

HARDING TOWNSHIP COMMITTEE
MONDAY, JUNE 20, 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

MEETING MINUTES

CALL MEETING TO ORDER – Mayor

Mayor Jones called the meeting to order at 5:33 pm.

ADEQUATE NOTICE of this June 20, 2022 meeting of the Harding Township Committee was sent to the Observer Tribune on May 12, 2022 and published in the Observer Tribune on May 19, 2022.

Mayor Jones announced that adequate notice of this June 20, 2022 meeting of the Township Committee was called to order in accordance with the Open Public Meetings Act.

ROLL CALL – Municipal Clerk

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

Mrs. Sharp called the roll as follows:

Present:

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

Absent:

None

Also Present:

Mr. Falzarano, Township Administrator; Mr. Mark Roselli, Township Counsel; Mrs. Sharp, Municipal Clerk; Mr. Goldsmith, Special Counsel; Mr. DeNave, Assistant Administrator; Mrs. Mertz, Planner; Chief Erik Heller; and Lieutenant Michael Gromek

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Resolution TC 22-123 - Resolution to Recess into Executive Session

Mayor Jones asked for a motion to recess into Executive Session. Upon a motion made by Township Committee Member Platt, seconded by Township Committee Member Yates and with a roll call vote of all ayes, none opposed, the Township Committee recessed into Executive Session at 5:33 pm.

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 – B. Goldsmith
2. Glen Alpin – V. DeNave
3. Morris County Dispatch – Chief Heller

Personnel:

1. Police Personnel – Chief Heller

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	1st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECONVENE INTO PUBLIC SESSION – Mayor

Mayor Jones asked for a motion to reconvene into public session. Upon a motion made by Township Committee Member Yates, seconded by Township Committee Member Platt, and with a vote of all ayes, the meeting reconvened into public session at 7:05 pm.

ROLL CALL – Municipal Clerk

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

Mrs. Sharp called the roll as follows:

Present:

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

Absent:

None

Also Present:

*Mr. Falzarano, Township Administrator; Mr. Mark Roselli,
Township Counsel*

PLEDGE OF ALLEGIANCE – Mayor

Mayor Jones led members of the Township Committee and members of the public in the Pledge of Allegiance.

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 May 12, 2022, and published in the *OBSERVER TRIBUNE* on May 19, 2022; Notice was posted on the Bulletin Board in

the Township Municipal Building on Blue Mill Road in Harding, NJ on May 19, 2022, and Notice was filed with the Municipal Clerk on May 19, 2022.

Mayor Jones announced that adequate notice of this June 20, 2022 meeting of the Township Committee was called to order in accordance with the Open Public Meetings Act.

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones

Mayor Jones announced that he would like to ask for a moment of silence for Township resident Gerry Hanlon who passed away on June 11, 2022. Harding Township lost a longtime neighbor and volunteer. Mr. Scanlon was the kind of person you wanted to hire. Gerry exemplified what we look for in Harding and what we appreciate. Township Committee Member Platt commented that Gerry Hanlon was a remarkable man, he was compassionate, smart, and dedicated. Mayor Jones announced his memorial service will be held in July. Members of the Township Committee and members of the public observed a moment of silence for Mr. Hanlon.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

RESOLUTION TC 22-124 -- RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES

Mayor Jones asks Township Committee Member Lacz to proceed with Resolution TC 22-124.

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: **May 9, 2022; May 24, 2022 Special Meeting; 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: **May 9, 2022.**

Township Committee Member Lacz made 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 Platt.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Mayor Jones met Officer Pirrello fifteen years ago when he called the non-emergency police number due to a person left his business card and wanted to hunt on our property. Officer Pirrello showed up and let's say I have never heard from that person again. Mayor Jones commented he and the Township Committee appreciate all your years of service to the Township of Harding.

