HARDING TOWNSHIP COMMITTEE MONDAY, JANUARY 14, 2019 REGULAR MEETING AGENDA at 7:30 PM Kirby Hall, Blue Mill Road, New Vernon, New Jersey

CALL MEETING TO ORDER – Mayor Yates

PLEDGE OF ALLEGIANCE – Mayor Yates

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 8, 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 8, 2019, and Notice was filed with the Municipal Clerk on January 8, 2019.

ROLL CALL – Municipal Clerk

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

RESOLUTION TC 19-055 -- RESOLUTION TO ADOPT TOWNSHIP COMMITTEE MEETING MINUTES

BE IT RESOLVED, by the Township Committee of the Township of Harding that the minutes from the following meetings are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: January 7, 2019.

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Yates

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

DISCUSSION ITEMS

MEETING OPEN TO THE PUBLIC

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.

ORDINANCES FOR SECOND READING -- NONE

ADD-ON RESOLUTIONS

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

Resolution TC 19-059 – Resolution Approving Access Agreement with Hurstmont Estate Acquisition, LLC

WHEREAS Harding Township owns property more commonly referred to as the Glen Alpin Property and is identified as Block 34, Lot 1 on the tax map for Harding Township (the "Property"); and

WHEREAS, Hurstmont Estate Acquisitions, LLC (hereinafter "Hurstmont") is under contract to purchase certain real property adjoining the Property identified as Block 27, Lot 2 on the tax map for Harding Township (the "Hurstmont Property"); and

WHEREAS, Hurstmont desires to develop the Hurstmont Property as a Continuing Care Retirement Community to provide independent living, assisted living and memory care (hereinafter "Hurstmont Estate"); and

WHEREAS, Harding included Hurstmont Estate in its Housing Element and Fair Share Plan (the "HEFSP") which received preliminary approval by the Court; and

WHEREAS, as part of its development of Hurstmon Estate, Hurstmont has indicated that it is interested in acquiring and utilizing the Property, in part for an onsite wastewater discharge system; and

WHEREAS, in order to determine the feasibility of utilizing a portion of the Property for an onsite wastewater discharge system for the Hurstmont Estate development, Hurstmont intends to perform a feasibility evaluation as described in the November 8, 2018 letter from Peter H. Monaghan to Robert Falzarano, Township Administrator for Harding and an accompanying sketch ("Work Plan"), a copy of which is attached as <u>Exhibit A</u> to the Access Agreement being approved herein; and

WHEREAS, Hurstmont desires to secure access to the Property for the sole purpose of performing the Work Plan identified in Mr. Monaghan's November 8, 2018 letter; and

WHEREAS, Harding has been requested by Hurstmont to provide it with access to the Property for the sole purpose of performing the work outlined in the Work Plan in the areas noted in the sketch plan; and

WHEREAS, as part of its due diligence with respect to the work to be performed by Hurstmont on the Property, the Township, though the Township Attorney, has applied to the New Jersey Historic Preservation Office ("NJHPO") for approval of the work to be performed under the Work Plan; and

WHEREAS, in that regard, NJHPO has approved the performance of the geophysical surveys by Hurstmont on the Property and the balance of work will not proceed until it is reviewed and approved by NJHPO; and

WHEREAS, the parties have negotiated an Access Agreement for purposes of giving Hurstmont access to the Property for this limited basis.

BE IT RESOLVED, that the Township Committee of the Township of Harding that the Access Agreement for Glen Alpin Property be and is hereby approved and the Mayor and Municipal Clerk are hereby authorized to execute said agreement on behalf of the Township of Harding.

Vote on Resolution:

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

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 19-056 THROUGH RESOLUTION TC 19-058 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Yates asks Committee Member ______ to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 19-056 through TC 19-058.

Committee Member _____: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Township Committee.

Seconded by Township Committee Member _____.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

APPOINTMENTS:

Resolution TC 19-056 – Resolution Appointing Richard Bruno to the Shade Tree Advisory Committee

BE IT RESOLVED, by the Mayor of the Township of Harding with consent of the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that the following appointment as member of the Harding Township Shade Tree Advisory Committee commencing January 1, 2019 be made:

Richard Bruno	3 year term expiring
Regular Member	December 31, 2021

FINANCE:

Resolution TC 19-057 – Resolution Authorizing Release of Escrows

WHEREAS, the Township Engineer, Township Construction Official, Board of Adjustment Attorney, and/or the Tree Conservation Officer have certified that there are no outstanding invoices and have approved the release of the following escrows.

