HARDING TOWNSHIP COMMITTEE MONDAY, MAY 9, 2022 IN-PERSON

EXECUTIVE SESSION at 6:00 PM

REGULAR MEETING AGENDA at 7:00 PM Kirby Hall, Blue Mill Road, New Vernon, New Jersey

CALL MEETING TO ORDER - Mayor

ADEQUATE NOTICE of this May 9, 2022 meeting of the Harding Township Committee was sent to the Observer Tribune on January 3, 2022 and published in the Observer Tribune on January 6, 2022.

ROLL CALL – Municipal Clerk

Ms. Chipperson, Dr. Lacz, Mr. Platt, Mr. Yates, Mr. Jones

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Resolution TC 22-110 - 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 Replacement Chief Heller
- 2. Police Personnel Chief Heller

Contracts:

- 1. Glen Alpin Mayor Jones/V. DeNave
- 2. Hurstmont Mayor Jones/V. DeNave
- 3. KRE M. Roselli
- 4. Solid Waste Bid R. Falzarano

Vote on Resolution:

	MOTION	FOR	AGAINST APPROVAL	ABSTAIN	ABSENT					
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones		APPROVAL								
RECONVENE II	RECONVENE INTO PUBLIC SESSION – Mayor									
ROLL CALL - N	Municipal Clei	rk , Ms	s. Chipperson, Dr. La	acz, Mr. Platt, Mr. Y	Yates, Mr. Jones					
PLEDGE OF AL	LEGIANCE -	- Mayor								
ADEQUATE NOTICE of this meeting of the Harding Township Committee was given as follows: Notice was sent to the <i>DAILY RECORD</i> and the <i>OBSERVER TRIBUNE</i> on January 3, 2022, and published in the OBSERVER TRIBUNE on January 6, 2022; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on January 3, 2022, and Notice was filed with the Municipal Clerk on January 3, 2022.										
	ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones 1. Acknowledgement of Bullseye Mirror Donation – Mayor Jones									
RESOLUTION	S – (NON-CO	ONSENT – REQU	UIRING SEPARA	TE ACTION)						
RESOLUTION MEETING MI		RESOLUTI	ION TO ACCE	PT TOWNSHIF	COMMITTEE					
Mayor Jones asks Township Committee Member to proceed with Resolution TC 21-111.										
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: April 11, 2022; and										
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: April 11, 2022.

Township 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 To	ownship Com	mittee Member _		•			
Mayor Jones as	sks the Munici	pal Clerk for a Ro	ll Call:				
Vote on Resoluti	on:						
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT		
	sks Townshi p	Committee Mer	UIRING SEPARA		Resolution TC 22-		
RESOLUTION HOUSE OF TH			PRESERVATION	N COMMISSIO	N – HISTORIC		

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

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

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

WHEREAS, the Historic House Award will be an opportunity for the Historic Preservation Commission to highlight a property that enhances the historical character in Harding Township; and

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

WHEREAS, 24 Lee's Hill Road is an historic structure dating back to circa 1825; and

WHEREAS, it is a traditional two-story, farmhouse with modest architectural details, simple masses, porches and supporting outbuildings: and

WHEREAS, the present owner, Kristen Peterson has done a fantastic job of maintaining the modest integrity of the house, garage and small barn on the property with the use period correct details, use of properly scaled materials and windows and modest additions that supplement the original scale, massing and architectural details of the farmhouse; and

WHEREAS, the sensitivity to the design decisions allows this home to remain a meaningful contribution to streetscape in the New Vernon Historic District; and

WHEREAS, 24 Lee's Hill Road is noted as a contributing property in the New Vernon District in the Harding Township's Historic District Inventory.

BE IT RESOLVED, by the Mayor and the Township Committee of Harding Township in the County

of Morris and Si House Award.	tate of New Je	ersey that the proper	erty at 24 Lee's Hil	l Road is hereby	chosen as Historic
			like to make a motione Township Commit		resolution placed on
Seconded by Tov	vnship Commi	ttee Member		•	
Mayor Jones ask	s the Municipal	l Clerk for a Roll Ca	all:		
Vote on Resoluti	on:				
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
DISCUSSION IT	TEMS:				

- 1. Kemmerer Library Annual Report M. Ticknor
- 2. Department of Public Works Road Report T. Toribio
- 3. Planning Board Ordinances M. Roselli / V. DeNave
- 4. Tree Ordinances 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.

