

**HARDING TOWNSHIP COMMITTEE**  
**MONDAY, AUGUST 8, 2022**  
**IN-PERSON**  
**EXECUTIVE SESSION at 5:30 PM**  
**REGULAR MEETING AGENDA at 7:00 PM**  
**Kirby Hall, Blue Mill Road, New Vernon, New Jersey**

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**CALL MEETING TO ORDER – Mayor**

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**ADEQUATE NOTICE** of this August 8, 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.

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**ROLL CALL – Municipal Clerk**

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

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**RESOLUTION TO RECESS INTO EXECUTIVE SESSION**

**Resolution TC 22-148 - 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. Hurstmont – R. Goldsmith
2. Glen Alpin – T. Jones

**Litigation:**

1. Verizon – M. Roselli

**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"/>

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**RECONVENE INTO PUBLIC SESSION – Mayor**

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**ROLL CALL – Municipal Clerk**

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

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**PLEDGE OF ALLEGIANCE – Mayor**

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**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.

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**ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones**

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

**RESOLUTION TC 22-149 -- RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES**

**Mayor Jones asks Township Committee Member \_\_\_\_\_ to proceed with Resolution TC 22-148.**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the minute(s) from the following meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: **June 20, 2022, July 11, 2022, and Special Meeting July 27, 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: **June 20, 2022, July 11, 2022, and Special Meeting July 27, 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 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"/>

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

**Mayor Jones** asks Township Committee Member \_\_\_\_\_ to proceed with Resolution TC 22-150 listed on the Non-Consent agenda.

**Resolution TC 22-150 – Resolution to Appoint Acting Chief of Police**

**WHEREAS**, because of the impending leave of absence and retirement of the Chief of Police, Erik Heller, there is a need for the appointment of an Acting Chief of Police of the Harding Township Police Department, on a temporary basis; and

**WHEREAS**, in consultation with the Appropriate Authority/Township Administrator Robert Falzarano and Chief of Police, Erik Heller has recommended that Lieutenant Michael Gromek be designated as Acting Chief of Police of the Harding Township Police Department on a temporary basis, effective August 8, 2022 and to serve in that capacity until such time as a successor is appointed by the Township Committee; and

**WHEREAS**, the Acting Chief of Police, in consultation with the Appropriate Authority, shall be responsible for the day to day operations of the police department including the administration and enforcement of rules and regulations; assignments of duties to police officers and other department personnel; authority to approve reports and maintaining communication with the Township Administrator/Appropriate Authority pertaining to the operations of the department. The Acting Chief of Police may administer additional duties and responsibilities for the conduct and management of the Police Department as needed and permitted by law; and

**WHEREAS**, the Harding Township Committee endorses the recommendation for appointment of the Acting Chief of Police as set forth herein and wishes to memorialize same.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that Lieutenant Michael Gromek be and is hereby appointed on a temporary basis as Acting Chief of Police of the Harding Township Police Department and he shall serve in that capacity until such time as a successor is appointed by the Township Committee; and

**BE IT FURTHER RESOLVED**, until a successor is appointed, Acting Chief of Police, Michael Gromek, shall receive a \$500.00 stipend to be paid in each of the two monthly payrolls during the time Lieutenant Gromek serves as Acting Chief of Police.

**NON-CONSENT AGENDA VOTE:**



**Mayor Jones** asks **Township Committee Member** \_\_\_\_\_ to proceed with Resolution TC 22-150 listed on the Non-Consent agenda.

**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 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"/>

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

**Mayor Jones** asks Township Committee Member \_\_\_\_\_ to proceed with Resolution TC 22-151 listed on the Non-Consent agenda.

