREAS, On June 24, 2019 the Harding Township Committee reviewed the Report and the recommendations made therein; and

WHEREAS, the Harding Township Committee has considered the five specific recommendations of the Report which generally related to 1) traffic, 2) public safety, 3) a Revolutionary War encampment site, 4) retention of a historic preservation professional, and 5) landscape design (the "Recommendations") all of which the Harding Township Committee recognizes as valid concerns; and

WHEREAS, the Harding Township Committee has determined that the Recommendations constitute details that should be addressed in the Redevelopment Agreement to be negotiated between the Township and the Redeveloper; and

WHEREAS, the Township Committee has determined that there is no need to revise the Hurstmont Redevelopment Plan to address the Recommendations.

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

1. The Report is accepted by the Township Committee; and

2. That this Resolution shall be entered into the minutes of the June 24, 2019 Township Committee meeting in response to the Recommendations pursuant to NJSA 40A:12A-7.

NON-CONSENT AGENDA VOTE:

Mayor Yates *asked for a motion with regards to Resolution 19-13. Upon a motion made by Mr. Modi, seconded by Mr. Jones.*

Mayor Yates *asked if there were any comments from the public with regards to Resolution 19-135. With no public comments, Mayor Yates asked for a roll call. Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☒	☐	☐	☐
Mr. Jones	2nd	☒	☐	☐	☐
Mr. Modi	1st	☒	☐	☐	☐
Mr. Platt	☐	☒	☐	☐	☐
Mr. Yates	☐	☒	☐	☐	☐

ORDINANCES FOR SECOND READING

Z 06-24-2019

ORDINANCE #13-2019 – "ORDINANCE ADOPTING THE REDEVELOPMENT PLAN"

Mayor Yates asked Township Committee Member Jones to proceed with Ordinance TC #13-2019.

Township Committee Member Jones proceeded with Ordinance TC #13-2019 by title as follows:

HARDING TOWNSHIP
ORDINANCE #13-2019
"ORDINANCE ADOPTING THE REDEVELOPMENT PLAN"

Mr. Jones explained this Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on May 13, 2019.

Mayor Yates asked the Municipal Clerk to give a summary of the legal notice.

The Municipal Clerk States: *Mrs. Sharp explained that a legal notice was sent for publication on May 13, 2019 to the Observer Tribune indicating that Ordinance #13-2019 was introduced and passed on first reading at the May 13, 2019 meeting and indicated that the second reading and public hearing were to be held on June 24, 2019 at 7:30 p.m. on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.*

Mayor Yates opened the meeting for public hearing on the Ordinance and stated any member of the public may be heard.

Mayor Yates: *Seeing no one wishing to be heard, Mayor Yates closed the public hearing at 9:03 pm.*

Township Committee Member Jones offered Ordinance #13-2019 and moved its adoption.

BE IT RESOLVED, that this Ordinance was read by title on second reading, after the public hearing at this meeting of the Township Committee, be adopted and finally passed.

Township Committee Member Platt seconded the motion.

Mayor Yates *asked the Municipal Clerk for a Roll Call: Mrs. Sharp called the roll. Let the record show that Mrs. DiTosto abstained from voting and stated she is concerned with emergency services, security, density, height, parking, traffic and some historic aspects.*

Vote on Adoption:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☐	☐	☒	☐
Mr. Jones	1st	☒	☐	☐	☐
Mr. Modi	☐	☒	☐	☐	☐
Mr. Platt	2nd	☒	☐	☐	☐
Mr. Yates	☐	☒	☐	☐	☐

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

NON CONSENT RESOLUTIONS

TC Resolution 19-136 – RESOLUTION DESIGNATING HURSTMONT ESTATE ACQUISITION, LLC AS THE REDEVELOPER FOR THE GLEN ALPIN/HURSTMONT REDEVELOPMENT AREA

