

HARDING TOWNSHIP COMMITTEE

MONDAY, JULY 11, 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 July 11, 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 22-139 - 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.

Contracts:

1. Affordable Housing Attorney – R. Falzarano
2. Redevelopment – R. Goldsmith
3. Building Feasibility Study – T. Jones

Personnel:

1. Police Appointment – R. Falzarano

Vote on Resolution:

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

RECONVENE INTO PUBLIC SESSION – Mayor

ROLL CALL – Municipal Clerk

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

PLEDGE OF ALLEGIANCE – Mayor

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 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

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION) : NONE

DISCUSSION ITEMS:

1. 2021 Audit – Bob Swisher

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 Platt to read Ordinance TC #07-2022.

Township Committee Member Platt reads Ordinance TC #07-2022 by title as follows

**HARDING TOWNSHIP
ORDINANCE #07 – 2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7,
ARTICLE IV OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY
CHAPTER 7-37.3 ENTITLED “SHADE TREE ADVISORY COMMITTEE”**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 20, 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 June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #07-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 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 Platt: I offer Ordinance #07-2022 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 APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES FOR SECOND READING:

Mayor Jones asks **Township Committee Member Yates** to read Ordinance TC #08-2022.

Township Committee Member Yates reads Ordinance TC #08-2022 by title as follows

**HARDING TOWNSHIP
ORDINANCE #08 – 2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART
3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY
CHAPTER 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 June 20, 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 June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #08-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-15B) copies were sent to the surrounding towns and to the Morris County Planning Board. Copies of this Ordinance were made available to the general public, posted on the Harding Township website, and posted in accordance with the law.

Mayor 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 #08-2022 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 APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE FOR SECOND READING:

Mayor Jones asks Township Committee Member Yates to read Ordinance #09-2022.

Township Committee Member Yates reads Ordinance TC 09-2022 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #09 – 2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225
PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING,
SPECIFICALLY CHAPTER 225-122 ENTITLED “BULK REGULATIONS” IN ARTICLE
XXIV R-1 ZONING PROVISIONS TO CLARIFY PERMITTED BUILDING AREA AND
SETBACK REQUIREMENTS**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 20, 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 June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #09-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-15B) copies were sent to the surrounding towns and to the Morris County Planning Board. Copies of this Ordinance were made available to the general public, posted on the Harding Township website, and posted in accordance with the law.

Mayor 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 #09-2022 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 APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE FOR SECOND READING:

Mayor Jones asks Township Committee Member Yates to introduce Ordinance #10-2022.

Township Committee Member Yates introduces Ordinance TC 10-2022 by title as follows:

HARDING TOWNSHIP ORDINANCE #10 – 2022

AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY CHAPTER 225-5 ENTITLED “DEFINITION” IN ARTICLE II, CHAPTER 225-141 ZONE, CHAPTER 225-145 ENTITLED “PERMITTED USES” IN ARTICLE XXIX B-1 HISTORIC BUSINESS ZONE, CHAPTER 225-145 ENTITLED “USE REGULATIONS” IN ARTICLE XXX B-2 BUSINESS ZONE, AND CHAPTER 225-148 ENTITLED “USE REGULATIONS” IN ARTICLE XXXI OB OFFICE BUILDING ZONE TO AMEND AND ADD PERMITTED ACCESSORY USES AND STRUCTURES

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 20, 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 June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #10-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-15B) copies were sent to the surrounding towns and to the Morris County Planning Board. Copies of this Ordinance were made available to the general public, posted on the Harding Township website, and posted in accordance with the law.

Mayor 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 #10-2022 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 APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE FOR SECOND READING:

Deputy Mayor Yates asks Township Committee Member Chipperson to read Ordinance #12-2022.

Township Committee Member Chipperson introduces Ordinance TC 12-2022 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #12-2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS,
STATE OF NEW JERSEY, ACCEPTING CONSERVATION EASEMENT**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 20, 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 June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #12-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 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 Chipperson: I offer Ordinance #12-2022 and move its adoption.