**Resolution TC 22-151 – Resolution to Authorize the Person-to-Person Transfer of Dharma Bhakti09, LLC, Liquor License to 4G Hospitality, LLC**

**WHEREAS**, 4G Hospitality, LLC filed an application with the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control for a Person-to-Person transfer of Plenary Retail Distribution License Number 1413-44-002-005, heretofore issued to DHARMA BHAKTI09, LLC; and

**WHEREAS**, the submitted application form is complete in all respects and the transfer fees have been paid; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that the transfer of the aforesaid Plenary Retail Distribution License Number 1413-44-002-005 to 4G Hospitality, LLC for premises located at 1098 Mt. Kemble Avenue, Harding Township, New Jersey is hereby approved effective August 8, 2022; and

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of Harding does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to 4G Hospitality, LLC, for premises located at 1098 Mt. Kemble Avenue, Harding Township, New Jersey, effective August 8, 2022."

**NON-CONSENT AGENDA VOTE:**

**Mayor Jones:** The meeting is now open for public hearing on Resolution TC 22-151 and any member of the public may be heard.

**Mayor Jones:** closes the public hearing.

**Mayor Jones** asks **Township Committee Member** \_\_\_\_\_ to proceed with Resolution TC 22-151 listed on the Non-Consent agenda.

**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 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"/>

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**DISCUSSION ITEMS:**

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**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.

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**ORDINANCES FOR SECOND READING: NONE**

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**ADD-ON RESOLUTIONS: NONE**

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE**

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**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 22-152 THROUGH RESOLUTION TC 22-165 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 22-152 through TC 22-165.

**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"/>

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**APPOINTMENTS:**

**Resolution TC 22-152 – Resolution to Appoint Jonathan Drill as Special Counsel for Affordable Housing Matters**

**WHEREAS**, the Township of Harding has a need to award a contract for the services of a Special Counsel for Affordable Housing matters, commencing August 9, 2022, and ending December 31, 2028; and

**WHEREAS**, the Township is permitted to acquire such services through a “non-fair and open” process (as defined by N.J.S.A. 19:44A-20.4), meaning that the award is made by the Township Committee in its judgment of which provider will best serve the interests of the citizens of Harding, and not by a “fair and open” process (as defined by N.J.S.A. 19:44A-20.4) such as awarding to the lowest bidder; and

**WHEREAS**, the cost of this contract is not anticipated to exceed \$17,500, as certified in writing by the appropriate Township official; and

**WHEREAS**, Sticker, Koenig, Sullivan & Drill (Jonathan Drill, Esq.) has submitted a proposal dated June 28, 2022; and

**WHEREAS**, the annual contract amount is not to exceed \$17,500.00 from account #25-9999-1110-0170-2-00037; and

**WHEREAS**, Sticker, Koenig, Sullivan & Drill (Jonathan Drill, Esq.) has completed and submitted the required Business Entity Disclosure Certification; 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 that the Mayor and Township Clerk are hereby authorized to enter into a contract with Sticker, Koenig, Sullivan & Drill (Jonathan Drill, Esq.) pursuant to the filed proposal; and

**BE IT FURTHER RESOLVED**, that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED**, that notice of this contract will be published as required by law within ten days of the passage of this Resolution.

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**CONTRACTS:**

**Resolution TC 22-153 – Resolution to Authorize a Needs Analysis & Feasibility Study for the Kirby Municipal Building**

**WHEREAS**, at the May 9, 2022, Township Committee meeting, the Harding Township Committee discussed the need for a Municipal Building needs analysis and feasibility study to determine the desired programming for additions and renovations; and

**WHEREAS**, the architectural design firm Rosen, Kelly, Conway submitted a proposal dated June 3, 2022, to prepare a Needs Analysis and Feasibility Study for proposed additions and renovations; and

**WHEREAS**, it has been determined that it is in the best interest of the Township to approve the proposal submitted by Rosen, Kelly, Conway in the amount not to exceed \$9,500.00; and

**WHEREAS**, the Qualified Purchasing Agent has reviewed the proposal and determined the proposal is a qualified professional service contract pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a) may be awarded as a non-fair and open contract; and

**WHEREAS**, the Chief Financial Officer has determined funds are available as follows:

Account # 04-2018-201817-4024-4-04042  
Not to exceed \$9,500.00

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the Mayor is authorized to execute the proposal submitted by Rosen, Kelly, Conway dated June 3, 2022; and

**BE IT FURTHER RESOLVED**, the Township Administrator shall be the contact person for Rosen, Reilly, Conway and shall coordinate the process.