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, *et seq.,* as amended and supplemented ("LRHL"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in accordance with the LRHL, the Township Committee of the Township of Harding (the "Township Committee") designated properties located at Tempe Wick Road and Mount Kemble Avenue and designated on the Township's Tax Map as Block 27, Lot 2 and Block 34, Lot 1 as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, the Township Committee adopted the Hurstmont Redevelopment Plan, by Ordinance dated June 24, 2019, for the Redevelopment Area ("Redevelopment Plan") which sets forth, inter alia, the plan for the redevelopment of the Redevelopment Area; and

WHEREAS, a report of Qualifications dated June 14, 2019 (the "Report") for the redevelopment of the Redevelopment Area was submitted by Hurstmont Estate Acquisition, LLC (the "Redeveloper"); and

WHEREAS, Redeveloper is an affiliate of Endeavor Property Group; and

WHEREAS, the Report has been reviewed by NW Financial Group, LLC ("NW Financial"), a financial consultant to special counsel for redevelopment, Greenbaum, Rowe, Smith & Davis LLP; and

WHEREAS, NW Financial has made additional requests of the Redeveloper for the financial and operational capabilities of Hurstmont Estate Acquisition, LLC and Endeavor Property Group; and

WHEREAS, the Redeveloper has indicated that it will provide additional information in response to the requests of NW Financial; and

WHEREAS, the Township Committee recognizes that there are certain inconsistencies between the development proposal in the Report and the Redevelopment Plan concerning characterization of the development as a "Continuing Care Retirement Community"; and

WHEREAS, the Report included provisions in the development proposal to satisfy the affordable housing requirements set forth in the Conditional Declaratory Partial Judgment of Compliance of the Superior Court of New Jersey entered March 28, 2019; and

WHEREAS, the Township Committee believes that the inconsistencies between the Report and the Redevelopment Plan may be resolved in the process of negotiating the Redevelopment Agreement; and

WHEREAS, the Township Committee expects that NW Financial will develop a detailed financial analysis of the Redeveloper and the final redevelopment proposal; and

WHEREAS, the Township Committee desires that the Redevelopment Area be redeveloped by the Redeveloper; and

WHEREAS, the Township Committee is authorized to exercise all powers under the LRHL, pursuant to *N.J.S.A.* 40A:12A-8, including but not limited to the ability to negotiate with developers to undertake redevelopment projects; and

WHEREAS, the Township Committee and the Redeveloper shall have a period of three (3) months until September 24, 2019 to agree on a specific development proposal and enter into a Redevelopment Agreement.

BE IT RESOLVED by the Township Committee of the Township of Harding that Hurstmont Estate Acquisitions, LLC is hereby designated as the redeveloper for the Redevelopment Area and the Mayor is hereby authorized to negotiate a Redevelopment Agreement with the Redeveloper to be approved by vote of the Township Committee; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective for a period of three (3) months through September 24, 2019, after which time it shall be of no further force and affect unless the Redeveloper shall have entered into a Redevelopment Agreement with the Township of Harding; and

BE IT FURTHER RESOLVED, that the Township Committee may withdraw this designation in the event that the Redeveloper fails to timely provide additional information requested by NW Financial, or if NW Financial is unable to issue an opinion that the proposal of Redeveloper is financially viable.

NON-CONSENT AGENDA VOTE:

Mayor Yates asks Committee Member Jones to proceed with Resolution TC 19-136 listed on the Non-Consent agenda.

Committee Member Jones 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 asked if there was any discussion with regards to Resolution TC 19-136.

Mary Prendergast, resident – asked if the Qualification Report mentioned in the fourth Whereas dated June 14, 2019 was a public document. Mrs. Prendergast asked what the inconsistencies were mentioned in the eighth Whereas. Mayor Yates explained that the inconsistencies that are referred to in the resolution; in the State of New Jersey there is a statutory definition of a Continuing Care Retirement Center. The concept that the Township received from Hurstmont Acquisitions referred to CCRC. We have learned that they were using a less precise sort of industry term for the facility. There is a miss match between the statutory definition and what Hurstmont Acquisitions has been talking about. As part of the negotiation, this is what needs to be resolved; exactly what their definition of a CCRC is relative to the statutory definition. Their version does not include a skilled nursing facility. The statutory definition includes a skilled nursing facility. Until the Township actually

