

HARDING TOWNSHIP COMMITTEE
MONDAY, MARCH 8, 2021
IN-PERSON / GOTOMEETING
EXECUTIVE SESSION at 600 PM
REGULAR MEETING AGENDA at 7:30 PM
Kirby Hall, Blue Mill Road, New Vernon, New Jersey
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CALL MEETING TO ORDER – Mayor Jones

ADEQUATE NOTICE of this March 8, 2021 meeting of the Harding Township Committee was sent to the Observer Tribune on January 4, 2021 and published in the Observer Tribune on January 7, 2021.

ROLL CALL – Municipal Clerk

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

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Resolution TC 21-077– 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.

Personnel:

1. Police Department Retirement/Promotion – Chief Heller
2. Retirements/DPW/Administration – R. Falzarano

Attorney Client Privilege:

1. Potential Litigation – M. Roselli / T. Jones

Contracts:

1. Joint Court – T. Jones / R. Falzarano
2. Property Acquisitions – M. Roselli

3. KRE – M. Roselli

Vote on Resolution:

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

RECONVENE INTO PUBLIC SESSION – Mayor Jones

ROLL CALL – Municipal Clerk

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

PLEDGE OF ALLEGIANCE – Mayor Jones

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 4, 2021, and published in the *OBSERVER TRIBUNE* on January 7, 2021; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on January 7, 2021, and Notice was filed with the Municipal Clerk on January 7, 2021.

RESOLUTION TC 21-078 -- RESOLUTION TO ACCEPT 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 28, 2021, and February 8, 2021**

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Harding that the minutes from the following Executive Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk’s office: **February 8, 2021**

Mayor Jones asks for a motion to accept the Township Committee meeting minutes.

Seconded by Township Committee Member _____.

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones

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.

NON-CONSENT – (REQUIRING SEPARATE ACTION)

Mayor Jones asks **Committee Member Yates** to proceed with Resolution TC 21-079 listed on the Non-Consent agenda.

Resolution TC 21-079 – Emergency Temporary Appropriations Resolution

WHEREAS, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2021 budget and no adequate provision has been made in the 2021 temporary budget for the aforesaid purposes; and

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

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$4,085,570.00.

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

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$4,085,570.00 as follows:

Harding Township Committee Agenda
 March 8, 2021
 Regular Meeting

Department	Budget Line Item	2021 EMERGENCY TEMPORARY APPROPRIATIONS
HUMAN RESOURCES	OTHER EXPENSES	\$ 1,350.00
GENERAL ADMINISTRATION	SALARIES AND WAGES	\$ 167,610.00
GENERAL ADMINISTRATION	OTHER EXPENSES	\$ 23,730.00
MIS	OTHER EXPENSES	\$ 39,450.00
MAYOR AND COUNCIL	SALARIES AND WAGES	\$ 1,570.00
MAYOR AND COUNCIL	OTHER EXPENSES	\$ 4,270.00
MUNICIPAL CLERK	SALARIES AND WAGES	\$ 17,660.00
MUNICIPAL CLERK	OTHER EXPENSES	\$ 17,390.00
ELECTION	OTHER EXPENSES	\$ 1,970.00
FINANCIAL ADMINISTRATION	SALARIES AND WAGES	\$ 74,720.00
FINANCIAL ADMINISTRATION	OTHER EXPENSES	\$ 12,310.00
AUDIT SERVICES	OTHER EXPENSES	\$ 13,510.00
TAX COLLECTION	SALARIES AND WAGES	\$ 25,020.00
TAX COLLECTION	OTHER EXPENSES	\$ 2,570.00
TAX ASSESSMENT	SALARIES AND WAGES	\$ 23,940.00
TAX ASSESSMENT	OTHER EXPENSES	\$ 3,000.00
COST OF TAX APPEAL	OTHER EXPENSES	\$ 13,080.00
TAX MAP REVISION	OTHER EXPENSES	\$ 2,840.00
LEGAL SERVICES	OTHER EXPENSES	\$ 56,650.00
ENGINEERING SERVICES	OTHER EXPENSES	\$ 21,790.00
PLANNING BOARD	SALARIES AND WAGES	\$ 5,630.00
PLANNING BOARD	OTHER EXPENSES	\$ 22,530.00
BD OF ADJUSTMENT	SALARIES AND WAGES	\$ 19,400.00
BD OF ADJUSTMENT	OTHER EXPENSES	\$ 17,870.00
UNIFORM CONST. CODE	SALARIES AND WAGES	\$ 121,840.00
UNIFORM CONST. CODE	OTHER EXPENSES	\$ 7,690.00
LIABILITY INSURANCE	OTHER EXPENSES	\$ 65,370.00
GROUP INSURANCE	OTHER EXPENSES	\$ 603,110.00
HEALTH BENEFIT WAIVER	OTHER EXPENSES	\$ 13,080.00
UNEMPLOYMENT INSURANCE	OTHER EXPENSES	\$ 50.00
POLICE DEPARTMENT	SALARIES AND WAGES	\$ 884,860.00
POLICE DEPARTMENT	OTHER EXPENSES	\$ 49,160.00
EMERGENCY MANAGEMENT	SALARIES AND WAGES	\$ 1,750.00
EMERGENCY MANAGEMENT	OTHER EXPENSES	\$ 660.00
FIRE HYDRANT SERVICE	OTHER EXPENSES	\$ 2,620.00
STREETS & ROAD MAINT	SALARIES AND WAGES	\$ 297,730.00
STREETS & ROAD MAINT	OTHER EXPENSES	\$ 35,300.00
SNOW REMOVAL	SALARIES AND WAGES	\$ 30,000.00
SNOW REMOVAL	OTHER EXPENSES	\$ 66,400.00
SOLID WASTE COLLECTION	SALARIES AND WAGES	\$ 880.00
SOLID WASTE COLLECTION	OTHER EXPENSES	\$ 39,220.00
RECYCLING	SALARIES AND WAGES	\$ 4,760.00
RECYCLING	OTHER EXPENSES	\$ 8,280.00
BUILDING & GROUNDS	OTHER EXPENSES	\$ 51,860.00
VEHICLE MAINT.	OTHER EXPENSES	\$ 25,930.00
CONDOMINIUM REIMB	OTHER EXPENSES	\$ 20,480.00
HEALTH SERVICE	SALARIES AND WAGES	\$ 38,180.00
HEALTH SERVICE	OTHER EXPENSES	\$ 8,070.00