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**FINANCE:**

**Resolution TC 22-154 – 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.

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**Resolution TC 22-155 – Resolution to Approve the 2021 Audit Review**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

**WHEREAS**, The Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52-27BB-34; and



**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "General Comments" and "Recommendations;" and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the annual Report of Audit, and specifically the sections of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB52 to wit: R.S. 52:27BB52- "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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#### **Resolution TC 22-156 – Resolution to Authorize Block 6 Lot 11.02 Cancellation of Taxes**

**WHEREAS**, the Township of Harding is the owner of said property located at 528 Van Beuren Road also known as Block 6 Lot 11.02 and authorizes the Municipal Tax Collector's office to process the cancellation of taxes billed for this property which is considered to be 100% exempt; and

**WHEREAS**, the Township of Harding further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax for Block 6 Lot 11.02.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the Municipal Tax Collector is authorized to process the cancellation of tax for Block 6 Lot 11.02 for 2022 Final and 2023 Preliminary Taxes.

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#### **Resolution TC 22-157 – Resolution to Authorize 2022 Tax Sale**

**WHEREAS**, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales; and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process.

**BE IT RESOLVED**, that the Township Committee of the Township of Harding hereby authorizes to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

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**Resolution TC 22-158 – Resolution to Authorize the Purchase of a Truck Lift**

**WHEREAS**, there is a need to purchase a truck lift 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- 2022-202213- 4003- 4- 04085 in the amount of \$54,249.48; and

**WHEREAS**, on 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**, Hoffman Services Inc, 55-57 East Bigelow Street, Newark, NJ is an approved vendor under New Jersey State Contract # 22-FLEET-01984 for a Stertil-Koni ST1085-2FRA Earthlift column lift.

**BE IT RESOLVED**, by the Harding Township Committee of the Township of Harding in the County of Morris 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	State Contract/ Morris County Cooperative #	Department	Quantity	Item	Price
Hoffman Services Inc.	22-FLEET-01984	DPW	1	Stertil-Koni ST1085-2FRA Earthlift column lift	54,249.48
<b>TOTAL:</b>					<b>\$54,249.48</b>

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**Resolution TTC 22-159 – Resolution to Authorize the Purchase of a Dump Truck**

**WHEREAS**, there is a need to purchase a dump truck 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- 4003- 4- 04072 in the amount of \$154,421.88; and

**WHEREAS**, on 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**, Gabrielli Truck Sales, 2306 Route 130, Dayton, NJ is an approved vendor under Educational Services Commission of New Jersey # 20/21-55 for a Kenworth T480 dump truck.

**BE IT RESOLVED**, by the Harding Township Committee of the Township of Harding in the County of Morris 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:

<b>Vendor</b>	<b>State Contract/ Morris County Cooperative #</b>	<b>Department</b>	<b>Quantity</b>	<b>Item</b>	<b>Price</b>
Gabrielli Truck Sales	20/21-55	DPW	1	Kenworth T480 Dump Truck	154,421.88
<b>TOTAL:</b>					<b>\$154,421.88</b>

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**Resolution TC 22-160 – Resolution to Authorize the Purchase of a Hook Lift**

**WHEREAS**, there is a need to purchase a hook lift 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- 4003- 4- 04072 in the amount of \$72,350.47; and

**WHEREAS**, on 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**, Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ is an approved vendor under Educational Services Commission of New Jersey # 20/21-55 for a T-50 hook lift.

