

HARDING TOWNSHIP COMMITTEE MAY 15, 2023 IN-PERSON EXECUTIVE SESSION at 6:00 PM

REGULAR MEETING AGENDA at 7:00 PM

Kirby Hall, Blue Mill Road, New Vernon, New Jersey

CALL MEETING TO ORDER - Mayor

ADEQUATE NOTICE of this May 15, 2023, meeting of the Harding Township Committee was sent to the Observer Tribune on January 6, 2023, and published in the Observer Tribune on January 12, 2023.

ROLL CALL – Municipal Clerk

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

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Resolution TC 23-102- Resolution to Recess into Executive Session

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

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Harding provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Township Committee will return to public session after this Executive Session.

Contracts:

- 1. Hurstmont Site Plan/Financial Agreement/Redevelopment Agreement R. Goldsmith
- 2. Affordable Housing M. Edwards

Litigation:

1. Verizon – M. Edwards

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT			
Ms. Chipperson								
Dr. Lacz Mr. Platt								
Mr. Yates								
Mr. Jones								
RECONVENE II	NTO PUBLIC	SESSION – Mayo	r					
ROLL CALL - N	Municipal Cler	rk M	s. Chipperson, Dr. L	acz, Mr. Platt, Mr. Y	Yates, Mr. Jones			
PLEDGE OF AL	LEGIANCE -	- Mayor						
sent to the <i>DAII</i> OBSERVER TRI Municipal Buildin	ADEQUATE NOTICE of this meeting of the Harding Township Committee was given as follows: Notice was sent to the <i>DAILY RECORD</i> and the <i>OBSERVER TRIBUNE</i> on January 6, 2023, and published in the OBSERVER TRIBUNE on January 12, 2023; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on January 6, 2023, and Notice was filed with the Municipal Clerk on January 6, 2023.							
RESOLUTION MINUTES	TC 23-103	RESOLUTION 7	TO ACCEPT TOV	WNSHIP COMMI	TTEE MEETING			
Mayor Jones as	ks Township	Committee Mem	iber to pi	roceed with Resol	lution TC 23-103.			
BE IT RESOLVED , by the Township Committee of the Township of Harding that the minutes from the following meetings are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: April 17, 2023; and								
BE IT FURTHER RESOLVED , by the Township Committee of the Township of Harding that the minutes from the following Executive Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: April 17, 2023.								
Mayor Jones asks for a motion to accept the Township Committee meeting minutes.								
Seconded by Township Committee Member								
Mayor Jones as	ks the Munici	pal Clerk for a Ro	ll Call:					
Vote on Resolution	on:							

Harding Township Committee Agenda May 15, 2023 Regular Meeting

Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT		
ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones							
DISCUSSION IT	TEMS:						

MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight.

To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

ORDINANCES FOR SECOND READING:

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #03-2023.

Township Committee Member Yates reads Ordinance TC #03-2023 by title as follows:

HARDING TOWNSHIP ORDINANCE #03–2023

"AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on April 17, 2023.

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

The Municipal Clerk States: A legal notice was sent for publication on April 17, 2023 to the Observer Tribune indicating that Ordinance #03-2023 was introduced and passed on first reading at the April 17, 2023 meeting and indicated that the second reading and public hearing were to be held on May 15, 2023 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 : T public may be he		now open for pub	olic hearing on the C	Ordinance and	any member of the
Mayor Jones: cl	loses the publ	ic hearing.			
Township Comm	nittee Member	Yates: I offer Or	dinance #03-2023 a	and move its a	doption.
Township Comm	nittee Member	se	conds the motion.		
Mayor Jones ask	ks the Municip	oal Clerk for a Rol	ll Call:		
Vote on Adoption	<u>ı:</u>				
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mayor Jones as: 105 listed on the	ks Township Non-Consent	Committee Menagenda.	UIRING SEPARA' nbert et – Fiscal Year 202	to proceed wit	: h Resolution TC 23-
WHEREAS, the	local municipal	budget for the year	2023 was approved	on the 17 th day	of April, 2023; and
WHEREAS, the p	oublic hearing o	on said budget will b	be held as advertised	on the 15th day	of May, 2023; and
WHEREAS, it is	desired to amer	nd said approved bu	dget.		
		U 3	e Township of Hards proved budget of 202	O .	nty of Morris, State of
General Revenues (1) Surplus	s Anticipated		From: \$2,550,0	00.00	To: \$2,342,617.11
General Revenues (3) Miscel		ues – Section B: Sta	ate Aid Without Offse	etting Appropria	ations
Ga	arden State Tru	st	From: \$0.00		To: \$10,606.00