Harding Township Committee Agenda
 March 8, 2021
 Regular Meeting

ENVIRONMENTAL COMMISSION	SALARIES AND WAGES	\$	1,200.00
ENVIRONMENTAL COMMISSION	OTHER EXPENSES	\$	5,970.00
ANIMAL CONTROL COST	OTHER EXPENSES	\$	880.00
WELFARE ADMINISTRATION	OTHER EXPENSES	\$	330.00
OPENSOURCE COMMISSION	SALARIES AND WAGES	\$	1,200.00
HISTORICAL PRESERVATION	OTHER EXPENSES	\$	660.00
CONT. TO S/C PROGRAM	OTHER EXPENSES	\$	1,970.00
MAINT. OF PARKS	OTHER EXPENSES	\$	16,340.00
MAINT OF LIBRARY	OTHER EXPENSES	\$	17,430.00
MUNICIPAL ALLIANCE	OTHER EXPENSES	\$	220.00
ACCUMULATED LEAVE COMP	SALARIES AND WAGES	\$	35,000.00
ELECTRICITY	OTHER EXPENSES	\$	19,610.00
STREET LIGHTING	OTHER EXPENSES	\$	1,750.00
TELEPHONE	OTHER EXPENSES	\$	12,420.00
WATER & SEWER	OTHER EXPENSES	\$	440.00
NATURAL GAS/HEATING OIL	OTHER EXPENSES	\$	5,670.00
GASOLINE	OTHER EXPENSES	\$	26,150.00
CONTINGENCY	OTHER EXPENSES	\$	1,090.00
PERS	OTHER EXPENSES	\$	172,000.00
DCRP	OTHER EXPENSES	\$	4,000.00
SOCIAL SECURITY	OTHER EXPENSES	\$	163,100.00
PFRS	OTHER EXPENSES	\$	413,000.00
JUDGEMENTS	OTHER EXPENSES	\$	50.00
CHATHAM/MORRIS CO911 I/L	OTHER EXPENSES	\$	-
MORRIS COUNTY I/L	OTHER EXPENSES	\$	43,850.00
MORRIS CTY PARTNERSHIP	OTHER EXPENSES	\$	440.00
JOINT MUNICIPAL COURT	OTHER EXPENSES	\$	51,880.00
TOTAL CURRENT BUDGET EXCLUDING CIF & DEBT SERVICE		\$	3,963,790.00

SEWER UTILITY	SALARIES AND WAGES	\$	10,900.00
SEWER UTILITY	OTHER EXPENSES	\$	110,000.00
SEWER UTILILITY - SOCIAL SECURITY	OTHER EXPENSES	\$	880.00
TOTAL SEWER UTILITY EXCLUDING CAPITAL IMPROVEMENT FUND		\$	121,780.00

2. Said emergency temporary appropriations will be provided for in the 2021 budget.

3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

NON-CONSENT AGENDA VOTE:

Committee Member Yates: I would like to make a motion to approve Resolution TC-21-079 placed on this evening's Non-Consent Agenda by consent of the Township Committee.