names them as a redeveloper, the Township cannot have the discussion with them. Mr. Hague, Special Counsel, provided further details on what information the redeveloper needs to provide to the township. Mr. Hague informed the Township Committee that with regard to the issue of skilled nursey, Mr. Hague and Mr. Haley were informed today (June 24th) is a practical matter. The State of New Jersey right now, the State does not issue certificates for skilled nursing which means if you follow the statutory definition of a CCRC which says independent living, assisted living, and skilled nursing, it is impossible for them to get skilled nursing certificates. Mr. Hague reported that you can get a certificate for assisted living which is happening on a regular basis. The independent living does not require a separate approvals from the State. Mayor Yates explained that there is a memory care unit in lieu of skilled nursing. Mr. Hague mentioned that memory care falls under assisted living.

Mrs. Prendergast commented that the person negotiating is the only the mayor. Mayor Yates explained that the negotiating committee consists of: Mr. Jones, Mr. Yates, Mr. Falzarano, Mr. Hague, Mr. Goldsmith, and Mrs. Gruel. Mr. Jones mentioned that the negotiating committee will not be making the decisions, it will be brought back to the Township Committee.

Mayor Yates asked for any further comments. With no further comments, Mayor Yates asked for a roll call. Mrs. Sharp called the roll. Let the record show that Mrs. DiTosto abstained from voting due to inconsistencies from the report and the redevelopment plan.

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☐	☐	☒	☐
Mr. Jones	1st	☒	☐	☐	☐
Mr. Modi	☐	☒	☐	☐	☐
Mr. Platt	2nd	☒	☐	☐	☐
Mr. Yates	☐	☒	☐	☐	☐

ADD-ON RESOLUTIONS

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

Resolution TC 19-148 was removed from the consent agenda for further discussion.

Mr. Platt explained that in 2013, the Township Committee gave permission to reach out to the community due to the Municipal Building had fallen in disrepair. Mr. Platt reached out to the Kirby Foundation and to thirty individuals; eighteen (18) of which provided funding for the building. When Mr. Platt was making these appeals and received a grant from the Kirby Foundation, he mentioned that the building is the obligation of the taxpayer, the Township can give a C+ building not an A+.

Mr. Platt mentioned that the Kirby family undertook this project in 1978, the four children of Allen and Miriam Kirby gave this in dedication to their parents. Mr. Platt gave a pledge that if the Township received the monies ($600,000+) towards the renovation of this building that it would be an A+ building. Mr. Platt believes it would be a disgrace, if the Township does not restore the building to the same condition the Kirby Family provided to the Township. The Township should honor the Kirby Family by at least putting the building back to the condition it was, and that would be to put shutters back onto the building. The shutters were rotting and

falling off and therefore removed. The shutters are following through on a pledge that Mr. Platt made when conducting the renovation.

TC Resolution #19-148 – Resolution to Authorize the Purchase of Exterior Shutters for the Harding Township Municipal Building

WHEREAS, the Township Committee approved the 2019 Capital Spending Plan; and

WHEREAS, the Township Committee approved the 2019 Capital Spending Plan to include funding for exterior shutters on the Harding Township Municipal Building; and

WHEREAS, three quotes have been received; and

WHEREAS, the quote submitted by Timberlane in the amount of $25,923.08 is in accordance with the product specifications requested; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that monies are available in the amount of $25,923.08 from account number #04-2019-201908-4024-4-04058.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the exterior shutter purchase and installation on the front of the Harding Township Municipal Building on Blue Mill Road is hereby approved; and

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

NON-CONSENT AGENDA VOTE:

Mr. Platt made a motion to approve Resolution TC 19-148 for all the reasons stated above. Mayor Yates seconded the motion.

Mayor Yates asked if there were any comments or discussion.

Mrs. DiTosto asked if there was a reason why the Kemmerer Library does not have shutters. Mr. Balog, resident, mentioned he did not know why but did mention that the library originally was to have a cupola.

Mr. Balog, resident -- asked how many shutters are proposed. Mr. Falzarano responded with about thirteen and with installation it is about $2,100.00 per window. Mr. Falzarano mentioned the shutters are all PVC.

