

HARDING TOWNSHIP COMMITTEE
MONDAY, AUGUST 12, 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 6:00 p.m.

ADEQUATE NOTICE of this Executive Session meeting of the Harding Township Committee was sent to the Observer Tribune on July 23, 2019 and published in the Observer Tribune on July 25, 2019.

Mayor Yates announced that Adequate Notice of the Harding Township Committee meeting was called in accordance with the Open Public Meetings Act.

ROLL CALL

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

Ms. Taglairino called the roll. All members of the Township Committee were present. Let the record show that Mr. Platt is on via telephone.

RESOLUTION TC 19-167– Executive Session

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Mayor Yates asked for a motion to recess into Executive Session. Upon a motion made by Mr. Modi, seconded by Mrs. DiTosto and with a votes of all ayes, none opposed, the meeting recessed at 6:02 pm.

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.

Personnel:

1. Police Appointments – Chief Heller

Contracts:

1. Property Acquisitions – Mark Roselli

2. Developer's Agreement – Bob Goldsmith

3. Shared Services – Chris Yates

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	2 nd	<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 st	<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"/>

RECONVENE INTO PUBLIC SESSION

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

ROLL CALL

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

Ms. Taglairino called the roll. All members of the Township Committee were present.

PLEDGE OF ALLEGIANCE

Mayor Yates led members of the Township Committee and members of 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 19-168 -- 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 meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: July 15, 2019 and August 1, 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: July 15, 2019 and August 1, 2019.

Mayor Yates asked for a motion to table Resolution TC 19-168. Upon a motion made by Mrs. DiTosto, seconded by Mr. Jones, and with a vote of all ayes, none opposed, Resolution TC 19-168 Township Committee Meeting Minutes was tabled.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

NON CONSENT RESOLUTIONS

Mayor Yates read Resolution TC 19-169 into the meeting minutes.

TC Resolution 19-169 – Resolution to Appoint Thomas Trommelen as a Harding Township Patrolman

WHEREAS, 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 Police Officer; and

WHEREAS, Thomas Trommelen 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 Thomas Trommelen 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 August 16, 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 Thomas Trommelen 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.

NON-CONSENT AGENDA VOTE:

Mayor Yates asked Committee Member Jones to proceed with Resolution TC 19-169 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 for a Roll Call: *Ms. Taglairino called the roll as follows:*

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	1 st	<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 nd	<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"/>

Mr. Mark Roselli, Township Attorney, administered the Oath of Office to Thomas Trommelen. Chief Heller welcomed Mr. Trommelen to the Harding Township Police Department. Mr. Platt thanked Chief Heller and the entire Police Department for turning out for this event this evening.

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE

There were no announcements, reports, presentations, or correspondence.

DISCUSSION ITEMS

1. 2018 Audit – Robert Swisher

Mr. Swisher of Suplee Clooney and Company explained that the audit report was completed in June 2019. However, the State of New Jersey did not release several numbers till the middle of July. Mr. Swisher reported that our audit is a financial and compliance audit to ensure the Township's financial statements are fairly stated and that they are in compliance with the rules and regulations of the State of New Jersey. In our test for compliance, Mr. Swisher explained that they did not find any items that were of non-compliance. Therefore, again for this year, a corrective action plan does not needed. Mr. Swisher reported that our auditors do not conduct an operations audit, but if something is found, they will mention it. Prior to this meeting, Mr. Swisher there was an exit interview meeting, which is where we meet with Administration and the Finance Officer to review the audit report and discuss any items that may benefit Harding. As an important part of the audit, we test internal controls. Mr. Swisher mentioned that in other towns, the auditors noticed electronic receipting in the Tax Office. This year Harding has taken this on which has greatly improved the controls in the Tax Office. Mr. Swisher reported that the Township is in very good financial shape.

Mayor Yates thanked Mr. Swisher and explained he was pleased to see there were no findings. Mr. Swisher mentioned that Harding has a very good team along with the Administration.

A question was asked what is electronic receipting. Mr. Swisher explained that a receipt is automatically created in the system, so a hand written receipt is not necessary. Mr. Fiore explained that we no longer use a stamp, the system creates the receipt.

Mrs. DiTosto asked how many years does a town keep the same auditor. Mr. Swisher explained that it varies. There are not many Municipal Auditors. Mr. Swisher explained what we have done in Harding is to rotate the lead manager so you have a different set of eyes reviewing the numbers. Mrs. DiTosto asked how long Suplee Clooney and Company has been the auditor for Harding. Mr. Swisher believed it has been about ten years.