**BE IT RESOLVED**, by the Harding Township Committee of the Township of Harding in the County of Morris 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:

<b>Vendor</b>	<b>State Contract/ Morris County Cooperative #</b>	<b>Department</b>	<b>Quantity</b>	<b>Item</b>	<b>Price</b>
Cliffside Body Corporation	20/21-55	DPW	1	T-50 hook lift	72,350.47
<b>TOTAL:</b>					<b>\$72,350.47</b>

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**Resolution TC 22-161 – 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-ESCNUJ 20/21-09	Police	1	White	SUV	39,893.29
<b>TOTAL:</b>						<b>\$39,893.29</b>

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#### **Resolution TC 22-162 – Resolution to Amend Cash Management Plan**

**WHEREAS**, Resolution TC-22-0417 was adopted by the Township Committee at their January 3, 2022 meeting; and

**WHEREAS**, there is a need to amend the list of approved bank which are authorized depositories for the deposit of funds; and

**WHEREAS**, the list of approved banks which are authorized depositories for the deposit of funds shall include:

Kearny Bank

**BE IT RESOLVED**, that the Township of Harding Finance Department is hereby authorized to deposit funds into authorized depositories; and

**BE IT FURTHER RESOLVED**, a copy of this resolution be distributed to the Chief Financial Officer.

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#### **MISCELLANEOUS:**

#### **Resolution TC 22-163 – Resolution to Accept the Resignation of N. P.**

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey, hereby accepts the resignation of N. P. as submitted on July 25, 2022.

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**Resolution TC 22-164 – Resolution to Appoint Tom dePoortere to the Harding Township Centennial Committee**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that Tom dePoortere is hereby appointed to the Harding Township Centennial Committee.

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**Resolution TC 22-165 -- Resolution to Appoint Ryan Metz from SavATree as a Substitute Tree Officer**

**WHEREAS**, the Township of Harding has a need to award a contract for the services of a substitute Tree Conservation Officer for the year 2022; and

**WHEREAS**, funds are available for this purpose.

**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:

Tree Conservation Officer	Ryan Metz, SavATree	9/1/22 to 12/31/22
Township of Harding Ordinance 225-3G		\$90.00 per hour
		Not to exceed \$2,000.00
		01-2022-1165-0165-2-
		00038

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**ORDINANCES FOR FIRST READING:**

**Mayor Jones** asks Township Committee Member Yates to introduce Ordinance #11-2022.

**Township Committee Member Yates** introduces Ordinance TC 11-2022 by title as follows:

**HARDING TOWNSHIP  
ORDINANCE #11 – 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 APPLY EMERGENCY GENERATOR STANDARDS  
TO AIR CONDITIONING CONDENSERS/HEAT PUMPS**

**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 August 8, 2022.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on September 12, 2022 at 7:00 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 #11-2022 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"/>	<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"/>

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**ADJOURNMENT – Mr. Jones**



# **ORDINANCES – INTRODUCTION**

**1. ORDINANCE #11-2022** - 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 APPLY EMERGENCY GENERATOR STANDARDS TO AIR CONDITIONING CONDENSERS/HEAT PUMPS

**HARDING TOWNSHIP  
ORDINANCE #11-2022  
AN ORDINANCE AMENDING CHAPTER 225 OF THE CODE OF THE TOWNSHIP OF  
HARDING, SPECIFICALLY ARTICLE XXI, §225-116 ENTITLED “GENERAL  
REGULATIONS” TO APPLY EMERGENCY GENERATOR STANDARDS TO AIR  
CONDITIONING CONDENSERS/HEAT PUMPS**

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**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, 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, dated October 2020 on October 26, 2020; and

**WHEREAS**, the Township Code currently includes exemptions for standards related to emergency generator but does not currently include any exemptions for heating, ventilation, and air conditioning units/heat pumps; and

**WHEREAS**, this has created an issue for homeowners that desire to upgrade their air conditioning units/heat pumps; and

**WHEREAS**, due to these created issues, the Master Plan Reexamination Report recommended updating the Township Code so that the standards for emergency generators would apply to other residential mechanical equipment such as air conditioner condenser pads.