Township Committee Member _____ seconds the motion.

Deputy Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

ORDINANCE FOR SECOND READING:

Mayor Jones asks Township Committee Member Yates to read Ordinance #13-2022.

Township Committee Member Yates reads TC 13-2022 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #13-2022**

**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 \$70,000**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 20, 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 June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #13-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 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 #13-2022 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 APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADD-ON RESOLUTIONS: NONE

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

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 22-140 THROUGH RESOLUTION TC 22-146 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Jones asks Township Committee Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 22-140 through TC 22-146.

Township 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPOINTMENTS:

CONTRACTS:

Resolution TC 22-140 – Resolution Approving a Developer’s Agreement with Environmental Approach, Inc., and Willcoop, LLC for Block 33.03, Lot 1

WHEREAS, Willcoop, LLC (the “Owner”) is the owner in fee of certain real property located at 1 Post House Road and designated as Block 33.03, Lot 1 on the Harding Township Tax Maps (the “Site”); and

WHEREAS, Environmental Approach, Inc. (the “Developer”) made application on behalf of Willcoop, LLC for preliminary and final site major site plan approval and site plan exceptions for construction of a garden center and other related improvements on the Site; and

WHEREAS, the Harding Township Planning Board granted the Developer’s application as memorialized by resolution adopted on December 21, 2021 (“Resolution”), subject to the terms and conditions set forth therein; and

WHEREAS, as a condition of approval, Owner and Developer are required to execute a Developer Agreement with the Township of Harding for the issuance of a permit for the Site Improvements.

BE IT RESOLVED, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey, does hereby approve of the Developer Agreement, a copy of which is on file in the Office of the Municipal Clerk, with Willcoop, LLC and Environmental Approach, Inc. for the development of Block 33.03, Lot 1 and the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Township of Harding; and.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Willcoop, LLC and Environmental Approach, Inc.

Resolution TC 22-141 – Resolution Authorizing Submittal of Grant Application and Execution of Grant Contract with the NJDOT for the 2023 Resurfacing of Sand Spring Road Section II

WHEREAS, The Township Committee of the Township of Harding, County of Morris, State of New Jersey desires to apply for grant funds under the New Jersey Department of Transportation Municipal Aid FY2023 program.

BE IT RESOLVED, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey formally approves the grant application for the stated project; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Sand Spring Road Section II Resurfacing-00649 to the New Jersey Department of Transportation on behalf of the Township of Harding, County of Morris, State of New Jersey; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Harding, County of Morris, State of New Jersey and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution TC 22-142 – New Jersey Department of Transportation, Division of Local Aid and Economic Development – Recommendation of Award – State Aid Project – Resolution Recommending the Award for the Pleasantville Road Resurfacing Section I (Milling and Paving) be Awarded to Various Vendors

BE IT RESOLVED, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby recommends to the New Jersey Department of Transportation that the purchase order for Pleasantville Road Resurfacing, Section I (milling and paving) be awarded to the following vendors:

- 1) Tilcon New York Inc. (MCCPC Contract #6) whose bid amounted to \$107,377.50
- 2) Denville Line Painting, Inc. (MCCPC Contract #36) whose bid amounted to \$1,095.70
- 3) Campbell Foundry Company (MCCPC Contract #14) whose bid amounted to \$5,668.00

The total of these three awards amounts to \$114,141.20.

All awards are subject to the approval of the NJ Department of Transportation; and

BE IT FURTHER RESOLVED, that the Mayor of the Township of Harding is hereby directed to sign for and on its behalf the purchase order in the prescribed form for said construction; and

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Township of Harding is hereby directed to seal said purchase order with the Corporate Seal of the Governing Body and to attest to the same.