Mayor Jones asked Township Committee Member Yates to proceed with Resolution TC 22-125 listed on the Non-Consent agenda. *Township Committee Member Yates read resolution TC 22-125 into the record.*

RESOLUTION TC 22-125 - RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, RECOGNIZING OFFICER LOUIS PIRELLO'S RETIREMENT AND OUTSTANDING CONTRIBUTIONS TO THE TOWNSHIP OF HARDING

WHEREAS, Harding Township Police Officer Louis Pirrello, Jr. has retired effective, July 1, 2022; and

WHEREAS, Louis Pirrello, Jr. was appointed in Harding Township on January 16, 2004, as a Patrol Officer; and

WHEREAS, Officer Pirrello served on the Morris Township Police Department from June 1997 until January 2004; and

WHEREAS, Officer Pirrello has served Harding Township as Patrol Officer, Project Lifesaver Coordinator, Hunting Liaison, RADAR Instructor, Car Seat Installation Technician, and Law Enforcement Against Drugs (L.E.A.D.) Instructor; and

WHEREAS, Officer Pirrello served with honor and dignity.

BE IT RESOLVED, that the Township Committee of the Township of Harding in the County of Morris, New Jersey extend their appreciation and congratulations for the many years of dedicated service to the residents of Harding Township; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Harding in the County of Morris, State of New Jersey remind Officer Pirrello of the adage that "Life begins at Retirement" and wish him Good Luck!

Township Committee Member Yates made 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 Platt.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Chief Heller commented Officer Pirrello has done a lot with Harding Township and Morris Township. Officer Lou was in charge of the St. Jude fund raising for the 5th graders at the Harding Township School. They have collected \$19,000 over the last five years. Harding Township will honor Officer Pirrello by keeping St. Jude fundraiser going. Officer Pirrello thanked everyone.

Louis Lanzerotti – commented he was on the Township Committee when Officer Pirrello was hired. Mr. Lanzerotti remembers going out on parole with Officer Pirrello and appreciates the time he spent with him. Officer Pirrello has been very helpful. Good Luck.

Elaine McHale – commented the Kemmerer Library thanks Officer Pirrello for everything. Officer Pirrello was always the first on board with Coffee with a Cop. Good Luck.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Mayor Jones asked Township Committee Member Yates to proceed with Resolution TC 22-126 listed on the Non-Consent agenda. *Township Committee Member Yates read resolution TC 22-126 into the record.*

RESOLUTION TC 22-126 -- RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, RECOGNIZING ADMINISTRATIVE ASSISTANT SUSAN SHERLOCK'S RETIREMENT AND OUTSTANDING CONTRIBUTIONS TO THE TOWNSHIP OF HARDING

WHEREAS, Harding Township Police Administrative Assistant Susan Sherlock has retired effective, July 1, 2022; and

WHEREAS, Susan Sherlock was appointed in Harding Township on June 21, 2004; and

WHEREAS, Susan Sherlock served the Harding Township Police Department and this community for over 18 years; and

WHEREAS, Mrs. Sherlock served as Confidential Secretary to the Chief of Police, Notary Public, Department Secretary, and Records Clerk.

BE IT RESOLVED, that the Township Committee of the Township of Harding in the County of Morris, New Jersey extend their appreciation and congratulations for the many years of dedicated service to the police department and residents of Harding Township; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Harding in the County of Morris, State of New Jersey remind Mrs. Sherlock of the adage that “Life begins at Retirement” and wish her Good Luck!

Township Committee Member Yates made 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 Lacz.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

RESOLUTION TC 22-127 – RESOLUTION TO APPOINT MATTHEW DOYLE AS A HARDING TOWNSHIP POLICE OFFICER

Mayor Jones asks **Township Committee Member Chipperson** to proceed with Resolution TC 22-127 listed on the Non-Consent agenda. *Township Committee Member Chipperson read resolution TC 22-127 into the record.*

WHEREAS, there exists a vacancy in the position of Police Officer in the Harding Township Police Department; and

WHEREAS, Chief Erik Heller has conducted a detailed evaluation process and background check; and

WHEREAS, the Township Committee, Township Administrator, Robert Falzarano, and Chief Erik Heller, have determined the need for appointing a Police Officer; and

WHEREAS, Matthew Doyle was an alternate route recruit and graduated from Atlantic County Police Academy on June 8, 2022; and

WHEREAS, Chief Erik Heller recommends that Mathew Doyle be appointed as a full-time Police Officer, commencing with a one-year probationary period with the Harding Township Police Department that is effective on June 16, 2022.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the recommendation of Chief Erik Heller and the Township Administrator, Robert Falzarano be approved and hereby appoint Matthew Doyle as a full-time Police Officer of the Harding Township Police Department at the annual salary of \$47,276 to be prorated for the remainder of 2022.