Seconded by Township Committee Member _____.

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

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

Resolution TC 21-080 Self Examination of Budget as Required by DCA

Mayor Jones asks Committee Member Yates to proceed with Resolution TC 21-080 listed on the Non-Consent agenda.

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Harding has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth

- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
- 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6. That all other applicable statutory requirements have been fulfilled.

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

NON-CONSENT AGENDA VOTE:

Mayor Jones asks **Committee Member Yates** to proceed with Resolution TC 21-080 listed on the Non-Consent agenda.

Committee Member Yates: 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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

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

Resolution TC 21-081 Resolution Supporting the State House Commission Final Application to the NJDEP Green Acres Program for the Disposal and Diversion of a Portion of Block 34, Lot 1 A/K/A The Glen Alpin Estate

Mayor Jones asks **Committee Member Chipperson** to proceed with Resolution TC 21-081 listed on the Non-Consent agenda.

WHEREAS, Block 34, Lot 1 in the Township of Harding is also known as the Glen Alpin Estate (hereinafter the “Parkland”) and is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection’s Green Acres Program; and

WHEREAS, the Township of Harding has engaged in an extensive effort to find an appropriate course forward to ensure that the Glen Alpin home located at the Parkland will be put to a productive use, restored, and cared for in a manner that protects the historic resources; and

WHEREAS, the Township of Harding has engaged in substantial outreach, including working with the New Jersey Department of Environmental Protection's Green Acres Program, to make sure the best solution for protecting Glen Alpin home has been selected; and

WHEREAS, in conjunction with the proposed conveyance of the disposal area to a future private entity with the resources necessary to properly restore and maintain the historical building, it is necessary to remove (i.e. dispose) the Green Acres restrictions from a 3.52 acre portion of the property and divert 0.63 acres of the Green Acres restrictions from the property; and

WHEREAS, the removal and diversion of Green Acres restrictions from the Parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the Township of Harding wishes to apply for approval of the disposal of 3.52 acres and diversion of 0.63 acres of the Parkland as a major disposal and diversion of parkland under N.J.A.C. 7:36-26; and

WHEREAS, Resolution TC 17-108 was passed on May 15, 2017 supporting the pre-application submission pursuant to N.J.A.C. 7:36-26.9(d)11; and

WHEREAS, a public hearing was held on January 28, 2021 and public comment was accepted until February 12, 2021; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.11(i)4, it is necessary for the Township of Harding to submit as part of the final application a Resolution endorsing the application to divert and dispose of a portion of the Parkland.

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 of Harding endorses the filing of a final application for the disposal of 3.52 acres and diversion of 0.63 acres of the Parkland pursuant to N.J.A.C. 7:36-26.
2. The Township of Harding has reviewed both oral and written comments accepted during the public comment period and have made a finding that the major disposal and diversion of the Parkland is still in the public's best interest.
3. The Township of Harding hereby finds that the disposal of 3.52 acres and diversion of 0.63 acres of the Parkland would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by fulfilling a compelling public need and yielding a significant public benefit by: (a) permitting the use of private capital to restore and renovate the Glen Alpin home and fulfilling the original intent of the public conservation transaction; (b) creating a permanent historic restriction to ensure the historic asset will remain for generations to come; (c) establishing a public access point and trailhead to Morris County's Patriot's Path; (d) ensuring that the property is stewarded by an entity with the resources, expertise, and capabilities necessary to protect the historic features of the building; (e) permitting safe reasonable public access to the property; (f) avoiding the continued deterioration of the Glen Alpin home resulting from the lack of legitimate public use, lack of adequate resources, and lack of expertise necessary to appropriately steward this historic asset; and (g) permanently protecting 18 acres of high resource replacement land with public access and utility.

4. The Township of Harding acknowledges that in order to obtain the approval of the proposed disposal and diversion at the Parkland, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.
5. Upon approval of the disposal of 3.52 acres and diversion of 0.63 acres of the Parkland by the Commissioner of the New Jersey Department of Environmental Protection and the State House Commission and proof that all terms and conditions of the approval have been satisfied or will be satisfied in a timely manner, the Township Committee of the Township of Harding hereby authorizes and directs the Mayor to execute with the Township Clerk attesting to his signature 1) a Green Acres Release and Compensation Agreement and 2) either a Deed of Restriction or Deed of Easement for any replacement land serving in whole or in part as compensation for the disposal and diversion, in accordance with N.J.A.C. 7:36-26.11(m).