ORDINANCES FOR SECOND READING

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #05-2022.

Township Committee Member Yates reads Ordinance TC #05-2022 by title as follows

ORDINANCE #05-2022 – "CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACUISITIONS IN, BY, AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE SUM OF \$92,000.00"

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on April 11, 2022.

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 April 11, 2022 to the Observer Tribune indicating that Ordinance #05-2022 was introduced and passed on first reading at the April 11, 2022 meeting and indicated that the second reading and public hearing were to be held on May 9, 2022 at 7:00 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.

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 #05-2022 and move its adoption.

Township Committee Member ______ seconds the motion.

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

MOTION FOR AGAINST ABSTAIN ABSENT

	MOTION	IOK	Mominsi	ADDIAM	110001111
		APPROVAL	APPROVAL		
Ms. Chipperson					
Dr. Lacz	Ħ				П
Mr. Platt			ī	Ħ	Ħ
Mr. Yates					Ħ
	님		<u> </u>		
Mr. Jones		L		L	

ADD-ON RESOLUTIONS: NONE								
RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE								
CONSENT AGE	ENDA							
one motion. The	ere will be no h event the it	separate discussion	of these items unle	ss a Township Co	d will be enacted by mmittee Member so idered in its normal			
RESOLUTIONS CONSENT AGE		THROUGH RESO	LUTION TC 22-12	2 HAVE BEEN I	PLACED ON THE			
CONSENT AGE	NDA VOTE:							
Mayor Jones ask Consent agenda.	cs Township C Resolutions TO	Committee Member C 22-113 through TC	to proc	eed with the Reso	lutions listed on the			
		: I would by consent of the To		on to approve the r	esolutions placed on			
Seconded by Tow	nship Commit	tee Member	·					
Mayor Jones ask	s the Municipa	l Clerk for a Roll Ca	ıll:					
Vote on Resolution	on:							
	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT			
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates								
Mr. Jones								
APPOINTMENT	TS:							
Resolution TC 22 Township Police		tion to Appoint An	toinette Adams as :	a Full-Time Secre	tary to the Harding			

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective June 1, 2022, Antoinette Adams is hereby appointed as a full time Secretary for the Harding Township Police Department at a of salary of \$55,510 to be

M 5-06-2022

prorated for the remainder of 2022.

Resolution TC 22-114 – Resolution to Appoint Christian Eldridge as a Part-Time Administrative Assistant to the Harding Township Police Department

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective May 16, 2022, Christian Eldridge is hereby appointed as a part-time Administrative Assistant for the Harding Township Police Department at an hourly rate of \$32.00.

CONTRACTS:

TC Resolution 22-115 – Resolution to Authorize the Withdrawal of the Salt Shed Bid From the Wallkill Group, Inc.

WHEREAS, the Township of Harding solicited public bids pursuant to its public advertisement for the purpose of construction of a salt shed at the Department of Public Works facility; and

WHEREAS, the following bid was received in response to the public advertisement and opened on April 6, 2022:

CONTRACTOR

Total Bid

Wallkill Group, Inc.

\$277,000.00

WHEREAS, the Wallkill Group formally notified the Township of Harding of their request to withdrawal their bid on April 11, 2022; and

WHEREAS, in accordance with New Jersey Local Public Contacts Law, specifically N.J.S.A. 40A11-23.3, a bidder shall include evidence, including any pertinent documents, demonstrating that a mistake was made and was of so great a consequence that: (1) the enforcement of the contract, if actually made, would be unconscionable; (2) the mistake relates to a material feature of the bid; (3) the mistake occurred notwithstanding the fact that the bidder exercised reasonable care in preparation of the bid; and (4) the bidder making the mistake is able to get relief by way of withdrawing the bid without serious prejudice to the contracting unit, except for the loss of the bargain to the contracting unit; and

WHEREAS, the Qualified Purchasing Agent has in good faith reviewed the evidence presented by Wallkill Group, Inc. and recommends that the Township Committee grant Wallkill Group, Inc.'s request to withdraw its bid; and

WHEREAS, Wallkill Group shall be disqualified from future bidding on same project should the Township of Harding authorize such a bid.