Township Committee Member Chipperson made 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 Yates.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mrs. Sharp, Municipal Clerk, conducted the oath of office with Matthew Doyle. Mrs. Sharp congratulated Mr. Doyle on his appointment. Mr. Doyle commented that he is looking forward to a long career with the Harding Township Police Department and is very excited.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Resolution TC 22-128 – RESOLUTION TO APPOINT JOSEPH CINNANTE AS HARDING TOWNSHIP POLICE OFFICER

Mayor Jones asks **Township Committee Member Lacz** to proceed with Resolution TC 22-128 listed on the Non-Consent agenda.

WHEREAS, there exists a vacancy in the position of Police Officer in the Harding Township Police Department; and

WHEREAS, Chief Erik Heller has conducted a detailed evaluation process and background check; and

WHEREAS, the Township Committee, Township Administrator, Robert Falzarano, and Chief Erik Heller, have determined the need for appointing a Police Officer; and

WHEREAS, Joseph Cinnante has been employed as a NJ State Parole Officer and received his Police Training Certification for Basic Course for Investigators on December 16, 2020

WHEREAS, Joseph Cinnante will be required to successfully complete a waiver program of training at the Morris County Police Academy; and

WHEREAS, Chief Erik Heller recommends that Joseph Cinnante be appointed as a full-time Police Officer, commencing with a one-year probationary period with the Harding Township Police Department that is effective on July 1, 2022.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the recommendation of Chief Erik Heller and the Township Administrator, Robert Falzarano be approved and hereby appoint Joseph Cinnante as a full-time Police Officer of the Harding Township Police Department at the annual prorated salary of \$47,276; and once the police academy is successfully completed, at the annual salary of \$54,815 starting January 1, 2023.

Township Committee Member Lacz made 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 Chipperson.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mrs. Sharp, Municipal Clerk, conducted the oath of office with Joseph Cinnante. Mrs. Sharp congratulated Mr. Cinnante on his appointment.

Chief Heller welcomed both Officers as the two newest members of the Harding Township Police Department.

DISCUSSION ITEMS: NONE

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.

Mayor Jones opened the meeting for public comment. With no members of the public wishing to be heard the public comments section was closed.

ORDINANCES FOR SECOND READING: NONE

ADD-ON RESOLUTIONS: *Resolution TC 22-138 is an add-on resolution to the Consent Agenda.*

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

CONSENT AGENDA

Mayor Jones reported that we have an add-on resolution this evening. Resolution TC 22-138 is a resolution urging swift passage of S-330 which restores energy tax receipts.

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 22-129 THROUGH RESOLUTION TC 22-138 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Jones asks Township Committee Member Platt to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 22-129 through TC 22-138.

Township Committee Member Platt made a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Township Committee, seconded by Township Committee Member Yates.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPOINTMENTS:

Resolution TC 22-129 – Resolution Designating Deputy Custodians of Public Records

WHEREAS, the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., commonly known as “OPRA” was promulgated to increase public access to government records; and

WHEREAS, pursuant to OPRA, anyone wishing to review or obtain copies of government records must file a written request with the Custodian of Records, who at the municipal level of government is the Municipal Clerk; and

WHEREAS, OPRA does not preclude a municipality from developing reasonable and practical measures for handling and responding to OPRA requests, including designating Deputy Custodians of Records to ensure that the public is efficiently served and requests for government records are granted or denied in a prompt and expeditious manner; and

WHEREAS, every municipal department within the Township of Harding generates and maintains government records pertaining to its respective business matters and by designating Deputy Custodians of Records the Township is able to provide the public with direct access to government records from each municipal department with greater efficiency and timeliness.