2. Showgrounds Trail – Dev Modi

Mr. Modi reported that recently there was an inquiry into the Township regarding a potential easement modification involving the Showgrounds property. Mr. Modi raised a question about whether or not this might be a time for the Township to consider the County's Trail Grant program for a trail around the showgrounds given the success of the Municipal Campus Trail. Mr. Modi asked if this is the time to discuss what the process would be for this. Mr. Falzarano, Township Administrator explained that the County is looking for trail projects for their open space. Mayor Yates asked if this was unrelated to the easement request. Mr. Modi explained yes but the request was the catalyst for the Township to think about this. Mr. Roselli, Township Attorney, explained that the existing access easement is just for access. Mr. Roselli explained that with respect to the easement on the Township property and it pre-existed on the Township Rossi and now that it is on the

Township's Rossi granting an additional easement may constitute a diversion as you would be giving up an interest in a Rossi property. Mr. Modi asked what the process would be to have a trail around the showgrounds. Mr. Falzarano explained that the Township can prepare an application to the County for next year. If there is a real interest to do this, our Engineer can map it out and submit the application. Mrs. DiTosto asked before we have an Engineer map it out, let's prepare a drawing and review this to see if it makes sense. Mr. Jones mentioned that the showgrounds is used a lot with people who already walk their dogs around their. It effectively is a trail already. Are we creating more of a maintenance issue, maybe a different location would be better. As Mr. Weppeler previously mentioned at a Township Committee meeting regarding the Municipal Campus Trail, maybe the Township should mow on a more regular basis. Mr. Platt suggested the Waterman property as it has 29 acres. A discussion ensued. It was recommended that Mr. Platt and Mr. Modi take a walk around the Waterman property to see if this would be a good location for a trail. Later Mr. Modi asked if CPAC could look into this.

3. Plastic Bags – Nic Platt

Mr. Platt provided information on surrounding towns (Chatham Borough, Chatham Township, Madison) and what they are doing with plastic bags.

Mr. Platt provided the following statistics on plastic:

- * America – Uses 100 billion plastic bags per year*
- * Average Family – Uses 1,500 plastic bags per year*
- * 14 plastic bags equals gas to drive one mile*
- * 80% of the ocean plastic enters from land*
- * 100,000 marine animals are killed by plastics annually*
- * One-third of the leather back sea turtles are found with plastic in their stomachs*
- * A plastic bag is used on average every 12 minutes*
- * Micro plastics have been found in NJ pristine rivers and creeks*

Mr. Platt believes there is every reason for Harding to have the Environmental Commission attend a Township Committee meeting and present a recommendation to join the surrounding towns ban on plastic bags.

Mayor Yates asked Mr. Toribio to state what is presently done at Harding's recycling center. Mr. Toribio explained that Alison Maxwell from the Kemmerer Library approached him several months ago to have a stationary bin that was marked "clean plastics". Ms. Maxwell takes these clean plastics to Whole Foods where they have a place they take the plastics to recycle. With this bin in for several months, we have collected about 380 pounds of plastic bags. This is an enormous amount. A discussion ensued. Mr. Jones mentioned that he would like to explore more. Let's find a solution, not just a ban.

Mayor Yates mentioned that the Township Committee has nominated Alison Maxwell for a Morris County Environmental Excellence Award for her recycling program. The County will make those awards on October 11, 2019.

Mayor Yates read a note from Mr. Lanzerotti as follows: TC Colleagues: Regarding the discussion item on plastic bags that I read in the Agenda for tonight's meeting called to mind the dialog in the movie The Graduate, playing in about 1967 as I was in my second year of my career (which was not plastics):

"Mr. McGuire: I want to say one word to you. Just one word.

Benjamin: Yes, sir.

Mr. McGuire: Are you listening?

Benjamin: Yes, I am.

Mr. McGuire: Plastics.

Benjamin: Exactly how do you mean?

Mr. McGuire: There's a great future in plastics. Think about it. Will you think about it?"

I recommend that Harding might consider the following two items:

- 1. Educate residents about the environmental issues that plastics can cause; and*
- 2. Begin the encouraging of the recycling of plastic bags at the recycle Center (note that Harding does not not ban paper and glass and tin containers, but rather recycles them at the Center -- a project started by Harding Boy Scouts in the 1970s).*

Amanda Richardson, resident – commented why is it either or. Is there incentives? Mayor Yates explained recycling would continue, the ban would be additional. Mayor Yates mentioned that the ordinance from Chatham/Madison has a 10 cent fee for plastic bags.