BE IT RESOLVED, by the Township Committee of Harding Township that it does hereby authorize the withdrawal of Wallkill Group's salt shed bid in the amount of \$277,000; and

BE IT FURTHER RESOLVED, that the Clerk shall return the bid guarantee submitted by Wallkill Group, Inc.; and

BE IT FURTHER RESOLVED, that Wallkill Group, Inc. shall be disqualified from future bidding on the same project, including when all bids are rejected pursuant to N.J.S.A. 40A;11-13.2.

Resolution TC 22-116 – Resolution Awarding Contract for Municipal Salt Shed to Dutchman Contracting, LLC

WHEREAS, in accordance with N.J.S.A. 40A:11-1 et seq., the Township of Harding advertised and received bids for purposes of awarding a contract for the construction of a municipal salt shed at the Township's Public Works facility; and

WHEREAS, bids were received and opened on April 6, 2022; and

WHEREAS, five bids were received from the following bidders:

	DITOLIDED
Wallkill Group, Inc., 3505 Route 94, Suite 1A, Hamburg, NJ (bid withdrawn due to mistake)	\$277,000.00
Dutchman Contracting LLC, 278 N. Ridge Road, Reinholds, PA	\$297,690.00
Skoype LLC, 40 Henry Road, Newton, NJ	\$328,000.00
Padovani Roofing & Construction, 46 Higginsville Road, Neshanic Station, NJ	\$347,700.00
Clarke Moynihan Landscaping/Construction LLC, 229 Main Street, Andover, NJ	\$348,800.00
and:	

WHEREAS, the Assistant Township Administrator and Township QPA have reviewed all bid proposals and have determined that Dutchman Contracting LLC, 278 North Ridge Road, Reinholds, PA 17569 is the lowest responsible bidder; and

WHEREAS, the Township Committee has determined that it would be in the best interest of the Township to award a contract to Dutchman Contracting LLC for this project for the base bid amount of \$297,690.00 and in accordance with the vendor's bid proposal, a copy of which is on file in the Office of the Township Clerk; and

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

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

- 1. The bid proposal submitted by Dutchman Contracting LLC, 278 North Ridge Road, Reinholds PA 17569 for the base bid amount of \$297,690.00 for the Municipal Salt Shed in accordance with the prescribed bid specifications be and is hereby accepted and the Township Committee does hereby award a contract to Dutchman Contracting LLC for the purpose stated herein and for the bid amount of \$297,690.00.
- 2. The cost of these services shall not exceed the total bid amount of \$297,690.00 for the term of the Contract.
- 3. Any change orders to this contract will require prior written approval by the Township Committee

BASE BID

4. The Mayor and Municipal Clerk are hereby authorized and directed to execute and deliver a contract for the total bid amount of \$297,690.00 for the Municipal Salt Shed between Dutchman Contracting LLC, 278 North Ridge Road, Reinholds PA 17569 and the Township of Harding in form and content that is acceptable to the Township Attorney.

This Resolution is conditioned upon the following:

A. Formal execution of a contract prepared by the Township Attorney that is signed by the Contractor, the Mayor, and Municipal Clerk.

BE IT FURTHER RESOLVED, the Municipal Clerk shall provide a certified copy of the foregoing resolution to the Township Purchasing Agent, Township Chief Financial Officer and the Township Attorney; and

BE IT FURTHER RESOLVED, the Chief Financial Officer for the Township of Harding has certified that the monies are available in the amount not to exceed \$297,690.00 from the following account numbers:

Accounts:

- 04- 2014-201404- 9946- 4- 00000
- 04- 2015-201503- 9946- 4- 00000
- 04- 2016-201602- 4004- 4- 04017
- 04- 2017-201702- 4018- 4- 04017
- 04- 2022-202205- 4018- 4- 04017

Resolution TC 22-117 – Resolution to Authorize an Increase to the Professional Services Contract for Plosia Cohen, LLC

WHEREAS, at the January 3, 2022 Township Committee meeting, the Township Committee authorized \$15,000.00 for the services of Plosia Cohen LLC, under their professional services contract; and

WHEREAS, it is necessary to increase the authorization for the services of Plosia Cohen, LLC, under their professional services contract to perform labor council tasks; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$10,000.00 from account number # 01-2021-1155-0155-2-00000; and

WHEREAS, the total amount shall not exceed \$25,000.00.