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Harding that they deem it important to ensure that the public requests for government records are handled in a prompt and expeditious manner; and

BE IT FURTHER RESOLVED, that the following Township employees shall be designated Deputy Custodians of Records for the purpose of handling and fulfilling OPRA requests for those records that are maintained and kept in their respective departments:

Administrative Assistant to the Township Administrator
Assistant Administrator
Secretary to the Planning Board and Zoning Board of Adjustment
Chief Financial Officer
Finance Department
Chief of Police
Lieutenant, Police Department
Administrative Assistant / Secretary, Police Department
Superintendent of Public Works
Administrative Assistant to the Health Department
Construction Official
Technical Assistant to Construction Official
Zoning Code Enforcement Officer/Zoning Official/REHS

and;

BE IT FURTHER RESOLVED, all Deputy Custodian of Records shall comply with provisions set forth in the Open Public Records Act, as amended, and shall advise the Municipal Clerk any concerns that may arise in fulfilling a request for government records; and

BE IT FURTHER RESOLVED, that all requests for government records, together with the written responses and records, shall be maintained by the Municipal Clerk of the Township of Harding in accordance with the prescribed Records Retention Schedule promulgated by the State of New Jersey; and

BE IT FURTHER RESOLVED, that all other Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

CONTRACTS:

Resolution TC 22-130 – Approving External Alterations and Site Improvements to the Library Building and Library Site Owned and Operated by Harding Township Library, Inc., and Approving an Amendment to the Ground Lease Agreement By and Between the Township of Harding and Harding Township Library, Inc., Regarding the same

WHEREAS, the Township of Harding is the owner of certain real property located at the corner of Blue Mill Road and Sand Spring Road, as depicted on the Harding Township Tax Map as Block 19, Lot 12.07, consisting of approximately 14.49 acres, on which the Kirby Memorial Municipal Building, municipal tennis courts and Kemmerer Library, are currently located (the “Municipal Site”); and

WHEREAS, by Ordinance No. 7-08 adopted on June 4, 2008, the Township Committee authorized and approved a Ground Lease Agreement with Harding Township Library, Inc. (the “Library”), for purposes of leasing a portion of Block 19, Lot 12.07 for the construction and operation of a library building (the “Ground Lease Agreement”); and

WHEREAS, the Ground Lease Agreement, effective as of June 4, 2008, was executed by the Township and Library on July 23, 2008, and July 28, 2008, respectively; and

WHEREAS, paragraph 8 B of the Ground Lease Agreement provides:

- B. The Library shall not undertake any future alterations, structural changes to the exterior of the Library or any changes to the site improvements or utilities serving the Library Site or Library Building without prior approval of the Township. After the construction of the Library Building, the Library shall not apply for any building permit for any external alteration or site improvement without first having submitted construction drawings for review and approval by resolution of the Township and as well as obtaining any necessary site plan or other State, County or local approvals.

WHEREAS, the Library appeared before the Township Committee at the Committee’s March 14, 2022 public meeting for purposes of obtaining Township approval for certain external alterations and site improvements, specifically the installation of a new patio area and new lawn/garden area located generally at the western end of the existing Library Building (the “Improvements”); and

WHEREAS, the Improvements would necessitate extending the existing lease area identified in the Ground Lease Agreement, to include the area depicted on the schematic drawing prepared by Rosen Kelly Conway

Architecture & Design dated March 10, 2022 (the “Plan”) , a copy of which is on file with the Township Clerk; and

WHEREAS, the Township Committee supports the installation of the Improvements and therefore wish to formally memorialize their approval of the Plan and Improvements and to approve an amendment to the Ground Lease Agreement to include the expanded “Lease Parcel Easement” as that term is defined in the Ground Lease Agreement, for the Plan, and as more particularly depicted in that certain Lease Parcel Easement Map prepared by Steven D. Parent, NJLLS of Ferriero Engineering, Inc., last revised April 29, 2022, and as described in that certain metes and bounds description entitled *Legal Description, Lease Parcel Easement, Lot 12.07, Block 19, Harding Township, New Jersey*, dated April 29, 2022 and prepared by Steven D. Parent, NJLLS of Ferriero Engineering, Inc., copies of which are attached hereto.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, New Jersey that it does hereby approve of the proposed external alterations and site improvements requested by the Harding Township Library, Inc., as more particularly described during the Library’s presentation to the Township Committee at its March 14, 2022 public meeting and as generally depicted on the schematic drawing prepared by Rosen Kelly Conway Architecture & Design dated March 10, 2022 (the “Plan”) , a copy of which is on file with the Township Clerk; and