Mika Demarest, resident – commented this does not solve the plastic bag issues.

Mayor Yates mentioned we look forward to a presentation from the Environmental Commissions.

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 explained to Mr. Bonaventura that you can make your comments this evening but the Township Committee cannot respond due to there is an active application in front of the Board of Adjustment.

Vincent Bonaventura, Village Road – commented that he has been going to the Board of Adjustment meetings and they have been discussing possible locations, specifications, etc. Have they been given approval to put up 5G microwave towers in Harding Township? The health issues are so severe that something like this should be discussed throughout the Town and possibly a referendum before approval is given. Mr. Roselli, Township Attorney, explained there are Federal Laws that affect this type of technology which allows certain things to occur and Municipalities have to act in a certain type frame under Federal Law. The Township adopted an ordinance that would allow the Township to be in compliance with Federal Law but to the extent you have an application and there is a hearing that is the time you would bring up your issues.

Mika Demarest, Village Road – There are two applications for cell service at the Board of Adjustment. At the BOA meeting, the Fire Chief commented that the Tower could go back by the barn. Ms. Demarest commented who is the Fire Chief as a Volunteer Fire Fighter Chief to make a decision that has such an impact on the Town and a very populated area of Harding. Ms. Demarest questions his authority to make that decision. Mayor Yates explained that the Fire Chief cannot actually say that, there has to be a new application submitted to the BOA. Ms. Demarest commented that the lawyers for Verizon were at that meeting and brought that up as an alternate site. Ms. Demarest commented going forward if there is 5G, there will be small cell towers throughout the Town. Mayor Yates explained that the Township adopted an ordinance last year to require any installation of small cell nodes to go through an application process in order to keep control what gets installed. Ms.

Demarest commented if it covers the rite-of-ways. Mayor Yates responded yes. Mayor Yates suggested Ms. Demarest go to the Township's website and review the ordinance that was passed last year.

ORDINANCES FOR SECOND READING

Mayor Yates asks Township Committee Member DiTosto to proceed with Ordinance #14-2019.

Township Committee Member DiTosto read Ordinance #14-2019 entitled:

ORDINANCE #14-2019 – AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING IN PART ORDINANCE #05-2019 AND SPECIFICALLY CHAPTER 225, ARTICLE XXVIII TO ESTABLISH NEW SECTIONS THAT SETS FORTH THE USE, DENSITY, AND BULK REGULATIONS FOR THE AHO-1 ZONING DISTRICT

Which Ordinance was introduced and passed on first reading at a regular Township Committee meeting held on July 15, 2019.

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

The Municipal Clerk States: Ms. Taglairino read that the Municipal Clerk sent a legal notice for publication on July 15, 2019 to the Observer Tribune indicating that Ordinance #14-2019 was introduced and passed on first reading at the July 15, 2019 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on August 12, 2019, on or any time thereafter for consideration of final adoption. Pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-15B) copies were sent to the surrounding towns and to the Morris County Planning Board. Copies of this Ordinance were made available to the general public, posted on the Harding Township website, and posted in accordance with the law.

Mayor Yates: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard. Mayor Yates seeing no one wishing to be heard, closed the public hearing.

Township Committee Member DiTosto offered the following Ordinance and moved its adoption.

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

Township Committee Member Platt seconded the motion.

Mayor Yates asked for a roll call. *Ms. Taglairino called the roll as follows:*

Vote on Ordinance:

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

ADD-ON RESOLUTIONS - NONE

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE -- NONE

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 19-171 THROUGH RESOLUTION TC 19-177 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Yates asked Committee Member Platt to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 19-171 through TC 19-177.

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 asked for a Roll Call: *Ms. Taglairino read the roll as follows:*

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 nd	<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 st	<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 19-171 – Resolution to Appoint Members 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 appointments as members of the Harding Township Board of Adjustment commencing August 15, 2019 be made:

Thomas Addonizio Regular Member	4 year unexpired term expiring December 31, 2021
Elizabeth Solovos Alternate #1	2 year unexpired term expiring December 31, 2019
Michael Cammarata Alternate #2	2 year unexpired term expiring December 31, 2020

CONTRACTS:

Resolution TC 19-172 – Resolution to Reject the Bid for the DPW Salt Building

WHEREAS, the Township of Harding publicly advertised for and received bids on at July 9, 2019 at 11:00 a.m. for the construction project known as Harding Township DPW Salt Shed project; and