(10) Miscellaneous Revenues - Section G; Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services

Α	merican Rescu	e Plan	From: \$0.00		o: 196,776.89		
Total General Ro \$10,265,6				\$10,265,660.31			
BE IT FURTHER RESOLVED , that two certified copies of this resolution be filed forthwith with the Director of Local Government Services for approval.							
NON-CONSENT	TAGENDA V	OTE:					
Mayor Jones: 7 of the public ma		s now open for pul	olic hearing on Reso	olution TC 23-10	04 and any member		
Mayor Jones:	closes the pub	lic hearing.					
Mayor Jones as listed on the Nor			mber to p	proceed with Res	solution TC 23-104		
			would like to make by consent of the To		prove the resolution tee.		
Seconded by To	wnship Comn	nittee Member	·				
Mayor Jones as	ks the Munici	pal Clerk for a Ro	ll Call:				
Vote on Resolu	tion:						
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT		
RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION):							

Resolution TC 23-105- Public Hearing & Adoption of Budget - Municipal Budget Notice Fiscal **Year 2023**

Mayor Jones asks Township Committee Member Yates to proceed with Resolution TC 23-105 listed on the Non-Consent agenda.

Public Hearing & Adoption of Budget -- Municipal Budget Notice - Fiscal Year 2023

WHEREAS, the Township Committee introduced and approved the 2023 Municipal Budget on April 17, 2023; and

WHEREAS, the approved introduction of the budget was advertised as required by law on April 17, 2023 in the April 20, 2023 edition of the Observer Tribune with notice of the public hearing to be held on May 15, 2023.

BE IT RESOLVED, that, as amended, the following statements of revenues and appropriations shall constitute the municipal budget for the year 2023:

Summary of Revenues	Anticipated			
	2023	2022		
1. Surplus	2,342,617.11	2,750,000.00		
2. Total Miscellaneous Revenues	1,702,130.20	1,598,615.14		
Receipts from Delinquent Taxes	90,000.00	90,000.00		
4. a) Local Tax for Municipal Purposes	6,130,913.00	6,023,815.00		
b) Addition to Local School District Tax				
c) Minimum Library Tax				
Tot Amt to be Rsd by Taxes for Sup of Muni Bnd	6,130,913.00	6,023,815.00		
Total General Revenues	10,265,660.31	10,462,430.14		

	Summa	ry of Appropriations	2023 Budget	Final 2022 Budget
1.	Operating Expenses:	Salaries & Wages	3,826,545.00	3,757,600.00
		Other Expenses	3,559,908.31	3,688,530.14
2. Deferred Charges & Other Appropriations		1,073,207.00	943,100.00	
3. Capital Improvements			450,000.00	773,600.00
4.	Debt Service (Include for Scho	ol Purposes)	416,000.00	379,600.00
5.	Reserve for Uncollected Taxes	3	940,000.00	920,000.00
	Total General A	ppropriations	10,265,660.31	10,462,430.14
To	tal Number of Employees		52	50

Sewer			
2023 Dedicated Utility	Utility Budget		
Summary of Revenues	Anticipated		
	2023	2022	
1. Surplus	56,900.00	56,000.00	
2. Miscellaneous Revenues	200,000.00	200,000.00	

3.	Deficit (General Budget)			
	Total Revenues		256,900.00	256,000.00
	Summar	ry of Appropriations	2023 Budget	Final 2022 Budget
1.	Operating Expenses:	Salaries & Wages	32,900.00	32,000.00
		Other Expenses	202,000.00	202,000.00
2.	Capital Improvements		20,000.00	20,000.00
3.	Debt Service			
4.	Deferred Charges & Other App	propriations	2,000.00	2,000.00
5.	Surplus (General Budget)			
	Total Appropria	tions	256,900.00	256,000.00
Tota	I Number of Employees			

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the budget set forth for 2023 is hereby adopted.