BE IT FURTHER RESOLVED, that the Township Committee does hereby approve of an amendment to the Ground Lease Agreement, generally in the form of agreement attached hereto, to include the Lease Parcel Easement Map prepared by Steven D. Parent, NJLLS of Ferriero Engineering, Inc., last revised April 29, 2022, and the metes and bounds description entitled *Legal Description, Lease Parcel Easement, Lot 12.07, Block 19, Harding Township, New Jersey*, dated April 29, 2022 and prepared by Steven D. Parent, NJLLS of Ferriero Engineering, Inc., copies of which are attached hereto, in lieu of the current Lease Parcel Easement and Lease Parcel Map referenced in the Ground Lease Agreement; and

BE IT FURTHER RESOLVED, that Mayor and Clerk are hereby authorized to execute said amendment agreement on behalf of the Township of Harding and that said amendment agreement shall not become effective unless and until executed by both parties and, to the extent required, Harding Township Library, Inc. obtains any necessary site plan or other State, County or local approvals, in accordance with paragraph 8 B of the Ground Lease Agreement.

Resolution TC 22-131 – Resolution to Authorize the Award of a Non-Fair and Open Contract for Data Cabling

WHEREAS, the Township of Harding has a need to acquire data wiring as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, Distinctive Voice & Data, LLC has submitted a proposal indicating they will provide the labor and material for data cabling for \$33,625.00; and

WHEREAS, Distinctive Voice & Data, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Distinctive Voice & Data, LLC has not made any reportable contributions to a political or candidate committee in the Township of Harding in the previous one year, and that the contract will prohibit the Distinctive Voice & Data, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$33,625.00 from account number # 04-2020-202002-4024-4-04071 and 04-2021-202107-4024-4-04222; and

WHEREAS, the total amount shall not exceed \$33,625.00.

BE IT RESOLVED, the Qualified Purchasing Agent is hereby directed to effectuate the purchase of herein approved equipment for the approved cost.

FINANCE:

Resolution TC 22-132 – Bill List

WHEREAS, vouchers for payment have been submitted to the Township Committee by various municipal departments.

BE IT RESOLVED, by the Township Committee of the Township of Harding that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

Resolution TC 22-133 – Cancellation of Certain Capital Ordinance Balances

WHEREAS, certain General Capital Ordinance balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended funded balances may be returned to the Capital Improvement Fund or credited to Capital Surplus, and unfunded debt authorizations may be cancelled; and

WHEREAS, Capital Ordinances with balances to be cancelled are as follows:

Capital Ordinance	Description	Funded	Unfunded
08-19	Interior Exterior Improvements: Shutters	\$ 13,076.92	
05-22	Acquisition of Public Works Equipment – 4WD Tractor	\$ 50,000.00	
TOTAL		\$ 63,076.92	-

BE IT RESOLVED, by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey that the unexpended and dedicated Capital Ordinance balances listed above be cancelled and funded balances returned to the Capital Improvement Fund or credited to Capital Surplus and unfunded debt authorizations cancelled.

Resolution TC 22-134 - Local Budget & Fiscal Affairs Law – Special Items of Revenue and Appropriation

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

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

BE IT RESOLVED, that the Township of Harding of the County of Morris hereby requests the Director of Local Government Services to approve the insertion of an additional unanticipated item of revenue in the budget of the year 2022 in the sum of \$7,000.00, which item, “Click It or Ticket 2022 Seat Belt Mobilization” has been awarded from the State of New Jersey Department of Transportation / National Highway Safety Administration; and

BE IT FURTHER RESOLVED, that the like sum of \$7,000.00 is hereby appropriated under the caption of “Click It or Ticket 2022 Seat Belt Mobilization”

Resolution TC 22-135 – Resolution to Amend Administrative Fees

WHEREAS, the Township Committee of the Township of Harding, County of Morris, State of New Jersey sets the fees of the Township by resolution; and

WHEREAS, the fees (Appendix A attached) have been reviewed and increased in accordance with §§171-1 and 171-4 of the Code of the Township of Harding.