Mr. Falzarano reported that what we found with the other vendors and originally this vendor, with the two samples that were installed on the building the shutters were bubbling on the raised panel part of the shutter. Mr. Toribio, DPW Superintendent, scratched the back portion of the shutter which is an engineered material (compressed board). The outcome; the exterior portion was PVC but the raised panels were not. Mr. Falzarano explained that the company was notified that the two panels were not good. They were informed that the Township is looking for an all PVC shutter, the paint is bubbling due to there is a rabbit on the outside of the frame that the panel sits in and when painted that the 3/8 of an inch around the panel is not sealed so it will weep up into the material. The company changed their process and the entire shutter is now all PVC. A discussion ensued.

Mayor Yates asked for a roll call. *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☐	☒	☐	☐
Mr. Jones	☐	☒	☐	☐	☐
Mr. Modi	☐	☒	☐	☐	☐
Mr. Platt	1st	☒	☐	☐	☐
Mr. Yates	2nd	☒	☐	☐	☐

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 19-137 THROUGH RESOLUTION TC 19-150 HAVE BEEN PLACED ON THE CONSENT AGENDA

Let the record show that Mrs. DiTosto asked that Resolution TC 19-148 be removed for further discussion.

Mayor Yates explained that there were resolutions in the Consent Agenda that were for police promotions and an appointment of a police officer. Chief Heller is out of town, therefore the swearing in of these officers will be conducted at the July 15th meeting.

CONSENT AGENDA VOTE:

Mayor Yates asked Committee Member Jones to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 19-137 through TC 19-150, excluding Resolution TC 19-148.

Committee Member Jones 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 DiTosto.

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

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	2nd	☒	☐	☐	☐
Mr. Jones	1st	☒	☐	☐	☐
Mr. Modi	☐	☒	☐	☐	☐
Mr. Platt	☐	☒	☐	☐	☐
Mr. Yates	☐	☒	☐	☐	☐

APPOINTMENTS:

TC Resolution 19-137 – Resolution Promoting Patrolman David Achenbach to the Rank of Sergeant

WHEREAS, the testing process for the rank of Sergeant within the Harding Township Police Department was conducted in 2019; and

WHEREAS, the testing process included written and oral examinations conducted by the New Jersey State Chiefs of Police Association; and

WHEREAS, the Township Administrator and Chief of Police conducted interviews with the candidates; and

WHEREAS, Patrolman Achenbach met or exceeded the requirements for the position of Sergeant; and

WHEREAS, Patrolman Achenbach graduated from the Somerset County Police Academy in 1997; and

WHEREAS, Patrolman Achenbach was hired by the Township of Harding as a Police Officer on July 16, 1997; and

WHEREAS, Patrolman Achenbach has served as a patrolman for many years; and

WHEREAS, Patrolman Achenbach is a graduate of the FBI-LEEDA Supervisor Leadership Institute; and

WHEREAS, David Achenbach received a bachelor's degree from Rowan University; and

WHEREAS, in accordance with the Harding Township Police Promotional Policy & Procedures, Chief Erik Heller recommends that Patrolman David Achenbach be promoted to the rank of Sergeant; and

WHEREAS, pursuant to the Code of the Township of Harding Chapter 7-31, Police Department, and in accordance with N.J.S.A. 40A:14-118 et seq., all members of the Harding Township Police Department shall be appointed by the Township Committee.

BE IT RESOLVED, by the Township Committee of the Township of Harding that they hereby approve the promotion of Patrolman David Achenbach to the rank of Sergeant in the Harding Township Police Department; and

BE IT FURTHER RESOLVED, that effective June 25, 2019 Patrolman David Achenbach is hereby promoted to the rank of Sergeant at an annual salary of $125,158 to be pro-rated for the remainder of 2019; and

BE IT FURTHER RESOLVED, that the Harding Township Committee hereby congratulate and extend their best wishes to Sergeant David Achenbach.