NON-CONSENT AGENDA VOTE:

Mayor Jones: The meeting is now open for public hearing on Resolution TC 23-105 and any member of the public may be heard.

Mayor Jones: closes the public hearing.

Mayor Jones asks **Township Committee Member Yates** to proceed with Resolution TC 23-105 listed on the Non-Consent agenda.

Township Committee Member Yates: I would like to make a motion to approve the resolution placed on this evening's Non-Consent Agenda by consent of the Township Committee.

Seconded by	Township	Committee M	lember
•	-		

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones					

ORDINANCES FOR SECOND READING:

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #04-2023.

Township Committee Member Yates reads Ordinance TC #04-2023 by title as follows:

HARDING TOWNSHIP ORDINANCE #04–2023

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 \$578,600

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on April 17, 2023.

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

The Municipal Clerk States: A legal notice was sent for publication on April 17, 2023 to the Observer Tribune indicating that Ordinance #04-2023 was introduced and passed on first reading at the April 17, 2023 meeting and indicated that the second reading and public hearing were to be held on May 15, 2023 at 7:00 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.

Mayor Jones: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

public may be heard.						
Mayor Jones: c	loses the publ	lic hearing.				
Township Comm	nittee Member	r Yates: I offer Or	dinance #04-2023	and move its adop	otion.	
Township Comm	nittee Member	rse	conds the motion.			
Mayor Jones asl	ks the Munici	pal Clerk for a Ro	ll Call:			
Vote on Adoption	<u>ı:</u>					
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT	

ORDINANCES FOR SECOND READING:

Mayor Jones asks Township Committee Member Chipperson to read Ordinance TC #05-2023. Q 05-16-2023

Township Committee Member Chipperson reads Ordinance TC #05-2023 by title as follows:

HARDING TOWNSHIP ORDINANCE #05-2023

"ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, REVISING CHAPTER 171, SECTION 16, HARDING TOWNSHIP VARIANCE FEES"

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on April 17, 2023.

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

The Municipal Clerk States: A legal notice was sent for publication on April 17, 2023 to the Observer Tribune indicating that Ordinance #05-2023 was introduced and passed on first reading at the April 17, 2023 meeting and indicated that the second reading and public hearing were to be held on May 15, 2023 at 7:00 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.

Mayor Jones: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Jones: closes the public hearing.						
Township Com	mittee Memb	er Chipperson:	I offer Ordinance #	05-2023 and mov	e its adoption.	
Township Comr	mittee Member	r se	econds the motion.			
Mayor Jones as	ks the Munici	pal Clerk for a Ro	ll Call:			
Vote on Adoption	<u>n:</u>					
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT	
ADD-ON RESOLUTIONS:						
RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE						

CONSENT AGENDA

The following items are considered to be routine by the Harding Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a Township Committee Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

RESOLUTIONS TC 23-106 THROUGH RESOLUTION TC 23-116 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGE	NDA VOTE:				
		ommittee Member 223-106 through TC	to proce 23-116.	eed with the Resol	utions listed on the
		: I would y consent of the To	like to make a motio wnship Committee.	n to approve the re	esolutions placed on
Seconded by Tow	nship Committ	ee Member	·		
Mayor Jones ask	s the Municipal	Clerk for a Roll Ca	ıll:		
Vote on Resolution	on:				
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT

APPOINTMENTS:

Resolution TC 23-106 – Resolution to Appoint Municipal Court Judge for Harding Township Shared Municipal Court

WHEREAS, the Township of Harding and Township of Long Hill have entered into a shared services agreement for a shared municipal court; and

WHEREAS, in accordance with paragraph 2 of the Shared Services Agreement for Shared Municipal Court, Long Hill Township has agreed to furnish its municipal court facilities and personnel, and Harding Township agreed that Long Hill Township's Municipal Court Judge, James Bride, shall serve as the Municipal Court Judge for Harding Township in the Shared Municipal Court; and

