

**HARDING TOWNSHIP COMMITTEE
MONDAY, DECEMBER 9, 2019
EXECUTIVE SESSION at 5:30 PM
REGULAR MEETING at 7:30 PM
Kirby Hall, Blue Mill Road, New Vernon, New Jersey
AGENDA**

CALL MEETING TO ORDER – Mayor Yates

ADEQUATE NOTICE of this December 9, 2019 meeting of the Harding Township Committee was sent to the Observer Tribune on November 25, 2019 and published in the Observer Tribune on November 28, 2019.

ROLL CALL – Municipal Clerk

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

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Resolution TC 19-218– 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.

Public Safety:

1. Police Operations – Chief Heller

Contracts:

1. The Farm – Mayor Yates
2. Property Acquisitions – Tim Jones / Mark Roselli
3. Redevelopment – Mark Roselli

Litigation:

1. Affordable Housing – Dev Modi

Personnel:

1. Employee Appointment / 2020 Salaries – Bob Falzarano

Vote on Resolution:

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

RECONVENE INTO PUBLIC SESSION – Mayor Yates

ROLL CALL – Municipal Clerk

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

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Resolution TC 19-219 – Resolution to Appoint Nicholas DiMaio as a Patrolman with the Harding Township Police Department

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, Nicholas DeMaio graduated from the Morris County Police Academy for Basic Police Officers on November 27, 2019; and

WHEREAS, Chief Erik Heller recommends that Nicholas DeMaio 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 January 1, 2020.

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 Nicholas DeMaio as a full-time Police Officer of the Harding Township Police Department at the annual salary of \$45,219.

Mayor Yates asks Committee Member _____ to proceed with Resolution TC 19-219 listed on the Non-Consent agenda.

Committee Member _____: I would like to make 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 _____.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Resolution TC 19-220 – Resolution to Honor and Recognize the Actions of Sergeant David Selecky and Patrolman Louis Pirrello, Jr.

WHEREAS, Harding Township Police Sergeant David Selecky and Patrolman Louis Pirrello, Jr. were on duty on September 11, 2019; and

WHEREAS, Sergeant Selecky and Patrolman Pirrello responded to a report of an unresponsive male on that date; and

WHEREAS, Sergeant Selecky and Patrolman Pirrello quickly used their training and experience to initiate CPR; and

WHEREAS, Sergeant Selecky and Patrolman Pirrello were able to detect a pulse after several minutes of CPR; and

WHEREAS, Sergeant Selecky and Patrolman Pirrello coordinated with the New Vernon First Aid Squad and Atlantic Health Paramedics to continue patient care and transport to the hospital; and

WHEREAS, Sergeant Selecky’s and Patrolman Pirrello’s actions saved a life.

BE IT RESOLVED, that the Township Committee of the Township of Harding in the County of Morris, State of New Jersey would like to honor and recognize the actions of Sergeant David Selecky and Patrolman Louis Pirrello, Jr. in obtaining a Life Saving Award; and

BE IT FURTHER RESOLVED, the Township Committee would like to extend their congratulations and appreciation for Sergeant Selecky’s and Patrolman Pirrello’s dedicated service to Harding Township.

Mayor Yates asks Committee Member _____ to proceed with Resolution TC 19-220 listed on the Non-Consent agenda.

Committee Member _____: I would like to make 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 _____.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

RESOLUTION TC 19-221 -- 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: November 18, 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: November 18, 2019.

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Yates

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

DISCUSSION ITEMS

- 1. HOST Management Plans – L. Wepler**
 * Dear; Margett's Field; Frelinghuysen 1; Scudder; and Rossell
- 2. Revaluation – A. DiRado / F. Semrau**
- 3. Master Plan – Dev Modi**

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.

ORDINANCE FOR SECOND READING:

ORDINANCE #15-2019 - AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING PRIVATE SALE OF TOWNSHIP OWNED REAL PROPERTY MORE COMMONLY REFERRED TO AS BLOCK 2, LOT 16 TO L& T AFFORDABLE HOUSING URBAN RENEWAL CORPORATION PURSUANT TO N.J.S.A. 40A: 12-21

Mayor Yates asks Township Committee Member Platt to introduce Ordinance TC #15-2019.

Township Committee Member Platt introduces Ordinance TC 15-2019 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #15-2019
AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, NEW JERSEY,
AUTHORIZING PRIVATE SALE OF TOWNSHIP OWNED REAL PROPERTY MORE COMMONLY
REFERRED TO AS BLOCK 2, LOT 16 TO L& T AFFORDABLE HOUSING URBAN RENEWAL
CORPORATION PURSUANT TO N.J.S.A. 40A: 12-21**

Which Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on November 18, 2019.

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

The Municipal Clerk States: A legal notice was sent for publication on November 21, 2019 to the Observer Tribune indicating that Ordinance #15-2019 was introduced and passed on first reading at the November 18, 2019 meeting and indicated that the second reading and public hearing were to be held on December 9th at 7:30 p.m. on or at any time thereafter for consideration of final adoption. Copies of this Ordinance was made available to the general public, posted on the 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 else wishing to be heard, I will now close the public hearing.

Township Committee Member Platt: I offer Ordinance #15-2019 and move 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 _____ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

ORDINANCE FOR SECOND READING:

ORDINANCE #17-2019 – AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY – 2020 SALARY ORDINANCE

Mayor Yates asks Township Committee Member Modi to introduce Ordinance TC #17-2019.