**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 XXI, §225-116 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. §225-116 General Regulations.**

**A. – O.**        *No changes.*

**P.** Emergency generators, **air conditioning condensers and heat pumps**. Notwithstanding the provisions of § **225-116D(6)**, emergency generators, **air conditioning condensers and heat pumps** may be located outside the building envelope on lots in the RR, R-1, R-2, R-3, R-4 and B-2 Zoning Districts subject to the following:

- (1) These provisions only apply to emergency generators, **air conditioning condensers and heat pumps** having: a footprint, including the pad, not exceeding 20 square feet **per unit**; a height not exceeding four feet; **and for generators, a manufacturer’s noise level rating that does not exceed 70dB(A) at 23 feet (7 meters).**
- (2) The emergency generator, **air conditioning condenser or heat pump** shall not be located in front of the principal building on the lot.
- (3) No portion of the emergency generator, **air conditioning condenser or heat pump** and pad may be located more than 20 feet from the principal structure on the lot.

**HARDING TOWNSHIP**  
**ORDINANCE #11-2022**  
**AN ORDINANCE AMENDING CHAPTER 225 OF THE CODE OF THE TOWNSHIP OF**  
**HARDING, SPECIFICALLY ARTICLE XXI, §225-116 ENTITLED “GENERAL**  
**REGULATIONS” TO APPLY EMERGENCY GENERATOR STANDARDS TO AIR**  
**CONDITIONING CONDENSERS/HEAT PUMPS**

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- (4) The emergency generator, **air conditioning condenser or heat pump** shall not be located within the required tree conservation area on a lot in the RR, R-1, R-2, R-3 or R-4 Zoning District as follows:
- (a) RR and R-1 Zones:
- [1] Minimum side and rear setbacks: 25 feet.
  - [2] Minimum front setback: 50 feet (but not in front of the principal structure).
- (b) R-2 Zone:
- [1] Minimum side setback: 10 feet.
  - [2] Minimum rear setback: 12.5% of the lot depth up to 25 feet.
  - [3] Minimum front setback: 25 feet (but not in front of the principal structure).
- (c) R-3 Zone:
- [1] Minimum side setback: five feet.
  - [2] Minimum rear setback: 12.5% of the lot depth up to 12.5 feet.
  - [3] Minimum front setback: 17.5 feet (but not in front of the principal structure).
- (d) R-4 Zone:
- [1] Minimum side setback: four feet.
  - [2] Minimum rear setback: 12.5% of the lot depth up to 12.5 feet.
  - [3] Minimum front setback: 12.5 feet (but not in front of the principal structure).
- (5) The emergency generator, **air conditioning condenser or heat pump** shall have minimum setbacks in the B-2 Zone of 25 feet from all lot lines (but not in front of the principal structure).
- (6) The emergency generator, **air conditioning condenser or heat pump** shall be appropriately screened/buffered by non-deciduous plantings (subject to seasonal planting timing limitations) and/or a fence so as to minimize visibility from all lot lines from which the setback is less than the minimum applicable to buildings and structures.
- (7) The exercise of any emergency generator shall only occur on Monday to Friday and between the hours of 10 a.m. and 4 p.m. and for a duration not to exceed twenty (20) minutes.**

Q. *No change.*



**HARDING TOWNSHIP  
ORDINANCE #11-2022  
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HARDING, SPECIFICALLY ARTICLE XXI, §225-116 ENTITLED “GENERAL  
REGULATIONS” TO APPLY EMERGENCY GENERATOR STANDARDS TO AIR  
CONDITIONING CONDENSERS/HEAT PUMPS**

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  
Township Clerk

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Timothy D. Jones,  
Mayor

**INTRODUCED:** August 8, 2022

**ADVERTISED:** August 11, 2022

**PUBLIC HEARING:**

**ADOPTED:**

**ADVERTISED:**

**Vote on Introduction:**

MOTION      FOR APPROVAL      AGAINST APPROVAL      ABSTAIN

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

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