WHEREAS, the term of the Municipal Court Judge James Bride will end on May 5, 2023; and

WHEREAS, the Township Committee wishes to re-appoint James Bride as the Municipal Court Judge for Harding Township in the shared Municipal Court. To commence May 6, 2023, and end on May 5, 2026, and until a successor is appointed and qualified.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that in accordance with the terms and conditions of the Shared Services Agreement for Shared Municipal Court between Long Hill Township and Harding Township and pursuant to NJSA 2B:12-4, that it does hereby authorize the appointment of James Bride, as Municipal Court Judge for the Township of Harding for the Shared Municipal Court.

Resolution 23-107 – Resolution Appointing Keena-Lyn Simmons as Part-time Finance/Tax Assistant

WHEREAS, there exists a part-time vacancy in the position of Finance/Tax Assistant in the Finance office; and

WHEREAS, the Assistant Administrator Vincent DeNave has determined that Keena-Lyn Simmons is qualified for the position; and

WHEREAS, Mr. Falzarano, Township Administrator recommends Ms. Simmons be hired as part-time Finance/Tax Assistant for the Finance's Office at a rate of \$25.27, not to exceed a 28-hour work week. After thirty (30) days, the position of Human Resources Assistant will be added to Ms. Simmons' responsibilities at a total rate of \$30.00 per hour, not to exceed a 28-hour work week.

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that effective May 16, 2023, Keena-Lyn Simmons is hereby appointed as Finance/Tax Assistant for the Finance office at an hourly rate of \$25.27 not to exceed a 28-hour work week, with employment subject to terms and conditions set forth in the letter of employment and the Township of Harding Policies and Procedures Manual.

CONTRACTS:

Resolution TC 23-108 – Resolution Authorizing and Approving a Shared Services Agreement for Public Health Services Between the Township of Harding and the County of Morris, Department of Law & Public Safety, Division of Public Health

WHEREAS, the Board of Health has negotiated a shared services agreement with the County of Morris, Department of Law & Public Safety, effective January 1, 2024 through December 31, 2028, a copy of which is on file in the office of the Township Clerk, for the provision of certain health related services, including for the provision of a properly licensed Registered Environmental Health Specialist together with such other properly trained and experienced personnel as may be required, necessary or prudent, to carry out and discharge within the territorial jurisdiction of the Township, the public health services and activities in accordance with N.J.A.C. 8:52-1.1 et seq., Public Health Practice Standards of Performance for Local Boards of Health in New Jersey; and

WHEREAS, the Board of Health made a recommendation to the Township Committee at their April 13, 2023 meeting, approving and authorizing entering into the aforementioned shared services agreement for public health services, and specifically between the Township of Harding and the County of Morris; and

WHEREAS, the Township of Harding desires to contract with the County of Morris for the provision of said services set forth in the agreement Health Services for the period of January 1, 2024 to December 31, 2028; and

WHEREAS, the County of Morris has agreed to provide services to the Township of Harding at a rate of \$79,394.85 for 2024; \$80,982.75 for 2025; \$82,602.40 for 2026; 84,254.45 for 2027; and \$85,939.54 for 2028; and

WHEREAS, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in account number 01-2024-2330-0331-2- 00000 pending the adoption of the 2024, 2025, 2026, 2027, and 2028 municipal budgets; and

WHEREAS, this agreement is in the best interest of the Township of Harding.

BE IT RESOLVED, by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey that the Shared Services Agreement mentioned above is hereby authorized and accepted and the proper officials of the Township of Harding are authorized to execute said agreement; and

BE IT FURTHER RESOLVED, that the agreement shall take effect upon the execution of agreement by the parties in accordance with N.J.S.A. 40A:65-5(c), et seq; and

BE IT FURTHER RESOLVED, that a copy of this resolution and agreement shall be forwarded to the Director of the Division of Local Government Services as per NJSA 40A:65-4 (3)b.