TC Resolution 19-138 – Resolution Promoting Patrolman David Selecky to the Rank of Sergeant

WHEREAS, the testing process for Sergeant within the Harding Township Police Department was conducted in 2019; and

WHEREAS, the testing process included written and oral examinations conducted by the New Jersey State Chiefs of Police Association; and

WHEREAS, the Township Administrator and Chief of Police conducted interviews with the candidates; and

WHEREAS, Patrolman Selecky met or exceeded the requirements for the position of Sergeant; and

WHEREAS, Patrolman Selecky graduated from the Union County Police Academy in 2008; and

WHEREAS, Patrolman Selecky was hired by the Township of Harding as a Police Officer on January 1, 2009; and

WHEREAS, Patrolman Selecky has served as a patrolman for many years; and

WHEREAS, Patrolman Selecky is a certified Field Training Officer and a graduate of the FBI-LEEDA Supervisor Leadership Institute; and

WHEREAS, David Selecky received an associate degree from Union County College; and

WHEREAS, in accordance with the Harding Township Police Promotional Policy & Procedures, Chief Erik Heller recommends that Patrolman David Selecky be promoted to the rank of Sergeant; and

WHEREAS, pursuant to the Code of the Township of Harding Chapter 7-31, Police Department, and in accordance with N.J.S.A. 40A:14-118 et seq., all members of the Harding Township Police Department shall be appointed by the Township Committee.

BE IT RESOLVED, by the Township Committee of the Township of Harding that they hereby approve the promotion of Patrolman David Selecky to the rank of Sergeant in the Harding Township Police Department; and

BE IT FURTHER RESOLVED, that effective June 25, 2019 Patrolman David Selecky is hereby promoted to the rank of Sergeant at an annual salary of $125,158 to be pro-rated for the remainder of 2019; and

BE IT FURTHER RESOLVED, that the Harding Township Committee hereby congratulate and extend their best wishes to Sergeant David Selecky.

TC Resolution 19-139 – Resolution to Appoint Michael Resciniti as a Full-Time Police Officer with the Harding Township Police Department

WHEREAS, due to the resignation of a full-time Police Officer, there exists a vacancy in the position of Police Officer in the Harding Township Police Department; and

WHEREAS, Chief Erik Heller has conducted a detailed evaluation process and background check; and

WHEREAS, the Township Committee, Township Administrator, Robert Falzarano, and Chief Erik Heller, have determined the need for appointing a replacement Police Officer; and

WHEREAS, Michael Resciniti has a bachelor's degree with a Criminal Justice Major, graduated from the Bergen County Police Academy for Basic Police Officers on December 15, 2016 and has been working as a Police Officer in Clifton, NJ; and

WHEREAS, Chief Erik Heller recommends that Michael Resciniti be appointed as a full-time Police Officer, commencing with a one-year probationary period with the Harding Township Police Department that is effective on June 25, 2019.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the recommendation of Chief Erik Heller and the Township Administrator, Robert

Falzarano be approved and hereby appoint Michael Resciniti as a full-time Police Officer of the Harding Township Police Department at the annual salary of $ 58,215 to be prorated for the remainder of 2019.

CONTRACTS:

TC Resolution 19-140 – Resolution to Authorize an Understanding between the American Red Cross and The Township of Harding

WHEREAS, the Harding Township Emergency Management Operations Manual designates the American Red Cross as a support agency for the Shelter, Reception, and Care Annex.

BE IT RESOVED, the Township Committee of the Township of Harding in the County of Morris and State of New Jersey authorizes the Red Cross to provide Emergency Assistance to the Township of Harding; and

BE IT FURTHER RESOLVED, the Mayor is authorized to execute the agreement.

TC Resolution 19-141 – Resolution to Extend Quiktek's LLC Contract as Designated IT

WHEREAS, pursuant to the terms of the bid specifications and contract executed by the Contractor (hereinafter the "Contract"), the Township has the option to extend the initial term of the Contract for an additional one (1) year term, for the same fees paid for services rendered by Quikteks (Contractor) as in the initial Contract, that being Network Support Services; and

WHEREAS, the Township Administrator has requested and recommended that the Contract be extended for one year, under the same terms, conditions, and price of the original Contract, in accordance with N.J.S.A 40A:11-15; and

WHEREAS, the Township Committee finds that the services are being performed in an effective and efficient manner; and

WHEREAS, funds are available for this purpose and a Certificate of Availability has been filed by the Chief Financial Officer with the Municipal Clerk, in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2.

