

HARDING TOWNSHIP COMMITTEE
MONDAY, JULY 11, 2022
IN-PERSON
EXECUTIVE SESSION at 6:00 PM
REGULAR MEETING AGENDA at 7:00 PM
Kirby Hall, Blue Mill Road, New Vernon, New Jersey
MEETING MINUTES

CALL MEETING TO ORDER – Mayor

Mayor Jones called the meeting to order at 6:01 pm.

ADEQUATE NOTICE of this July 11, 2022 meeting of the Harding Township Committee was sent to the Observer Tribune on January 3, 2022 and published in the Observer Tribune on January 6, 2022.

Mayor Jones announced that adequate notice of this July 11, 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:

<i>Present:</i>	<i>Ms. Chipperson, Mr. Platt (arrived at 6:04 pm), Mr. Yates, Mr. Jones</i>
<i>Absent:</i>	<i>Dr. Lacz</i>
<i>Also Present:</i>	<i>Mr. Falzarano, Township Administrator; Mr. Mark Roselli, Township Counsel; Mrs. Sharp, Municipal Clerk; Mr. Goldsmith, Special Counsel; Mr. DeNave, Assistant Administrator</i>

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 Chipperson, 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 6:02 pm.

Resolution TC 22-139 - Resolution to Recess into Executive Session

BE IT RESOLVED, by the Harding Township Committee that it shall adjourn into executive session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b; and

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of

Harding provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Township Committee will return to public session after this Executive Session.

Contracts:

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

Personnel:

1. Police Appointment – R. Falzarano

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	1 st	<input checked="" 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 checked="" type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input 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"/>

Let the record show that Mr. Platt arrived at 6:04 pm.

RECONVENE INTO PUBLIC SESSION – Mayor

Mayor Jones asked for a motion to reconvene into public session. Upon a motion made by Township Committee Member Platt, seconded by Township Committee Member Chipperson, 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, Mr. Platt, Mr. Yates, Mr. Jones

Absent:

Dr. Lacz

Also Present:

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

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 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.

Mayor Jones announced that adequate notice of this July 11, 2022 meeting of the Township Committee was called to order in accordance with the Open Public Meetings Act.

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones

There were no announcements/presentations/reports or correspondence.

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

DISCUSSION ITEMS:

1. 2021 Audit – B. Swisher

Mr. Steve McDermott, Auditor explained he is here this evening to report on the 2021 audit as Mr. Swisher was unable to attend. Mr. McDermott reported that his team conducted field work in May and part of June and the good news is that an unmodified opinion was provided to Harding Township. There was nothing material to report on. Mr. McDermott explained that formal items were discussed at the Department Head meeting with Mr. Falzarano and Mr. Shah and once Mr. McDermott has met with Mr. Fiore and Mr. Shah the audit report will be issued. Mr. McDermott reported that for the 2022 audit, the shared court with Long Hill Township will be a part of the Township's audit. Mr. McDermott commented that with the ARC funding, the Township should keep an eye on this. Mr. McDermontt thanked Mr. Fiore and his team for all their assistance during the audit.

The Township Committee thanked Mr. McDermott for attending the meeting. Let the record show that Mr. McDermott left the meeting at 7:11 pm.

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 at 7:13 pm for public comment.

Mr. Lanzerotti, Brook Drive North – commented he is a 57 year tax payer in Harding and thanked the Township Committee for withdrawing the Tree Ordinance and commented that one should not just criticize but should offer the Township Committee comments and suggestions. Mr. Lanzerotti provided suggestions to the

Township Committee and asked that his comments be a part of the minutes. A copy of Mr. Lanzerotti's suggestions are appended to these minutes.

Mayor Jones thanked Mr. Lanzerotti for his comments.

Mr. Alf Newlin, Blue Mill Road – *commented he agrees with Mr. Lanzerotti's comments and mentioned he would add do not forget invasives and would like to see the data.*

With no further comments, Mayor Jones closed the public comment portion of the meeting.

ORDINANCES FOR SECOND READING:

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

Township Committee Member Platt read 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"

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

The Municipal Clerk States: *Mrs. Sharp reported that a legal notice was sent for publication on June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #07-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.*

Mayor Jones opened the public hearing on the Ordinance at 7:17 pm and announced any member of the public may be heard.

Mr. Lanzerotti, Brook Drive North – *commented he supports the Shade Tree Ordinance but would like to ensure that leadership of the committee understands Harding, the properties in Harding, and how Harding has been governed in terms of trees and other environmental aspects going forward.*

Mayor Jones closed the public hearing at 7:18 pm.