Committee Member Chipperson: 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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

DISCUSSION ITEMS: NONE

ORDINANCES FOR SECOND READING

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #02-2021.

Township Committee Member Yates reads Ordinance TC #02-2021 by title as follows

ORDINANCE #02-2021– ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY FURTHER AMENDING THE GLEN ALPIN/HURSTMONT REDEVELOPMENT PLAN

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on February 8, 2021.

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

The Municipal Clerk States: A legal notice was sent for publication on February 9, 2021 to the Observer Tribune indicating that Ordinance #02-2021 was introduced and passed on first reading at the February 8, 2021 meeting and indicated that the second reading and public hearing were to be held on March 8, 2021 at 7:30 pm 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. 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.

Mayor Jones: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Jones: closes the public hearing.

Township Committee Member Yates: I offer Ordinance #02-2021 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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

ORDINANCES FOR SECOND READING

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #03-2021.

Township Committee Member Yates reads Ordinance TC #03-2021 by title as follows

ORDINANCE #03-2021– “AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY 225-5 ENTITLED “DEFINITION” IN ARTICLE II AND CHAPTER 225-145 ENTITLED “USE REGULATIONS” IN ARTICLE XXX B-2 BUSINESS ZONE TO AMEND THE PERMITTED USES”

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on February 8, 2021.

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

The Municipal Clerk States: A legal notice was sent for publication on February 9, 2021 to the Observer Tribune indicating that Ordinance #03-2021 was introduced and passed on first reading at the February 8, 2021 meeting and indicated that the second reading and public hearing were to be held on March 8, 2021 at 7:30 pm 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. 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.

Mayor Jones: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Jones: closes the public hearing.

Township Committee Member Yates: I offer Ordinance #03-2021 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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

ORDINANCES FOR SECOND READING

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #04-2021.

Township Committee Member Yates reads Ordinance TC #04-2021 by title as follows

ORDINANCE #04-2021– “AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY 225-116 ENTITLED “GENERAL REGULATIONS” IN ARTICLE XXII GENERAL ZONING PROVISIONS TO MODIFY SETBACK REQUIREMENTS FOR SMALL PLAY STRUCTURES”

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on February 8, 2021.

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

The Municipal Clerk States: A legal notice was sent for publication on February 9, 2021 to the Observer Tribune indicating that Ordinance #04-2021 was introduced and passed on first reading at the February 8, 2021 meeting and indicated that the second reading and public hearing were to be held on March 8, 2021 at 7:30 pm 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. 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.

Mayor Jones: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Jones: closes the public hearing.

Township Committee Member Yates: I offer Ordinance #04-2021 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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

ORDINANCES FOR SECOND READING

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #05-2021.

Township Committee Member Yates reads Ordinance TC #05-2021 by title as follows

ORDINANCE #05-2021– “AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 225 PART 3 (ZONING) OF

**THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY 225-116 ENTITLED
“GENERAL REGULATIONS” IN ARTICLE XXII GENERAL ZONING PROVISIONS TO
PERMIT CONSTRUCTION OF A REPLACEMENT PRIMARY DWELLING WHILE
OCCUPYING AN EXISTING PRIMARY DWELLING”**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on February 8, 2021.

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

The Municipal Clerk States: A legal notice was sent for publication on February 9, 2021 to the Observer Tribune indicating that Ordinance #05-2021 was introduced and passed on first reading at the February 8, 2021 meeting and indicated that the second reading and public hearing were to be held on March 8, 2021 at 7:30 pm 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. 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.

Mayor Jones: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Jones: closes the public hearing.

Township Committee Member Yates: I offer Ordinance #05-2021 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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

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 21-082 THROUGH RESOLUTION TC 21-089 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Jones asks Committee Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 21-082 through TC 21-089.

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 Jones asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

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

APPOINTMENTS: NONE

CONTRACTS:

Resolution TC 21-082 -- Resolution to Authorize a Tonnage Grant Application

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

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

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

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

WHEREAS, a resolution authorizing this municipality to apply for the 2021 recycling grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Harding Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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

BE IT RESOLVED, by the Harding Township Committee that:

1. Harding Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Tracy Toribio to ensure that the application is properly filed.
2. The monies received from the recycling tonnage grant will be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.
3. This resolution replaces resolution TC 20-077 which was approved on March 9, 2020.