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

1. The Township's Contract with Quikteks, LLC., 373 E. Route 46, Fairfield, NJ 07004 for Network Support Services shall be extended in accordance with the original agreement, such that the term of the contract shall be optioned for and additional year.
2. The total contract amount is not to exceed $22,500 for network support services for the remaining term.

BE IT FURTHER RESOLVED, that the Township Committee hereby approves the contract option and the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township; and

BE IT FURTHER RESOLVED, that copies of this Resolution be provided to the Township Purchasing Agent and the Township Finance Department.

TC Resolution 19-142 – Resolution to go out to Bid for Solid Waste Services

WHEREAS, the Township Committee of the Township of Harding desires to secure bids for the Collection and Disposal of Solid Waste Type 10 and Type 13 Collection and Disposal of Solid Waste and Recyclable Material.

BE IT RESOLVED, that the Municipal Clerk is hereby authorized to advertise the Notice to Bidders in the June 27, 2019 Observer Tribune and Star Ledger for the purpose of soliciting bidders for the Collection and Disposal of Solid Waste Type 10 and Type 13 Collection and Disposal of Solid Waste and Recyclable Materials.

TC Resolution 19-143 – Resolution to Authorize Engineering Services for the Millbrook Paving Project

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

WHEREAS, it is the desire of the Township Committee to Resurface Millbrook Road through the use of a 2018 NJDOT grant; and

WHEREAS, funds are available from account #02-2019-2740-0740-2-04043 in the amount of $6,700.00 for this purpose pending approval of TC 19-129 "Special Item of Revenue and Appropriation – Millbrook Road" by the Director of Division of Local Government Services and a Certificate of Availability has been filed by the Chief Financial Officer pending approval of TC 19-129 "Special Item of Revenue and Appropriation – Millbrook Road" by the Director of Division of Local Government Services with the Municipal Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that monies are available in the amount of $5,700.00 from account number # 04-2016-201602-4002-4-04030, for the following tasks:

MILLBROOK ROAD PAVING PROJECT	COST $
Engineering Services – Millbrook Road Resurfacing and Grant Administration	12,400.00
GRAND TOTAL	**$12,400.00**

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 $12,400.00 for work outlined within this resolution; and

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

FINANCE:

Resolution TC 19-144 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.

TC Resolution 19-145 – Resolution Approving Liquor License Renewals for Licensees

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Harding Township Committee is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey, that the Harding Township Committee hereby agrees to issue to the following applicants, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence *July 1, 2019*, and to expire at midnight on *June 30, 2020* upon clearance of the fee to the Harding Township Treasurer's Account.

Club Licenses:

APPLICANT:	ADDRESS:	FEE:
New Vernon Volunteer Fire Department Club License No. 1413-31-004-001	22 Village Road New Vernon, NJ	$63.00
Mt. Kemble Lake Country Club Club License No. 1413-31-003-001	3 Trails End Morristown, NJ	$63.00

Plenary Retail Consumption Licenses:

APPLICANT:	ADDRESS:	FEE:
Dharma Bhaki 09, LLC T/A The Country Store Plenary Retail Consumption License No. 1413-44-002-005	1098 Mount Kemble Avenue Morristown, NJ	$2,500.00
K.A. Lee Enterprises, LLC T/A Market Taverne Plenary Retail Consumption License No. 1413-33-001-010	995 Mt. Kemble Avenue Morristown, NJ	$2,500.00

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicants.