WHEREAS, five bids were received from the following entities:

	<u>Base Bid</u>	<u>Option</u>
Dutchman Contracting, Reinhold, PA	\$244,409.00	70.00
Frankoski Construction, Orange NJ	\$260,000.00	39.00
CB Structures, New Holland, PA	\$279,814.00	50.00
Samson Concrete, Phillipsburg, NJ	\$370,000.00	20.00
MBT Contracting, LLC, Lincoln Park, NJ	\$377,183.25	125.00

WHEREAS, N.J.S.A. 40A:11-13.2 (a) allows a governing body to reject all bids when the lowest bid substantially exceeds the cost estimates for the services; and

WHEREAS, the bids submitted substantially exceed the Township Architect's cost estimate for the project; and

WHEREAS, based upon the bid received and recommendation of the Qualified Purchasing Agent, the Township Committee has determined to reject the bid pursuant to N.J.S.A 40A:11-13.2 (a) as the lowest responsible bid substantially exceeds the cost estimate for the services.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey, that all bids for the Department of Public Works Salt Shed project be and are hereby rejected pursuant to N.J.S.A. 40A:11-13.2 (a); and

BE IT FURTHER RESOLVED, a copy of this resolution shall be provided to Qualified Purchasing Agent, Township Attorney, and Chief Financial Officer for the Township of Harding.

Resolution TC 19-173 – Resolution Authorizing Contracts with Certain Approved State and County Cooperative Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a

WHEREAS, the Township of Harding, pursuant to N.J.S.A. 40 A: 11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program, the Morris County Cooperative Pricing Council, the Somerset County Cooperative Pricing System and the Middlesex Regional Educational Services Commission Cooperative Pricing System for any State or County contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury, the Morris County Cooperative Pricing Council, the Somerset County Cooperative Pricing System and the Middlesex Regional Educational Services Commission Cooperative Pricing System as approved by TC 19-049; and

WHEREAS, the Township of Harding has the need to add Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO to purchase goods or services.

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 of Harding authorizes the Purchasing Agent to purchase certain goods or services from Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO pursuant to all conditions of the individual State, Morris County, Somerset County and Middlesex Regional Educational Services Commission Cooperative Pricing System Cooperative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Harding pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Township of Harding and the Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO Contract Vendors shall be from January 1, 2019 to December 31, 2019.

Resolution TC 19-174 Resolution to Increase the Contract for Greenbaum Rowe Smith & Davis LLP - 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, at the June 24, 2019 Township Committee meeting, the Township Committee authorized an additional \$30,000.00 for the services of Greenbaum Rowe Smith & Davis LLP, under their professional services contract; and

WHEREAS, at the July 15, 2019 Township Committee meeting, the Township Committee authorized an additional \$10,000.00 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 \$5,000.00 from account number #25-9999-1110-0170-2-00037; and

WHEREAS, the total amount shall not exceed \$55,000.00.

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	1/1/2019 to 12/31/2019
	75 Livingston Avenue, Suite 301	Not to Exceed \$50,000.00
	Roseland, NJ 07068	25-9999-1110-0170-2-00037

FINANCE:

Resolution TC 19-175 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.

Resolution TC 19-176 Resolution Approving the 2018 Audit Review

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52-27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "General Comments" and "Recommendations;" and

WHEREAS, the members of the governing body have personally reviewed at a minimum the annual Report of Audit, and specifically the sections of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB52 to wit:

R.S. 52:27BB52- "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

BE IT RESOLVED, that the Township Committee of the Township of Harding, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

MISCELLANEOUS: NONE

PERSONNEL:

Resolution TC 19-177 Resolution to Accept the Resignation of J.K.

BE IT RESOLVED, by the Township Committee of the Township of Harding accepts the resignation of J.K. effective as of August 2, 2019.

ORDINANCES FOR FIRST READING -- NONE

RESOLUTION TC 19-178– Executive Session

RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION

Mayor Yates asked for a motion to adjourn into Executive Session. Upon a motion made by Mrs. DiTosto, seconded by Mr. Platt, and with a vote of all ayes, none opposed, the meeting recessed into Executive Session.

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

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

Contracts:

*** Shared Services – Mayor Yates**

Vote on Resolution:

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

ADJOURNMENT – Mr. Yates

The meeting adjourned into Executive Session at 8:30 p.m. No formal action will be made in Executive Session.

Respectfully submitted,



Lisa A. Sharp
Municipal Clerk