Resolution TC 23-109 – Resolution to Authorize and Approve a Service Contract Between Animal Control Solutions LLC and the Township of Harding

WHEREAS, the Township of Harding has a need to award a contract for Animal Control Services commencing on January 1, 2024, and ending on December 31, 2026; and

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

WHEREAS, the cost of this contract is not anticipated to exceed \$17,500.00, as certified in writing by the Township Purchasing Agent; and

WHEREAS, Animal Control Solutions, 2 Marshall Drive, Flemington, New Jersey 08822 has submitted a proposal to the Board of Health at their April 13, 2023 regular meeting; and

WHEREAS, the Board of Health accepted the proposal for a two year period, plus one, one-year extension at the following costs subject to the terms and conditions as set in the contract and Appendix A; and

WHEREAS, the annual contract amount is not to exceed \$10,800.00 in 2024, \$11,232.00 in 2025, and \$11,688.00 in 2026; and

WHEREAS, Animal Control Solutions, LLC has completed and submitted the required Business Entity Disclosure Certification; and

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

BE IT RESOLVED, by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Animal Control Solutions, LLC, pursuant to the filed proposal; and

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

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

FINANCE:

Resolution TC 23-110 - 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 23-111 – Resolution to Authorize the Purchase of Police Vehicles

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

WHEREAS, pursuant to N.J.A.C. 5:30 -5.5(b), the Township Chief Financial Officer has provided a certification of funds for Account #04-2023-202205-4007-4- 04062 in the amount of \$81.951.28; and

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

WHEREAS, Gentilini Motors, 2703 Fire Road, Egg Harbor Township NJ 08234 is an approved vendor under NJ State Contract T-2776; and

WHEREAS, this purchase will be a total of two police vehicles totaling \$81,951.28.

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

Vendor	State Contract/ Cooperative #	Department	Quantity	Item	Price
Gentilini Motors	NJ State Contract	Police	2	SUV	\$81,951.28
	T-2776			TOTAL:	\$81,951.28

Resolution TC 23-112 - Resolution to Amend the Fees of the Township of Harding for 2023 in Accordance with §171-15 - §171-32 of the Code of the Township of Harding

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 2023 as reflected on Appendix A attached hereto shall become effective on May 16, 2023; and

BE IT FURTHER RESOLVED, that said fees shall become effective as of May 16, 2023.

MISCELLANEOUS:

Resolution TC 23-113 – Resolution to Authorize Harding Township Police Half Marathon

WHEREAS, in October of 2022, the Harding Township PBA Local 340 conducted a half marathon within the Township of Harding; and

WHEREAS, at the Township Committee meeting held on April 17, 2023, the Harding Township Police Department presented holding the 2023 edition of the half marathon on October 21, 2023; and

WHEREAS, the Harding Township Committee wishes to approve of the Harding Township PBA Local 340's planned half marathon, subject to the certificate of insurance naming Harding Township as the beneficiary.

BE IT RESOLVED, by the Township Committee of the Township of Harding (the "Committee"):

1. The Committee hereby approves of the Harding Township PBA Local 340 half marathon scheduled for October 21, 2023, subject upon the condition that the Township is provided with a proof of insurance at least one (1) month prior to the event's scheduled date. Attached hereto as **Exhibit A** is the proposed race map. Attached as **Exhibit B** is the Incident Operation Plan.

Resolution TC 23-114 – Resolution to Authorize Payment to the New Jersey State Parole Board for Training Costs

WHEREAS, Harding Township appointed Officer Joseph Cinnante in June of 2022 to be an officer with the Harding Township Police Department; and

WHEREAS, Officer Cinnante was originally hired and trained, beginning in August of 2020, by the New Jersey State Parole Board; and

WHEREAS, pursuant to N.J.S.A. 52:17B-77.6, when a law enforcement agency hires a new officer within two (2) years of that officer's hiring by another law enforcement agency, the hiring law enforcement agency is responsible for one half of the costs associated with "examination, hiring, and training," the officer as defined by that statute with prior law enforcement agency; and

WHEREAS, the New Jersey State Parole Board has requested to be reimbursed for one half of the costs associated with the "examination, hiring, and training" for Officer; and

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

Purpose: The purpose of this ordinance is to authorize the reimbursement for the "examination, hiring, and training" to the New Jersey Parole Board regarding Officer Joseph Cinnante.