Resolution TC 21-083 – Resolution to Authorize an Increase to the Professional Services Contract for Greenbaum Rowe Smith & Davis LLP

WHEREAS, at the January 3, 2021 Township Committee meeting, the Township Committee authorized \$25,000.00 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 disposal/diversion tasks; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$75,000 from account number # 05-5000-0000-0170-2-00000; and

WHEREAS, the total amount shall not exceed \$100,000.00.

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; 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.

Redevelopment Attorney

Greenbaum Rowe Smith & Davis LLP
75 Livingston Avenue, Suite 301
Roseland, NJ 07068

1/1/2021 to 12/31/2021
Not to Exceed \$100,000.00
05-5000-0000-0170-2-00000

Resolution TC 21-084 – Resolution to Authorize an Increase to the Professional Services Contract for Greener by Design, LLP

WHEREAS, at the January 3, 2021 Township Committee meeting, the Township Committee authorized \$15,000.00 for the services of Greener By Design LLP, under their professional services contract; and

WHEREAS, it is necessary to increase the authorization for the services of Greener By Design LLP, under their professional services contract to perform diversion/disposal tasks; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$15,000.00 from account number # 05-9999-1155-0155-2-00000; and

WHEREAS, the total amount shall not exceed \$30,000.00.

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; 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.

Glen Alpin Disposal/Diversion Greener By Design	1/1/21 to 12/31/21
	\$175.00 per hour
	Not to exceed \$30,000.00
	05-9999-1155-0155-00000

FINANCE:

Resolution TC 21-085 – 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.

MISCELLANEOUS:

Resolution TC 21-086 -- Resolution to Appoint Nicole Lacz and Tracey Walters to the Centennial Committee

BE IT RESOLVED, by the Township Committee of the Township of Harding that Dr. Nicole Lacz and Tracey Walters are hereby appointed to the Centennial Committee.

Resolution TC 21-087 – Resolution to Apply for a Historic Preservation Grant Application

WHEREAS, the Morris County Commissioners created the Morris County Historic Preservation Trust Fund to help support the preservation of the County's exceptional abundance of historic resources; and

WHEREAS, the fund considers grants for the acquisition, stabilization, rehabilitation, restoration, or preservation of historic resources by municipalities; and

WHEREAS, the Tunis Ellicks House is a historic resource of the Township of Harding that is an important part of the history of the Township which demonstrates the importance of preserving the historical significance of rural Morris County in the 1800's; and

WHEREAS, the Tunis Ellicks house has been thoroughly evaluated by H.M.R. Associates who are a professional architectural team of historic preservation specialists; and

WHEREAS, the Harding Township Historic Society funded the initial conditions assessment by H.M.R. Associates; and

WHEREAS, the Conditions Assessment has found the House located at what is commonly referred to as Tunis Ellicks House, 16 Village Road, New Vernon, NJ, to be in need of extensive rehabilitation to the standards set forth in the Secretary of Interior's Standards for Rehabilitation guidelines; and

WHEREAS, the Township of Harding is desirous of submitting a grant application for the 2021 Morris County Historic Preservation Grant under the category of Construction (Architectural Plans).

BE IT RESOLVED, that the Mayor and the Township Committee of the Township of Harding do hereby authorize the preparation and submission of a Morris County Trail Construction Grant Application; and

BE IT FURTHER RESOLVED, that the Mayor and Township Committee of the Township of Harding authorize the expenditure of the required 20% match (\$6,061.00) for this grant through Open Space Funds; and

BE IT FURTHER RESOLVED, that the Township Administrator is authorized to execute the grant submission; and

BE IT FURTHER RESOLVED, that the Mayor and Township Committee of the Township of Harding acknowledge the grant program will operate on a reimbursement basis only and agree to provide full advance funding to complete the proposed project.

PERSONNEL:

Resolution TC 21-088 – Resolution to Accept the Retirement of Sergeant Christel

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the Harding Township Committee accepts Sergeant Patrick Christel's retirement from the Harding Township Police Department effective, August 1, 2021.

Resolution TC 21 – 089 – Planning Board Appointment

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the following appointment as member of the Harding Township Planning Board will commence effectively immediately:

Gwen Claytor
Class IV Member

unexpired 4 year term expiring
December 31, 2021

ORDINANCES FOR FIRST READING

ORDINANCE #06-2021– “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

Mayor Jones asks Township Committee Member Yates to introduce Ordinance #06-2021.

Township Committee Member Yates introduces Ordinance TC 06-2021 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #06 – 2021**

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

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

Township Committee Member Yates reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on February 8, 2021.

BE IT RESOLVED, that at the Township Committee meeting to be held on March 8, 2021 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 Yates: I offer Ordinance #06-2021 and move its introduction.

Township Committee Member _____ seconds the motion.

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ADJOURNMENT – Mr. Jones