Township Committee Member Platt offered Ordinance #07-2022 and moved its adoption. 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 Adoption:

J 7-11-2022

	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Platt	1 st	<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 SECOND READING:

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

Township Committee Member Yates read 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**

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

The Municipal Clerk States: *Mrs. Sharp reported a legal notice was sent for publication on June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #08-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-15B) copies were sent to the surrounding towns and to the Morris County Planning Board. Copies of this Ordinance were made available to the general public, posted on the Harding Township website, and posted in accordance with the law.*

Mayor Jones opened the public hearing on the Ordinance at 7:20 pm and announced any member of the public may be heard.

Township Committee Member Chipperson reported she will be voting no for this resolution because she believes “play structure” should be defined. R. Chipperson explained that a Ninja Warrior type structure could possibly go into this 250 foot space. There should be more clarity with regards to the 250 feet size. Township Committee Member Platt asked R. Chipperson how you would clarify this. R. Chipperson commented by limiting the dimensions; no dimension longer than 5 feet and no higher than 5 feet.

Mr. Newlin, Blue Mill Road – commented that Ms. Chipperson should be happy with the ordinance as she is the one who brought it to the Planning Board. A discussion ensued regarding dimensions.

Mr. DeNave, Assistant Administrator – reported that it would be best to adopt this ordinance as it is better than what the Township currently has and then amend the ordinance, if necessary, later. Mr. Roselli, Township Attorney asked that R. Chipperson send him more information and he will review her comments for a possible amendment to the ordinance. A further discussion ensued regarding an amendment to the ordinance.

With no further comments, Mayor Jones closed the public hearing at 7:31 pm.

Township Committee Member Yates offered Ordinance #08-2022 and moved its adoption. 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 Adoption:

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

ORDINANCE FOR SECOND READING:

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

Township Committee Member Yates read 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**

Mayor Jones asked the Municipal Clerk to provide a summary of the legal notice.

The Municipal Clerk States: Mrs. Sharp reported a legal notice was sent for publication on June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #09-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter

for consideration of final adoption. Pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-15B) copies were sent to the surrounding towns and to the Morris County Planning Board. Copies of this Ordinance were made available to the general public, posted on the Harding Township website, and posted in accordance with the law.

Mayor Jones opened the public hearing on the Ordinance at 7:34 pm and reported any member of the public may be heard.

With no comments, Mayor Jones closed the public hearing at 7:34 pm.

Township Committee Member Yates offered Ordinance #09-2022 and moved its adoption. 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 Adoption:

	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ORDINANCE FOR SECOND READING:

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

Township Committee Member Yates read 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

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

The Municipal Clerk States: *Mrs. Sharp reported a legal notice was sent for publication on June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #10-2022*

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

Mayor Jones opened the public hearing on the Ordinance at 7:36 pm and reported any member of the public may be heard. *Mayor Jones commented he does not understand why the Township had to do this ordinance considering the State made the change allowing electric charging stations for vehicles in any zone, but specifically in the Township's B-2.*

Mr. Roselli, Township Attorney explained he understands there was discussions on this regarding the stations itself. *Mr. Roselli commented a suggestion would be under the State Ordinance under the Health/Safety Statute does provide the Township with some leeway to control this. Mr. Roselli commented that a separate ordinance dealing with charging stations and quantifying that can be made. A discussion ensued regarding the height and size of the charging stations. The Township may make an argument to change the height by using it is a safety concern. Mr. Roselli commented that an amendment to this ordinance could be made using safety concern. Mr. Roselli will come up with a draft separate ordinance for the Township Committee to review.*

Mayor Jones closed the public hearing at 7:40 pm.

Township Committee Member Yates offered Ordinance #10-2022 and moved its adoption. 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 Adoption:

	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ORDINANCE FOR SECOND READING:

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

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

**HARDING TOWNSHIP
ORDINANCE #12-2022**

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

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 20, 2022.

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

The Municipal Clerk States: *Mrs. Sharp reported a legal notice was sent for publication on June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #12-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.*

Mayor Jones opened the public hearing on the Ordinance at 7:43 pm and reported any member of the public may be heard.

Mr. Lanzerotti, Brook Drive North – *commented where the verbal description of the wetlands is. Mr. DeNave, Assistant Administrator responded that there are wetlands at the triangular corner of Route 202.*

Mayor Jones closed the public hearing at 7:45 pm.

Township Committee Member Chipperson offered Ordinance #12-2022 and moved its adoption. Township Committee Member Platt seconded the motion.

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

Vote on Adoption:

	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ORDINANCE FOR SECOND READING:

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

Township Committee Member Yates read 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**

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

The Municipal Clerk States: *Mrs. Sharp reported a legal notice was sent for publication on June 20, 2022 to the Observer Tribune for publication on June 23, 2022 indicating that Ordinance #13-2022 was introduced and passed on first reading at the June 20, 2022 meeting and indicated that the second reading and public hearing were to be held on July 11, 2022 at 7:00 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.*

Mayor Jones opened the public hearing on the Ordinance at 7:46 pm and explained any member of the public may be heard.

With no members of the public wishing to be heard, Mayor Jones closed the public hearing at 7:46 pm.