<u>SECTION 1.</u> Pursuant to N.J.S.A. 52:17B-77.6, the Township Committee hereby authorizes the payment in the amount of \$11,652.28, as outlined in the invoice dated May 26, 2022, and revised March 3, 2023, from the New Jersey State Parole Board (attached hereto as "Exhibit A").

SECTION 2. This ordinance may be renumbered for the purposes of codification.

SECTION 3. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Resolution TC 23-115 – Resolution Finding the Proposed Redevelopment Plans for the Hurstmont Estate Property, 679 Mt. Kemble Avenue (Block 27, Lot 2) to be Consistent with the Redevelopment Plan and the Redevelopment Agreement

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, *et seq.*, as amended and supplemented (the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as being in need of redevelopment; and

WHEREAS, the Township Committee of the Township of Harding (the "**Township**") in its capacity as the municipal governing body (the "**Governing Body**") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Redevelopment Law; and

WHEREAS, on November 19, 2018, the Governing Body adopted Resolution TC 18-196 directing the Planning Board of the Township of Harding (the "**Planning Board**") to undertake a preliminary investigation to determine, in part, whether the real property located at 679 Mt. Kemble Avenue and designated as Block 27, Lot 2 on the official tax maps of the Township, also known as the Hurstmont Estate (the "**Property**"), qualified as a "non-condemnation" area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on February 25, 2019, following the preliminary investigation conducted by the Planning Board, including the public hearing, the Governing Body adopted Resolution TC 73-2019 designating the Property as a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on June 24, 2019, the Governing Body adopted Ordinance #12-2019 approving a redevelopment plan for the Property entitled the "*Glen Alpin/Hurstmont Redevelopment Plan*," dated May 13, 2019 (the "**Initial Redevelopment Plan**"); and

WHEREAS, on September 30, 2019, the Governing Body adopted Ordinance #16-2019 to amend the Initial Redevelopment Plan ("Amended Redevelopment Plan"); and

WHEREAS, on September 30, 2019, the Governing Body determined that it was in the best interest of the Township to designate Redeveloper as the redeveloper of the Property and adopted Resolution TC 20-094 approving a redevelopment agreement and authorizing the Mayor to execute on behalf of the Township; and

WHEREAS, on May 11, 2020, the Township and the Redeveloper entered into a Redevelopment Agreement setting forth the rights and obligations of the Parties with respect to the development, financing, and construction of the Property (the "**Redevelopment Agreement**"); and

WHEREAS, the Redevelopment Agreement provided for the redevelopment of the Property in two separate phases, consisting of a total of 250 units, inclusive of market rate and affordable units, with (i) no more than 85 units designated as "Assisted Living Residences and/or units within a Dementia Care Home, no more than 125 apartment style Independent Living Units, on the northerly portion of the Property and, all as defined in the Redevelopment Plan, (the "AL/IL Project Phase") and (ii) the southerly portion of the Property would be redeveloped with no more than 40 Townhouse, all as defined in the Amended Initial Redevelopment Plan the "Townhouse Project Phase, collectively with the AL/IL Project Phase the "Project");

WHEREAS, pursuant to Section 5.2(b) of the Redevelopment Agreement, the Township and the Redeveloper entered into a Financial Agreement setting forth the rights and obligations of the Parties

with respect to the taxation of the AL/IL Project Phase (the "**AL/IL Financial Agreement**") pursuant to the Long Term Tax Exemption Law, *N.J.S.A.* 40A:20-1, *et seq.*; and

WHEREAS, pursuant to Section 5.2(c) of the Redevelopment Agreement, the Township and the Redeveloper entered into a Financial Agreement setting forth the rights and obligations of the Parties with respect to the taxation of the Townhouse Project Phase (the "**TH Financial Agreement**") pursuant to the Five Year Exemption and Abatement Law, *N.J.S.A.* 40A:21-1, *et seq.*; and