BE IT RESOLVED, by the Township Committee of the Township of Harding that it does hereby approve of the amended fees for the Township for 2022 as reflected on Appendix A attached hereto shall become effective on June 21, 2022; and

BE IT FURTHER RESOLVED, that said fees shall become effective as of June 21, 2022.

Resolution TC 22-136 - Liquor License Renewals for 2022-2023 Application Year

WHEREAS, the applicants for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Harding Township Committee is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey, that the Harding Township Committee hereby agrees to issue to the following applicants, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence *July 1, 2022*, and to expire at midnight on *June 30, 2023* upon clearance of the fee to the Harding Township Treasurer's Account.

CLUB LICENSES:

<u>Applicants:</u>	<u>ADDRESS:</u>	<u>FEE:</u>
New Vernon Volunteer Fire Department Club License No. 1413-31-004-001	22 Village Road New Vernon, NJ	\$75.00
Mt. Kemble Lake Country Club Club License No. 1413-31-003-001	3 Trails End Morristown, NJ	\$75.00

PLENARY RETAIL CONSUMPTION/DISTRIBUTION LICENSE:

<u>Applicant:</u>	<u>ADDRESS:</u>	<u>FEE:</u>
MMBBQ LLC DBA Minuteman Smokehouse Plenary Retail Consumption License No. 1413-33-001-011	990 Mt. Kemble Avenue Morristown, NJ	\$2,500.00
Dharma Bhaki 09, LLC T/A The Country Store Plenary Retail Distribution License No. 1413-44-002-005	1098 Mt. Kemble Avenue Morristown, NJ	\$2,500.00

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicants.

MISCELLANEOUS:

Resolution TC 22-137 – Resolution Consenting to the Proposed Northeast Water Quality Management (WQM) Plan Amendment

WHEREAS, the Township Committee desires to provide for the orderly development of wastewater facilities within the Township of Harding; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on June 6, 2022, for Hurstmont-Glen Alpin has been prepared by Natural Systems Utilities.

BE IT RESOLVED, on this twentieth day of June, 2022, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that:

1. The Township Committee hereby consents to the Hurstmont-Glen Alpin amendment, and publicly noticed in the New Jersey on June 6, 2022, prepared by Natural System Utilities, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

Resolution TC 22-138 – Resolution Urging the Swift Passage of S-330 Which Restores Energy Tax Receipts

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

BE IT RESOLVED, that the Township Committee of the Township of Harding in the County of Morris, State of New Jersey urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Senator Bucco, Assemblywoman Dunn, Assemblyman Barranco, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

ORDINANCES FOR FIRST READING:

Mayor Jones explained he would like a motion to remove Ordinance #06-2022 so several changes can be made. A motion to remove Ordinance #06-2022 was made by Township Committee Member Lacz and seconded Township Committee Member Yates. Mrs. Sharp called the roll and with all ayes, none opposed, Ordinance 06-2022 was removed from introduction at the June 20, 2022 meeting for further review.

**HARDING TOWNSHIP
ORDINANCE #06 – 2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING RESCINDING AND REPLACING
ARTICLE XXI, CHAPTER 225-111 OF THE CODE OF THE TOWNSHIP OF HARDING
ENTITLED TREE CONSERVATION**

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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.