BE IT RESOLVED, by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey, that appropriate municipal officials be and are hereby authorized to release the following escrows as per N.J.S.A. 40:55D-53.1.

Grading, Engineering, Tech Review, Performance & Tree Escrow

Harding Land TrustTree218\$375.00

Resolution TC 19-058– 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.

CONTRACTS:

ORDINANCES FOR FIRST READING

ORDINANCE #01-2019 – AN ORDINANCE AMENDING CHAPTER 171 OF THE TOWNSHIP CODE ENTITLED "FEES" AND SPECIFICALLY CHAPTER 171-1 ENTITLED "PURPOSE; FEE SCHEDULE ESTABLISHED"

Mayor Yates asks Township Committee Member Modi to introduce Ordinance TC #01-2019.

Township Committee Member Modi introduces Ordinance TC 01-2019 by title as follows:

HARDING TOWNSHIP

ORDINANCE #01-2019 AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 171 OF THE TOWNSHIP CODE ENTITLED "FEES" AND SPECIFICALLY CHAPTER 171-1 ENTITLED "PURPOSE; FEE SCHEDULE ESTABLISHED"

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

Township Committee Member Modi reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on January 14, 2019.

BE IT RESOLVED, that at the Township Committee meeting to be held on January 28, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

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

Township Committee Member Modi: I offer Ordinance #01-2019 and move its introduction.

Township Committee member______ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ORDINANCES FOR FIRST READING

ORDINANCE #02-2019 – AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY 7-31 ENTITLED "POLICE DEPARTMENT"

Mayor Yates asks Township Committee Member DiTosto to introduce Ordinance TC #02-2019.

Township Committee Member DiTosto introduces Ordinance TC #02-2019 by title as follows:

HARDING TOWNSHIP ORDINANCE #02-2019

AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7 OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY 7-31 ENTITLED "POLICE DEPARTMENT"

L 01-12-19

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

Township Committee Member DiTosto reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on January 14, 2019.

BE IT RESOLVED, that at the Township Committee meeting to be held on January 28, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

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

Township Committee Member DiTosto: I offer Ordinance #02-2019 and move its introduction.

Township Committee member______ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ORDINANCES FOR FIRST READING

ORDINANCE #03-2019 – AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 171, ARTICLE II "AFFORDABLE HOUSING," SECTION171-3 "DEVELOPMENT FEES" OF THE CODE OF THE TOWNSHIP OF HARDING

Mayor Yates asks Township Committee Member DiTosto to introduce Ordinance TC #03-2019.

Township Committee Member DiTosto introduces Ordinance TC #03-2019 by title as follows:

HARDING TOWNSHIP ORDINANCE #03-2019

AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 171, ARTICLE II "AFFORDABLE HOUSING," SECTION171-3 "DEVELOPMENT FEES" OF THE CODE OF THE TOWNSHIP OF HARDING

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

Township Committee Member DiTosto reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on January 14, 2019.

BE IT RESOLVED, that at the Township Committee meeting to be held on January 28, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

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

Township Committee Member DiTosto: I offer Ordinance #03-2019 and move its introduction.

Township Committee member______ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ORDINANCES FOR FIRST READING

ORDINANCE #04-2019 – AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING THE GENERAL CODE OF THE TOWNSHIP OF HARDING BY REPEALING AND REPLACING PART 5 OF CHAPTER 225, ENTITLED "AFFORDABLE HOUSING REGULATIONS," TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

Mayor Yates asks Township Committee Member DiTosto to introduce Ordinance TC #04-2019.

Harding Township Committee Agenda January 14, 2019 Regular Meeting

Township Committee Member DiTosto introduces Ordinance TC #04-2019 by title as follows:

HARDING TOWNSHIP ORDINANCE #04-2019

AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING THE GENERAL CODE OF THE TOWNSHIP OF HARDING BY REPEALING AND REPLACING PART 5 OF CHAPTER 225, ENTITLED "AFFORDABLE HOUSING REGULATIONS," TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

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

Township Committee Member DiTosto reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on January 14, 2019.