Resolution TC 22-143 – New Jersey Department of Transportation, Division of Local Aid and Economic Development – Recommendation of Award – State Aid Project – Resolution Recommending the Award for the Pleasantville Road Resurfacing Section II (Milling and paving) be Awarded to Various Vendors

BE IT RESOLVED, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby recommends to the New Jersey Department of Transportation that the purchase order for Pleasantville Road Resurfacing, Section II (milling and paving) be awarded to the following vendors:

- 1) Tilcon New York Inc. (MCCPC Contract #6) whose bid amounted to \$146,848.00
- 2) Denville Line Painting, Inc. (MCCPC Contract #36) whose bid amounted to \$1,447.70
- 3) Campbell Foundry Company (MCCPC Contract #14) whose bid amounted to \$8,502.00

The total of these three awards amounts to \$156,797.70.

All awards are subject to the approval of the NJ Department of Transportation; and

BE IT FURTHER RESOLVED, that the Mayor of the Township of Harding is hereby directed to sign for and on its behalf the purchase order in the prescribed form for said construction; and

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Township of Harding is hereby directed to seal said purchase order with the Corporate Seal of the Governing Body and to attest to the same.

Resolution TC 22-144 – Resolution to Authorize an Increase to the Professional Services Contract for 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, at the May 9th, 2022 Township Committee meeting, the Township Committee authorized an additional \$85,000.00 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 \$15,000.00 from account number # 05-5000-0000-0170-2-00000; and

WHEREAS, the total amount shall not exceed \$125,000.00.

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	Greenbaum Rowe Smith & Davis LLP	1/1/2022 to 12/31/2022
/Disposal/Diversion Attorney	75 Livingston Avenue, Suite 301	Not to Exceed \$125,000.00
	Roseland, NJ 07068	05-5000-0000-0170-2-00000
		01-2022-1110-0100-2-00105

FINANCE:

Resolution TC 22-145 – 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-22-146 – Resolution to Accept the Retirement of Chief Erik Heller

BE IT RESOLVED, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby accepts the retirement of Chief Erik Heller effective February 1, 2023.

ORDINANCES FOR FIRST READING: NONE

ADJOURNMENT – Mr. Jones

ORDINANCES – INTRODUCTION

- 1. ORDINANCE #07-2022 - ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7, ARTICLE IV OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY CHAPTER 7-37.3 ENTITLED “SHADE TREE ADVISORY COMMITTEE”**
- 2. ORDINANCE #08-2022 – AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY CHAPTER 225-116 ENTITLED “GENERAL REGULATIONS” IN ARTICLE XXII GENERAL ZONING PROVISIONS TO MODIFY SETBACK REQUIREMENTS FOR SMALL PLAY STRUCTURES**
- 3. ORDINANCE #09-2022 – AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY CHAPTER 225-122, ENTITLED “BULK REGULATIONS” IN ARTICLE XXIV R-1 ZONING PROVISIONS TO CLARIFY PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS**
- 4. ORDINANCE #10-2022 -- AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY CHAPTER 225-5 ENTITLED “DEFINITION” IN ARTICLE II, CHAPTER 225-141 ZONE, CHAPTER 225-145 ENTITLED “PERMITTED USES” IN ARTICLE XXIX B-1 HISTORIC BUSINESS ZONE, CHAPTER 225-145 ENTITLED “USE REGULATIONS” IN ARTICLE XXX B-2 BUSINESS ZONE, AND CHAPTER 225-148 ENTITLED “USE REGULATIONS” IN ARTICLE XXXI OB OFFICE BUILDING ZONE TO AMEND AND ADD PERMITTED ACCESSORY USES AND STRUCTURES**
- 5. ORDINANCE #12-2022 - AN ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, ACCEPTING CONSERVATION EASEMENT**
- 6. ORDINANCE #13-2022 – CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY, AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE SUM OF \$70,000**

**HARDING TOWNSHIP
ORDINANCE #07-2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7, ARTICLE IV
OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY §7-37.3 ENTITLED
“SHADE TREE ADVISORY COMMITTEE”**

WHEREAS, the Township Committee, based upon revisions being made to §225-111 of the Township Code, have determined that it is necessary to amend §7-37.3 of the Township Code to ensure consistency between the two sections and to make other clarifying amendments.

**NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY
THAT §7-37.3 OF THE TOWNSHIP CODE BE AND IS HEREBY AMENDED AS FOLLOWS**
(deletions have strikethrough; additions are bolded and underlined):

SECTION 1. § 7-37.3 Shade Tree Advisory Committee.

- A.** Establishment. An advisory committee to be known as the "Shade Tree Advisory Committee" is established to assist and advise the Township Committee and Township departments with respect to the planting, ~~care and control~~ of trees and shrubbery in public places owned, leased or managed by the Township. In addition, the Shade Tree Advisory Committee shall assist and advise Township boards and commissions in matters related to plantings on public and private property that may come under the responsibilities of such Township boards and commissions. ~~The Shade Tree Advisory Committee shall also have the duties and responsibilities set forth in Article XXI, entitled "Tree Conservation," of Chapter 225 of this Code and such other duties and responsibilities as shall be conferred by the Township Committee or Township ordinance.~~
- B.** Membership.
- (1) The voting membership of the Committee shall consist of one representative from each of the following organizations:
- (a) ~~The New Vernon Garden Club.~~ **The Harding Township Environmental Commission.**
 - (b) The Harding Township Historical Society.
 - (c) ~~The Harding Township Environmental Commission.~~ **The New Vernon Garden Club.**
- (2) In addition, the following individuals shall serve as voting members on the committee:
- (a) The Township Administrator: **or designee.**
 - (b) The ~~Superintendent~~ **Director** of Public Works.
 - (c) One representative from the general population of the Township.

(d) Arborist or other certified tree expert.

- (3) A member of the Morris County Shade Tree Commission and/or other qualified experts may also serve as advisory members of the Committee.

C. *No change.*

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Municipal Clerk.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, RMC
Municipal Clerk

Timothy D. Jones
Mayor

INTRODUCED: June 20, 2022
PUBLIC HEARING: July 11, 2022
ADOPTION: July 11, 2022

ADVERTISED: June 23, 2022
ADVERTISED: July 14, 2022

Vote on Adoption:

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

**HARDING TOWNSHIP
ORDINANCE #08-2022
AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225
PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, BY
RESCINDING AND REPLACING §225-116 D (2) TO MODIFY SETBACK
REQUIREMENTS FOR SMALL PLAY STRUCTURES**

WHEREAS, the Township of Harding has under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., the authority to regulate land uses within its municipal boundaries; and

WHEREAS, the Township of Harding through the adoption of the Harding Township Code Chapter 225 has established Land Use and Development Regulations; and

WHEREAS, children's play structures are required to satisfy the setback limitations for the zone in which the lot is situated; and

WHEREAS, the existing setback requirements for children's play structures has required residents to obtain variances from the Zoning Board of Adjustment for small structures that are not comparable in size to other permitted structures that are similarly regulated; and

WHEREAS, the Township Committee has determined that it is in the best interest of the general welfare to clarify the regulations associated with children's play structures in the interest of clear and equitable regulations regarding the use and location of such structures.

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1: §225-116.D (2) of the Code of the Township of Harding be and is hereby rescinded and replaced as follows:

- (2) Unless otherwise noted, all open children's play structures, play houses, and tennis or other non-temporary recreation courts shall comply with all of the setback limitations of the zone in which the lot is situated. However, open children's play structures that have a rectangular footprint of less than 250 square feet and a height of 12 feet or less shall be subject to a setback requirement of one-half of the normally required setback distance or 10 feet, whichever is greater.

SECTION 2: At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3: This Ordinance shall take effect upon final passage and publication according to law.

SECTION 4: The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S.A. 40:55D-16 and with the Township Tax Assessor.