Mayor Jones asks the Municipal Clerk for a Roll Call to remove Ordinance #06-2022 from the agenda for further review: Mrs. Sharp called the roll as follows:

Vote on Removal:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Louis Lanzerotti, resident – *thanked the Township Committee from tabling this ordinance. Mr. Lanzerotti provided the Township Committee with a copy of his comments regarding the draft tree ordinance, which is appended to these minutes. Mr. Lanzerotti suggested that the Township Committee form a small ad-hoc committee of interested and affected resident, including those with naturally forested acreage, to review the draft ordinance. Of concern to Mr. Lanzerotti is Section G, Article 1 “Protection of trees on private property and Tree Conservation Area(s)”. Mr. Lanzerotti commented this section as drafted would give Harding government complete control over every tree greater than 6” diameter on all private property in Harding. Mr. Lanzerotti believes this to be massive overreach.*

Lotte Newlin, 61 Blue Mill Road – *commented this ordinance is overreach and she would like to be a part of that committee Mr. Lanzerotti mentioned.*

Alf Newlin, 61 Blue Mill Road – *commented that he believes there to be serious problems and concerns with Section G. This is huge control. Mr. Newlin commented that the vast part of Harding are good stewards. Mr. Newlin explained there is no mention of combating invasive species. Mr. Newlin commented that abnormal trees is not a good term to use. Mr. Newlin asked for the data.*

Rich Clew, Blue Mill Road – *commented he agrees with all comments made this evening. The landmark tree section adds no value, adds random criteria, homeowners cannot accept or decline. Mr. Clew does not see value with this draft ordinance. Mr. Clew asked that replacement tree section should have replacements being native.*

Township Committee Member Platt – *commented that he does not agree with the comments made this evening.*

A lengthy discussion ensued pertaining to Ordinance 06-2022 from members of the public and the Township Committee. The Township Committee thanked all residents for their comments.

ORDINANCES FOR FIRST READING:

Mayor Jones asked Township Committee Member Platt to introduce Ordinance #07-2022.

Township Committee Member Platt introduced 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”

Township Committee Member Platt reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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 Platt offered Ordinance #07-2022 and moved its introduction.

Township Committee Member Chipperson seconded the motion.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Introduction:

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

ORDINANCES FOR FIRST READING:

Mayor Jones asks Township Committee Member Yates to introduce Ordinance #08-2022.

Township Committee Member Yates introduces 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

Township Committee Member Yates explains the purpose of the Ordinance.

Township Committee Member Yates reported that many variance applications go before the Board of Adjustment for playsets. It is expensive to file a variance for something that is minimal.

Mr. Roselli, Township Attorney, commented that the ordinance will be amended so it says "250 square feet". The word "square" is being added after the 250.

Township Committee Member Yates reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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 offered Ordinance #08-2022 as amended and moved its introduction.

Township Committee Member Platt seconded the motion.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES FOR FIRST READING:

Mayor Jones asked Township Committee Member Yates to introduce Ordinance #09-2022.

Township Committee Member Yates introduced 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**

Township Committee Member Yates read:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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 offered Ordinance #09-2022 and moved its introduction.

Township Committee Member Platt seconded the motion.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Introduction:

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

ORDINANCES FOR FIRST READING:

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

Township Committee Member Yates introduced 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

Township Committee Member Yates read:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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 offered Ordinance #10-2022 and moved its introduction.

Township Committee Member Platt seconded the motion.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES FOR FIRST READING:

Mayor Jones reported after further review, this ordinance will be removed so amendments can be made.

**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 reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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.

Mayor Jones asked the Municipal Clerk for a Roll Call vote to remove Ordinance 11-2022 from the agenda for further review: Mrs. Sharp called the roll as follows:

Vote on Removal:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Rich Clew, resident – commented is there a noise limit and decibel limit. Further review will be conducted.

ORDINANCES FOR FIRST READING:

Deputy Mayor Yates asked Township Committee Member Lacz to introduce Ordinance #12-2022. *Mr. Roselli, Township Attorney, explained that this Ordinance is part of a Planning Board approval for a Conservation Easement on part of the land.*

Township Committee Member Lacz introduced 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**

Township Committee Member Lacz read:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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 Lacz offered Ordinance #12-2022 and moved its introduction.

Township Committee Member Chipperson seconded the motion.

Deputy Mayor Yates asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ORDINANCES FOR FIRST READING:

Mayor Jones asked Township Committee Member Yates to introduce Ordinance #13-2022.

Township Committee Member Yates introduced Ordinance 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**

Township Committee Member Yates reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on June 20, 2022.