Township Committee Member Modi introduces Ordinance TC #17-2019 by title as follows:

**HARDING TOWNSHIP
 ORDINANCE #17-2019
 AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
 NEW JERSEY – 2020 SALARY ORDINANCE**

Which Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on November 18, 2019.

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

The Municipal Clerk States: A legal notice was sent for publication on November 21, 2019 to the Observer Tribune indicating that Ordinance #17-2019 was introduced and passed on first reading at the November 18, 2019 meeting and indicated that the second reading and public hearing were to be held on December 9, 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: 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 else wishing to be heard, I will now close the public hearing.

Township Committee Member Modi: I offer Ordinance #17-2019 and move 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 _____ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

NON-CONSENT RESOLUTIONS: NONE

ADD-ON RESOLUTIONS - NONE

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

CONSENT AGENDA

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

RESOLUTIONS TC 19-222 THROUGH RESOLUTION TC 19-228 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 19-222 through TC 19-228.

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:

FINANCE:

Resolution TC 19-223 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 19-224 – Resolution Authorizing the Purchase Under 8-UCCP Coop Bid #42-2017 For Municipal Building Security Upgrades, 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, Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO to purchase goods or services, 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, it is the desire of the Township Committee of the Township of Harding to purchase Municipal Building Security Upgrades, under **8-UCCP Coop Bid #42-2017**; and

WHEREAS, JCT Solutions, P.O. Box 390, Kearny, NJ 07032 has provided quotes totaling \$37,526.84 for Electronic Door Locks, Video Security, and Computers/Software to operate the products; and

WHEREAS, Certification of funds has been provided by the Harding Township Chief Financial Officer using the following Capital Accounts:

04-2019-201908-4024-4-04056	\$31,210	Locks/Video for PD & Municipal Building
04-2018-201808-4024-4-04042	\$1,232.95	Interior/Exterior Improvements – Locks/Video
04-2018-201817-4024-4-04042	\$5,083.89	Interior/Exterior Improvements – Locks/Video

BE IT RESOLVED, by the Township Committee of the Township of Harding does hereby authorize the use of: **8-UCCP Coop Bid # 42-2017** for the **Purchase of Municipal Building Security Upgrades** from **JCT Solutions, P.O. Box 390, Kearny, NJ 07032** in the amount of \$37,526.84 per quotes dated November 25, 2019.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide copies of this resolution to the Chief Financial Officer, Chief Erik Heller of Harding Township Police Department, the Township Administrator and the Township Purchasing Agent.

Resolution TC 19-225 – Resolution to Authorize the Cancellation of Outstanding Checks

WHEREAS, there are certain checks that have been outstanding in excess of one (1) year, lost, or otherwise need to be cancelled; and

WHEREAS, it is necessary to formally cancel the outstanding or lost check listed below:

OUTSTANDING CHECK

3/13/2018	Grading Operating #149 – Salvatore Davino	\$1,430.00
11/20/2018	Current Fund #8529 – State of New Jersey	\$54.00

BE IT RESOLVED by the Township Committee of the Township of Harding that the above listed outstanding check totaling \$1,430.00 from the Grading Operating Fund and \$54.00 from the Current Fund be cancelled.

Resolution TC 19-226 – Resolution to Increase the Contract for Greenbaum Rowe Smith & Davis LLP – Redevelopment Attorney / for the Property Disposal/Diversion 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 from account #25-9999-1110-0170-2-00037; 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, at the November 18, 2019 Township Committee meeting the Township Committed authorized an additional \$30,000.00 from account number #05-5000-0000-0155-2-00000; 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 #05-5000-0000-0155-2-00000; and

WHEREAS, the total amount shall not exceed \$110,000.00.

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 \$110,000.00
	Roseland, NJ 07068	25-9999-1110-0170-2-00037
		05-5000-0000-0155-2-00000

MISCELLANEOUS:

Resolution TC 19-227 -- LOCAL BUDGET & FISCAL AFFAIRS LAW SPECIAL ITEMS OF REVENUE AND APPROPRIATION – DRIVE SOBER OR GET PULLED OVER 2019

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

BE IT RESOLVED, that the Township of Harding of the County of Morris hereby requests the Director of Local Government Services to approve the insertion of an additional unanticipated item of revenue in the budget of the year 2019 in the sum of \$5,500, which item, Drive Sober or Get Pulled Over 2019 has been awarded from the New Jersey Division of Highway Traffic Safety; and

BE IT FURTHER RESOLVED, that the like sum of \$5,500 is hereby appropriated under the caption of “Drive Sober or Get Pulled Over.”

PERSONNEL:

Resolution TC 19-228 – Resolution to Appoint Earl Mabey, Jr. as a Full-Time Public Works Laborer/Driver/Equipment Operator for the Department of Public Works

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective December 10, 2019, Earl Mabey, Jr., is hereby appointed as a full time Public Works Laborer/Driver/Equipment Operator for the Department of Public Works at a salary of \$65,000.

ORDINANCES FOR FIRST READING: NONE

RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION

Resolution TC 19-230– 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 not return to public session after this Executive Session.

Contracts:

1. The Farm – Mayor Yates

- 2. Property Acquisitions – Tim Jones / Mark Roselli
- 3. Redevelopment – Mark Roselli

Litigation:

- 1. Affordable Housing – Dev Modi

Personnel:

- 1. Employee Appointment / 2020 Salaries – Bob Falzarano

Vote on Resolution:

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

ADJOURNMENT – Mr. Yates