SECTION 5: All Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 6: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, RMC
Municipal Clerk

Timothy D. Jones,
Mayor

INTRODUCED: June 20, 2022

ADVERTISED: June 23, 2022

PUBLIC HEARING: July 11, 2022

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Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**HARDING TOWNSHIP
ORDINANCE #09-2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3
(ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY ARTICLE
XXIV, §225-122 ENTITLED “BULK REGULATIONS” TO CLARIFY CERTAIN
PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS**

WHEREAS, the Township of Harding has under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., the authority to regulate land uses within its municipal boundaries; and

WHEREAS, the Township of Harding through the adoption of the Harding Township Code Chapter 225 has established Land Use and Development Regulations; and

WHEREAS, the permitted building area and setback requirements for structures within the R-1 Zone (also applicable to the RR Zone) are contained in two different sections of the Code (§225-122.C. and §225-122.F.(1)); and

WHEREAS, the Zoning Officer has advised that the current codification of the permitted building area and front setback requirements has led to some confusion by residents seeking to obtain Zoning Permits for new buildings; and

WHEREAS, the Township Committee has determined it is in the best interest of the general welfare to clarify the permitted building area and setback requirements within these zones.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that Chapter 225, Article XXIV, §225-122 of the Code of the Township of Harding be and is hereby amended as follows (deletions have strike through; additions are bolded and underlined):

SECTION 1: §225-112 Bulk regulations.

A. *No change.*

B. *No change.*

C. Maximum building area. The maximum building area shall be as follows (see Subsection F for additional restrictions):

(1) Three percent of lot area for lots where any structures are set back less than 150 feet from the front lot line or road line; ~~or~~ up to a maximum of 3,920 square feet.

(2) – (4) *No changes.*

D. *No change.*

E. *No change.*

F. Minimum setbacks. All structures must be set back at least 100 feet from any lot line or road line except as modified by the building area limitations set forth below:

**HARDING TOWNSHIP
ORDINANCE #09-2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3
(ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY ARTICLE
XXIV, §225-122 ENTITLED "BULK REGULATIONS" TO CLARIFY CERTAIN
PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS**

~~(1) The minimum setback from the front lot line or road line to all structures shall be increased to 150 feet when the total building area on the lot exceeds 3,920 square feet.~~

~~(21)~~ In the case of a lot having frontage on more than one road, the minimum front setback restriction shall apply to all portions of the lot having frontage on a road.

~~(32)~~ Notwithstanding the provisions of Subsection ~~FC~~(1) above, in the case of a flag lot, the minimum setback distance for the front, side, and rear yards shall be 100 feet.

G. *No change.*

H. *No change.*

SECTION 3: At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 4: This Ordinance shall take effect upon final passage and publication according to law.

SECTION 5: The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S.A. 40:55D-16 and with the Township Tax Assessor.

SECTION 6: All Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 7: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**HARDING TOWNSHIP
ORDINANCE #09-2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3
(ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY ARTICLE
XXIV, §225-122 ENTITLED “BULK REGULATIONS” TO CLARIFY CERTAIN
PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS**

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp
Municipal Clerk

Timothy D. Jones,
Mayor

INTRODUCED: June 20, 2022

PUBLIC HEARING: July 11, 2022

ADOPTED: July 11, 2022

ADVERTISED: June 23, 2022

ADVERTISED: July 14, 2022

Vote on Adoption:

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Ms. Chipperson		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Platt		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**HARDING TOWNSHIP
ORDINANCE #10-2022**

**AN ORDINANCE AMENDING CHAPTER 225 OF THE CODE OF THE TOWNSHIP OF HARDING,
SPECIFICALLY §225-5 ENTITLED “DEFINITION” IN PART I, ARTICLE II; §225-141 ENTITLED
“PERMITTED USES” IN ARTICLE XXIX B-1 HISTORIC BUSINESS ZONE, §225-145 ENTITLED “USE
REGULATIONS” IN PART 3, ARTICLE XXX; AND §225-148 ENTITLED “USE REGULATIONS” IN PART 3,
ARTICLE XXXI**

WHEREAS, the Township of Harding, in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89) prepared a Master Plan Reexamination Report, dated October 2020 in order to review and evaluate the Township’s Master Plan and Development Regulations to determine the need for updates and revisions; and