BE IT RESOLVED, that at the Township Committee meeting to be held on January 28, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

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

Township Committee Member DiTosto: I offer Ordinance #04-2019 and move its introduction.

Township Committee member______ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ORDINANCES FOR FIRST READING

ORDINANCE #05-2019 – "AN ORDINANCE OF THE TOWNSHIP HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND REVISING CHAPTER 225 OF THE TOWNSHIP CODE ENTITLED "LAND USE" AND SPECIFICALLY §225-112 IN ORDER TO CREATE A AHO-1 AFFORDABLE HOUSING OVERLAY 1 ZONE AND AHO-2 AFFORDABLE HOUSING OVERLAY 2 ZONE; §225, PART 3, ARTICLE XXVIII TO ESTABLISH NEW SECTIONS THAT SETS FORTH THE USE, DENSITY, AND BULK REGULATIONS FOR THE AHO-1 AND AHO-2 ZONING DISTRICTS, AND §225-113 TO RE-ZONE CERTAIN PROPERTIES TO BE INCLUDED IN THE AHO-1 AND AHO-2 AND TO AMEND THE TOWNSHIP ZONING MAP"

Mayor Yates asks Township Committee Member DiTosto to introduce Ordinance TC #05-2019.

Township Committee Member DiTosto introduces Ordinance TC #05-2019 by title as follows:

HARDING TOWNSHIP ORDINANCE #05-2019

"AN ORDINANCE OF THE TOWNSHIP HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND REVISING CHAPTER 225 OF THE TOWNSHIP CODE ENTITLED "LAND USE" AND SPECIFICALLY §225-112 IN ORDER TO CREATE A AHO-1 AFFORDABLE HOUSING OVERLAY 1 ZONE AND AHO-2 AFFORDABLE HOUSING OVERLAY 2 ZONE; §225, PART 3, ARTICLE XXVIII TO ESTABLISH NEW SECTIONS THAT SETS FORTH THE USE, DENSITY, AND BULK REGULATIONS FOR THE AHO-1 AND AHO-2 ZONING DISTRICTS, AND §225-113 TO RE-ZONE CERTAIN PROPERTIES TO BE INCLUDED IN THE AHO-1 AND AHO-2 AND TO AMEND THE TOWNSHIP ZONING MAP"

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

Township Committee Member DiTosto reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on January 14, 2019.

BE IT RESOLVED, that at the Township Committee meeting to be held on January 28, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

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

Township Committee Member DiTosto: I offer Ordinance #05-2019 and move its introduction.

Township Committee member______ seconds the motion.

L 01-12-19

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ORDINANCES FOR FIRST READING

ORDINANCE #06-2019 – AN ORDINANCE OF THE TOWNSHIP OF HARDING RESCINDING AND REPLACING CHAPTER 225, ARTICLE XXXVI OF THE CODE OF THE TOWNSHIP OF HARDING, ENTITLED "AFFORDABLE ACCESSORY RESIDENCE PROGRAM"

Mayor Yates asks Township Committee Member DiTosto to introduce Ordinance TC #06-2019.

Township Committee Member DiTosto introduces Ordinance TC #06-2019 by title as follows:

HARDING TOWNSHIP ORDINANCE #06-2019

AN ORDINANCE OF THE TOWNSHIP OF HARDING RESCINDING AND REPLACING CHAPTER 225, ARTICLE XXXVI OF THE CODE OF THE TOWNSHIP OF HARDING, ENTITLED "AFFORDABLE ACCESSORY RESIDENCE PROGRAM"

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

Township Committee Member DiTosto reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on January 14, 2019.

BE IT RESOLVED, that at the Township Committee meeting to be held on January 28, 2019 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

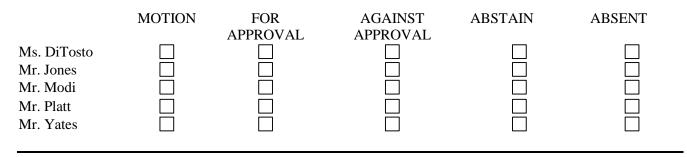
BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

Township Committee Member DiTosto: I offer Ordinance #06-2019 and move its introduction. Township Committee member______ seconds the motion.

L 01-12-19

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:



ADJOURNMENT – Mr. Yates