Township Committee Member Yates offered Ordinance #13-2022 and moved its adoption.

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 Adoption:

	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ADD-ON RESOLUTIONS: NONE

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

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

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

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

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

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

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

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

Deputy Mayor Yates asked for a motion to approve Resolution TC 22-140. Upon a motion made by Township Committee Member Yates, seconded by Township Committee Member Platt.

Deputy Mayor Yates 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 22-141 THROUGH RESOLUTION TC 22-146 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Jones asked Township Committee Member Yates to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 22-141 through TC 22-146.

Township Committee Member Yates 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 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

APPOINTMENTS: NONE

CONTRACTS:

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

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

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

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

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Harding, County of Morris, State of New Jersey and

that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolution TC 22-144 – Resolution to Authorize an Increase to the Professional Services Contract for Greenbaum Rowe Smith & Davis LLP

WHEREAS, at the January 3, 2022 Township Committee meeting, the Township Committee authorized \$25,000.00 for the services of Greenbaum Rowe Smith & Davis LLP, under their professional services contract; and

WHEREAS, at the May 9th, 2022 Township Committee meeting, the Township Committee authorized an additional \$85,000.00 for the services of Greenbaum Rowe Smith & Davis LLP, under their professional services contract; and

WHEREAS, it is necessary to increase the authorization for the services of Greenbaum Rowe Smith & Davis LLP, under their professional services contract to perform redevelopment/disposal/diversion tasks; and

WHEREAS, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$15,000.00 from account number # 05-5000-0000-0170-2-00000; and

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

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the following contract is hereby awarded for a one year period; and

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

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

FINANCE:

Resolution TC 22-145 – Bill List

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

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

MISCELLANEOUS:

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

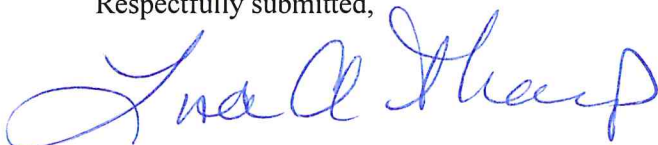
BE IT RESOLVED, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby accepts the retirement of Chief Erik Heller effective February 1, 2023.

ORDINANCES FOR FIRST READING: NONE

ADJOURNMENT – Mr. Jones

With no further comments, Mr. Jones asked for a motion to adjourn. Upon a motion made by Township Committee Member Platt, seconded by Township Committee Member Yates and with a vote of all ayes, the meeting adjourned at 7:47 pm.

Respectfully submitted,



Lisa A. Sharp
Municipal Clerk

Thoughts on Harding Tree Ordinance

Thanks to the Township Committee for deferring action on a draft tree ordinance that had a number of features that were not in keeping with Harding's past and current respect for the environment, semi-rural character, respect for private property, and individual responsibility.

Since I raised some concerns with respect to the draft ordinance, I feel some responsibility to offer suggestions related to possible paths forward. These are only suggestions to be considered and debated with other interested committees in Harding and other interested individuals. This short memo is intended to be only one element of the discussion and decision-making process.

1. Convene a small committee of interested and knowledgeable residents to advise the Township Committee and relevant standing committees (e.g., Shade Tree Advisory Committee; Environmental Commission) to review tree issues and problems in Harding and possible adjustments to a tree ordinance. The committee should not be self-organized, but assembled carefully by the Township Committee.
2. Consider the drafting of two separate ordinances, one for trees on public properties (including road right of ways) and a second for private properties.

I address only private properties in the following.

3. Distinguish between the several zoning districts. The current ordinance does this in terms of defining the dimensions of the "conservation easement" areas.
4. Maintain current conservation easement regulations in all zoning districts.
5. Define "clear cutting" in the context of zoning district and private property (developed land; undeveloped land; commercial; etc.).
6. Recognize that private properties in the R-1 and RR zones (both developed and undeveloped) can have large areas of tree coverage, and that many (all?) of the trees are likely to be natural forests grown back since the "abandonment" of large-scale Harding farming and livestock raising over 100 years ago. Trees were also extensively harvested for building and for energy for businesses in the region. Owners/stewards of such areas should not be burdened with identifying individual trees, or with restrictions on any cutting of any individual tree or trees whether living or dead. Recognition should be given to owners employing good stewardship of their forests, and not burden them with onerous regulations.
7. Define "historic" trees and possible procedures for identifying and stewarding them without burdening owners of the properties where they may exist.
8. The boundaries between large properties, especially those heavily treed, can be uncertain to owners, and especially more recent owners. Consider possible recommendations for owners to be responsible for marking their boundaries with fences or spaced fence posts or in some other manner. Such recommendations (perhaps enforced by regulation?) would eliminate uncertainties as to the location of conservation easements on large properties. "Good fences make good neighbors" (Robert Frost, *Mending Wall*, 1914).

Louis J. Lanzerotti
8 July 2022