WHEREAS, the Township of Harding Planning Board adopted the Master Plan Reexamination Report on October 26, 2020; and

WHEREAS, the Master Plan Reexamination Report recommended certain amendments to the Township’s B-1 Historic Business, B-2 Business, and OB Office Building zoning districts; and

WHEREAS, one of the recommendations was that Electric Vehicle Charging Stations be permitted accessory uses in the B-1 Historic Business, B-2 Business, and OB Office Building zoning districts.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that Chapter 225, and specifically §225-5, §225-141 C, §225-145, §225-148 of the Code of the Township of Harding be and are hereby amended as follows (deletions have strike through; additions are bolded and underlined):

SECTION 1. §225-5 Definitions.

Unless specifically defined below, or in the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), or in the Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39 et seq.), or in New Jersey's Surface Water Quality Standards (N.J.A.C. 7:9B-1.1 et seq.), words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage unless the context clearly indicates a contrary intent.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT OR (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. “EVSE” is synonymous with “electric vehicle charging station.”

MAKE-READY PARKING SPACE: The pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “charger ready,” as used in P.L.2019, c.362 (C.48:25-1 et al.).

HARDING TOWNSHIP
ORDINANCE #10-2022

AN ORDINANCE AMENDING CHAPTER 225 OF THE CODE OF THE TOWNSHIP OF HARDING,
SPECIFICALLY §225-5 ENTITLED “DEFINITION” IN PART I, ARTICLE II; §225-141 ENTITLED
“PERMITTED USES” IN ARTICLE XXIX B-1 HISTORIC BUSINESS ZONE, §225-145 ENTITLED “USE
REGULATIONS” IN PART 3, ARTICLE XXX; AND §225-148 ENTITLED “USE REGULATIONS” IN PART 3,
ARTICLE XXXI

SECTION 2. §225-141 **Permitted uses.**

In the B-1 Historic Village Business Zone, no building, structure or premises shall be used, erected, or altered except for the following permitted uses:

A. - B. *No change.*

C. Accessory uses, buildings, and structures. Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space and other accessory uses, buildings, and structures that are incidental to the principal use(s) shall be permitted. All accessory buildings and structures, including garages, sheds and storage buildings, shall comply with yard setbacks, floor area ratio limitations and buffer requirements. With the exception of Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, HVAC and energy-related structures or generators, no accessory building or structure shall be located closer than 10 feet to any other structure. No accessory building or structure shall exceed 25 feet in height.

D. – H. *No change.*

SECTION 3. §225-145 **Use regulations.**

In the B-2 Business Zone, no building, structure or premises shall be used, erected or altered except for the following permitted uses:

A. – B. *No changes.*

C. Accessory uses, buildings and structures. Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, and other accessory uses, buildings and structures that are incidental to the principal use(s) shall be permitted. All accessory buildings and structures, including garages, sheds and storage buildings, shall comply with yard setbacks, floor area ratio limitations and buffer requirements. With the exception of Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, HVAC and energy-related structures or generators, no accessory building or structure shall be located closer than 10 feet to any other structure. No accessory building or structure shall exceed 25 feet in height.

SECTION 4. §225-148 **Use regulations.**

In the OB Zone, no building, structure or premises shall be used, erected or altered except for the following uses:

A. – E. *No changes.*

F. Accessory uses, buildings and structures. Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space and other accessory uses, buildings and structures that are incidental to the principal use(s) shall be permitted. All accessory buildings and structures, including garages, sheds and storage buildings, shall comply with yard setbacks, floor area ratio limitations and buffer requirements. With the exception of Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, HVAC and

**HARDING TOWNSHIP
ORDINANCE #10-2022**

**AN ORDINANCE AMENDING CHAPTER 225 OF THE CODE OF THE TOWNSHIP OF HARDING,
SPECIFICALLY §225-5 ENTITLED “DEFINITION” IN PART I, ARTICLE II; §225-141 ENTITLED
“PERMITTED USES” IN ARTICLE XXIX B-1 HISTORIC BUSINESS ZONE, §225-145 ENTITLED “USE
REGULATIONS” IN PART 3, ARTICLE XXX; AND §225-148 ENTITLED “USE REGULATIONS” IN PART 3,
ARTICLE XXXI**

**energy-related structures or generators, no accessory building or structure shall be located closer than
10 feet to any other structure. No accessory building or structure shall exceed 25 feet in height.**

SECTION 5. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 6. This Ordinance shall take effect upon final passage and publication according to law.