BE IT RESOLVED, that at the Township Committee meeting to be held on July 11, 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 offered Ordinance #13-2022 and moved its introduction.

Township Committee Member Platt seconded the motion.

Mayor Jones asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

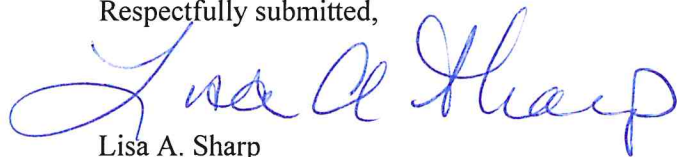
Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADJOURNMENT – Mr. Jones

With no further comments, Mayor Jones asked for a motion to adjourn. Upon a motion made by Township Committee Member Yates, seconded by Township Committee Member Lacz, and with a vote of all ayes, none opposed, the meeting adjourned at 9:15 pm.

Respectfully submitted,



Lisa A. Sharp
Municipal Clerk

Comments on draft Ordinance 06-2022: Made on the basis of Harding's "semi-rural character, natural resources", and long-standing philosophy of limiting regulations so as not to burden residents.

I urge that the first reading of this ordinance be tabled.

I request that a small ad hoc committee of interested and affected Harding residents, including those with naturally forested acreage, be convened to discuss the draft ordinance before it might be re-drafted and any subsequent introduction. An interested member of the Harding Environmental Commission should be a member of this citizens' committee.

Of primary concern is Section G, Article 1, "Protection of trees on private property and Tree Conservation Area(s)"

This Section as drafted would give Harding government complete control over every tree greater than 6" diameter on all private property in the Township. This is massive government overreach. It is an unprecedented attempt for government control of Harding residents and their properties. The attempt is totally inconsistent with the 100 year philosophy of government in Harding to minimize regulations and to encourage citizens to maintain and enjoy their properties without government regulating their lives. There has been, and is justification for the past conservation easements on private properties. This current attempt at control without exception over all private property is made without any scientific analyses or other justifications for such government control. Property owners know how to best manage their properties.

The penalty for any violation is staggering (\$1,000), and no permit exemptions are made for anything. At the whim of almost anyone, any tree greater than 6" could be classified, or attempt to be classified, as "historical". Financial implications for any resident challenging Harding government on any aspect of this Section (if adopted) would be staggering.

Further, this expansion of government control (and thus an increase in government personnel) means that Harding residents who have long preserved acreage of mature trees in forest settings cannot cut any of them for any purpose without a permit and must pay the accompanying fee (which will be used to pay the government personnel that gives or withholds permission). The trees in the majority of natural forested areas in Harding are close to, if not older than, 100 years; they have grown since the time when many areas were pasture land.

Also of concern is Section H, Article 7, Exemptions from permit requirements and penalties.

Certainly, some oversight needs to be had over indiscriminate clear cutting or extreme cutting of private properties and especially natural forests. But requiring a detailed bureaucratic permit (with costs) citing description and location and species and size of a single tree is extreme over regulation for an owner, and especially a forest owner, who has preserved their trees and forests, often for decades, and who, for example, wants to cut a single tree for personal firewood. An owner of a naturally occurring dense forest also knows when and how (from long experience) to remove a diseased tree (Section H, Article 7). No regulatory permit with costs should be required in such a case.

This proposed extreme regulatory control is singularly inconsistent with Harding's philosophy of eliminating or minimizing regulations that do not impact public safety and health. Such regulatory control is an affront to Harding residents who have stewarded their trees and forests, often for years and decades. And as such, have provided forested scenery in Harding and have provided substantial CO₂ capture, among many public benefits.

Full disclosure: we have preserved for decades 11 acres of dense natural forests (grown naturally since the last pasturing more than 100 years ago). We have provided CO₂ sequestration. We do not want to be over regulated on what we can do in our forests.

Please table this Ordinance and convene the suggested committee of Harding residents who have preserved, and continue to preserve, the trees and forested areas of our wonderful community. Please save and maintain Harding as a semi-rural community without massive and unneeded government regulation.

Louis J. Lanzerotti PhD
20 June 2022