Resolution TC 19-146 – Resolution to Increase Fees for Redevelopment Attorney for the Township of Harding

WHEREAS, at the March 18, 2019 Township Committee meeting, the Township of Harding awarded a contract for a redevelopment attorney from the firm Greenbaum Rowe Smith & Davis LLP for redevelopment purposes for the Township, in the amount not to exceed $5,000.00; and

WHEREAS, at the May 13, 2019 Township Committee meeting, the Township Committee authorized an additional $5,000.00 for the services of Greenbaum Rowe Smith & Davis LLP, under their professional services contract; and

WHEREAS, it is necessary to increase the authorization for the services of Greenbaum Rowe Smith & Davis LLP, under their professional services contract to perform redevelopment tasks; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of $30,000.00 from account number #25-9999-1110-0170-2-00037; and

WHEREAS, the total amount shall not exceed $40,000.00.

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 75 Livingston Avenue, Suite 301 Roseland, NJ 07068	1/1/2019 to 12/31/2019 Not to Exceed $40,000.00 25-9999-1110-0170-2-00037

MISCELLANEOUS:

Resolution TC 19-147 – Authorizing Sale of Surplus Property through GOVDEALS online Auction Website

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, and State of New Jersey that each year the Township has surplus property, including motor vehicles acquired for the use of Township officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

WHEREAS, GovDeals, an internet auction entity specializing in government surplus items, will list the items for auction on its website, www.govdeals.com for 14 days at a cost of 7½% of the final (closing) sales price. Successful bidders will receive a Buyer's Certificate by email from GovDeals. Payment in full shall be due not later than 5 business days from the time and date of the Buyer's Certificate. Payment shall be accepted in the form of U.S. Currency, Certified Cashier's Check, Money Order or Company Check (with Bank letter guaranteeing funds) and shall be remitted to the Township of Harding. Buyers will arrange all handling, loading and transportation of purchases within 10 business days from the time and date of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, and State of New Jersey, the Municipal Clerk be and hereby is authorized to advertise in accordance with N.J.S.A. 40A:11-36 and auction the following surplus property online:

1. 1994, Ford, F350 Mason Dump Truck
2. 2001, Jeep, Cherokee Sport
3. 2011, Ford, Crown Victoria Police Vehicle
4. 2009, Ford, Crown Victoria Police Vehicle
5. Kohler, 30RZ82 Generator
6. Police – Miscellaneous Items – see attached

PERSONNEL:

TC Resolution #19-149 – Resolution to Appoint Christopher Williams as a Laborer / Driver / Equipment Operator in the Department of Public Works

WHEREAS, there exists a vacancy in the position of Laborer/ Driver / Equipment Operator in the Department of Public Works; and

WHEREAS, Harding Township Department of Public Works Superintendent Tracy Toribio has interviewed numerous candidates and determined Christopher Williams is the most qualified for the position; and

WHEREAS, Mr. Toribio recommends Mr. Williams be hired to the Department of Public Works at an annual salary of $44,000.00.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective on June 27, 2019, Christopher Williams is hereby appointed as Laborer/ Driver/ Equipment Operator in the Department of Public Works at an annual salary of $44,000.00, prorated for the balance of 2019, with employment subject to terms and conditions set forth in the Employment Agreement and the Township of Harding Policies Procedures Manual.

TC Resolution #19-150 – Resolution to Accept the Resignation of M.H. from the Harding Township Police Department

BE IT RESOLVED, by the Township Committee of the Township of Harding accepts the resignation of M. H. effective May 23, 2019.

ORDINANCES FOR FIRST READING -- NONE

RESOLUTION TC 19-151– Executive Session

RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION

Mayor Yates asked for a motion to adjourn into Executive Session. Upon a motion made by Mr. Platt, seconded by Mr. Jones, the meeting adjourned to Executive Session at 9:30 p.m.

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.

Attorney Client Priviledge:

1. Personnel Matter – Mark Roselli

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	☐	☒	☐	☐	☐
Mr. Jones	☐	☒	☐	☐	☐
Mr. Modi	☐	☒	☐	☐	☐
Mr. Platt	1st	☒	☐	☐	☐
Mr. Yates	2nd	☒	☐	☐	☐

ADJOURNMENT – Mr. Yates

The meeting adjourned at 9:30 p.m.

Respectfully Submitted,

Lisa A. Sharp
Municipal Clerk

Z 06-24-2019