SECTION 7. The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S.A. 40:55D-16 and with the Township Tax Assessor.

SECTION 8. All Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 9. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, RMC
Township Clerk

Timothy D. Jones,
Mayor

INTRODUCED: June 20, 2022

ADVERTISED: June 23, 2022

PUBLIC HEARING: July 11, 2022

ADVERTISED: July 14, 2022

ADOPTED: July 11, 2022

Vote on Adoption:

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

**HARDING TOWNSHIP
ORDINANCE #12-2022
AN ORDINANCE OF THE TOWNSHIP OF HARDING ACCEPTING CONSERVATION
EASEMENT**

WHEREAS, Willcoop, LLC, having an address at 105 Sand Spring Road, Morristown, New Jersey 07690 (the “Grantor”) is the owner in fee of certain real property located at 1 Post House Road and designated as Lot 1, Block 33.03, in the Township of Harding, County of Morris, and State of New Jersey (the “Property”); and

WHEREAS, the Property was the subject of a preliminary and final major site plan and waiver application filed on behalf of the Grantor by Environmental Approach, Inc., a related entity of Grantor, which application was approved by Resolution adopted by the Harding Township Planning Board (“Board”) on December 20, 2021 (“Approval”); and

WHEREAS, the approved site plan is entitled “Environmental Approach Preliminary & Final Site Plan, Retail Garden Center, 1 Post House Road & Mt. Kemble Ave. (State Hwy 202), Lot 1, Block 33.03, Township of Harding, Morris County, New Jersey” prepared by Yannaccone, Villa and Aldrich, LLC (“YVA”) dated September 15, 2021, and last revised February 28, 2022 (“Site Plan”); and

WHEREAS, in connection with such Approval, Grantor was required to and agreed to subject a portion of the Property to a Conservation Easement in favor of the Township of Harding and in recognition of environmental values and consistent with the requirements and purposes of the Harding Township Land Use and Development Ordinance and the New Jersey Conservation Restriction and Historic Preservation Restriction Act, N.J.S.A. 13:8B-1 et seq.; and

WHEREAS, the Township Committee has determined that in furtherance of the conditions of the Approval, and in accordance with the Township’s Land Use and Development Ordinance, to accept the conveyance of the Conservation Easement for the Property, in the form attached hereto, upon final execution and recording in the Office of the County Clerk, Morris County, New Jersey.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey, that it does hereby accept conveyance of a Conservation Easement from Willcoop, LLC, in the form attached hereto, upon final execution and recording in the Office of the County Clerk, Morris County, New Jersey.

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a

**HARDING TOWNSHIP
ORDINANCE NO. 12-2022
AN ORDINANCE OF THE TOWNSHIP OF HARDING ACCEPTING CONSERVATION
EASEMENT**

separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, RMC
Township Clerk

Christopher Yates
Deputy Mayor

INTRODUCED: June 20, 2022

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Mr. Yates		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**HARDING TOWNSHIP
ORDINANCE #13-2022
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 \$70,000**

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

Projects	Estimated Costs
a. Acquisition and installation of a truck lift at Public Works	\$ 55,000
b. Interior and exterior improvements at Township Facilities	\$ 15,000
 Total from Capital Improvement Fund	 \$ 70,000

Section 2. The aggregate sum of \$70,000 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 OF HARDING

Lisa A. Sharp, Municipal Clerk

Timothy D. Jones, Mayor

INTRODUCED: June 20, 2022

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Mr. Jones		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>