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.

Labor Council

1/1/22 to 12/31/22 Not to exceed \$25,000.00

Resolution TC 22- 118 - Resolution to Authorize and Increase to the Professional Services Contract Greenbaum Rowe, Smith & Davis LLP

WHEREAS, at the January 3, 2022 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 redevelopment/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 \$10,000.00 from account number # 05-5000-0000-0170-2-00000 and \$75,000.00 from account number 01-2022-1110-0100-2-00105; 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; 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 /Disposal/Diversion Attorney

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

1/1/2022 to 12/31/2022 Not to Exceed \$110,000.00 05-5000-0000-0170-2-0000 01-2022-1110-0100-2-00105

FINANCE:

Resolution TC 22-119 - 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 22-120 – Resolution Approving the Purchase of a Marked Police Vehicle

WHEREAS, there is a need to purchase vehicles for the Township of Harding, in the County of Morris, State of New Jersey; and

WHEREAS, pursuant to N.J.A.C. 5:30 -5.5(b), the Township Chief Financial Officer has provided a certification of funds for Account #04-2022-202205-4007-4-04062 in the amount of \$39,893.29, including factory and contract options; and

WHEREAS, public bids are not required when the purchase is made under a state contract or co-op in accordance with N.J.S.A. 40A11-12; and

WHEREAS, Beyer Fleet, 31 Williams Parkway, East Hanover, NJ is an approved vendor under ESC CO-OP #65MCESCCPS-ESCNUJ 20/21-09.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that the Municipal Clerk and the Township Administrator are hereby authorized and directed to approve and forward the required purchase order for the following vehicle:

Vendor	ESC CO-OP#	Department	Quantity	Color	Item	Price
Beyer Ford	65MCESCCPS-ESCNJ	Police	1	White	SUV	39,893.29
	20/21-09					

TOTAL: \$39,893.29

PERSONNEL:

Resolution TC 22-121 – Resolution of the Township Committee of the Township of Harding, County of Morris, State of New Jersey Accepting the Termination of T.T. from the Harding Township Police Department

BE IT RESOLVED, the Township Committee of the Township of Harding, County of Morris State of New Jersey, hereby accepts the termination of J. J. from the Harding Township Police Department effective May 15, 2022.

Resolution TC 22 - 122 - Resolution to Appoint Fran Frigerio to the Centennial Committee

BE IT RESOLVED, by the Township Committee of the Township of Harding that Fran Frigerio is hereby appointed to the Harding Township Centennial Committee.

ADJOURNMENT - Mr. Jones

ORDINANCES

PUBLIC HEARING & ADOPTION

1. ORDINANCE #05-2022 — CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY, AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE SUM OF \$92,000

HARDING TOWNSHIP ORDINANCE NO. 05-2022

CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE SUM OF \$92,000

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

Section 1. The Township of Harding, in the County of Morris, New Jersey (the "Township"), is hereby authorized to make the following public improvements and acquisitions in, by and for the Township, including all work, materials and appurtenances necessary and suitable therefore:

CAPITAL IMPROVEMENT FUND

Pr	Projects		Estimated Costs	
a.	Acquisition and construction of a salt building at Public Works	<u>\$</u>	92,000	
	Total from Capital Improvement Fund	\$	92,000	

Section 2. The aggregate sum of \$92,000 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the costs of the improvements and acquisitions authorized and described in Section 1 hereof.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

ATTEST			TOWNSHIP O	F HARDING	
Lisa A. Sharp, Municipa	al Clerk	_	Timothy D. Jone	es, Mayor	
INTRODUCED: PUBLIC HEARING:	April 1 May 9,	1, 2022	ADVERTISED	: April 14, 2022	
ADOPTED:	May 9,		ADVERTISED	: May 12, 2022	
Vote on Adoption:					
	MOTION	FOR APPR	OVAL AGA	AINST APPROVAL	ABSTAIN
Ms. Chipperson					
Dr. Lacz					
Mr. Platt					
Mr. Yates					
Mr. Jones					