WHEREAS, on February 14, 2023, the Governing Body adopted Ordinance #01-2023, to amend the Amended Redevelopment Plan with a redevelopment plan, dated January 13, 2023, entitled "Glen Alpin/Hurstmont Redevelopment Plan," (as may be further amended and supplemented, the "**Redevelopment Plan**") to, among other things, plan for and promote the redevelopment of the Property as envisioned by the Parties; and

WHEREAS, the Redevelopment Plan provides that prior to the submission of a formal application to the Planning Board for site plan and subdivision approval (including any subsequent and future plan amendments) (the "**Land Use Approvals**"), the Redeveloper shall submit detailed plans of the proposed redevelopment (the "**Proposed Development Plan**") project to the Governing Body (or upon Governing Body approval, its professionals) for its review; and

WHEREAS, the Governing Body, acting as the Redevelopment Entity, shall review the Proposed Development Plan to determine whether the project is consistent with the Redevelopment Plan and the Redevelopment Agreement, and, if consistent, shall issue a report to the Planning Board providing the consistency evaluation and any recommendations and comments relating to its review; and

WHEREAS, Section 4.7 of the Redevelopment Agreement requires Redeveloper obtain confirmation from the Governing Body that the Proposed Development Plan is consistent with the Redevelopment Plan; and

WHEREAS, the Redeveloper submitted to the Township the following materials in connection with a request for consistency determination pursuant to the Redevelopment Plan and the Redevelopment Agreement (collectively, the "Consistency Review Application"): Preliminary and Final Major Site Plans prepared by Gladstone Design, Inc., dated May 5, 2023; Architectural Plans for the Cottage Models and Carriage Models prepared by Luce Architects, dated May 5, 2023; Architectural Plans for the Multi-family Independent Living, and Assisted Living, Memory Care Building, prepared by Meyer Architect + Interior, dated May 5, 2023; Landscape and Lighting Plans prepared by Bosenberg Landscape Architecture, dated May 5, 2023; Traffic Report, prepared by Dolan & Dean, dated May 5, 2023; Stormwater Management Report, prepared by Gladstone Design, Inc., dated May 5, 2023; Executive Summary of the Traffic Report, prepared by Dolan & Dean, dated May 5, 2023; Executive Summary of the Stormwater Management Report, prepared by Gladstone Design, Inc., dated May 5, 2023; and Executive Summary of the Environmental Impact Statement, prepared by EcolSciences, dated May 5, 2023; and Executive Summary of the Environmental Impact Statement, prepared by EcolSciences, dated May 5, 2023; and

WHEREAS, on May 11, 2023, the Township Planner, M. McKinley Mertz, PP, AICP, LEED Green Associate, of Heyer, Gruel & Associates, issued a report detailing her review for consistency of the

Consistency Review Application with the Redevelopment Plan and Redevelopment Agreement (the "Township Professional's Review Report"); and

WHEREAS, the Township and Redeveloper have negotiated amendments to the Redevelopment Agreement (the "Amended Redevelopment Agreement"), the AL/IL Financial Agreement (the "Amended AL/IL Financial Agreement"), and the TH Financial Agreement (the "Amended TH Financial Agreement") to incorporate, in-part, the Redevelopment Plan; and

WHEREAS, the Governing Body's review and approval of the Proposed Development Plan is conditioned upon, and subject to, the Redeveloper executing the Amended Redevelopment Agreement, the Amended AL/IL Financial Agreement, and the Amended TH Financial Agreement prior to the conclusion of Redeveloper's hearing before the Planning Board for the Land Use Approvals; and

WHEREAS, the Governing Body, having reviewed the Township Professional's Review Report and the Consistency Review Application, finds that the Proposed Development Plan, subject to the conditions listed herein and within the Township Professional's Review Report, is consistent with the Redevelopment Plan and Redevelopment Agreement.

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

- 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.
- 2. The Township Committee hereby finds and determines that the Proposed Development Plan, as submitted by Redeveloper in the Consistency Review Application, is consistent with the Redevelopment Plan and Redevelopment Agreement, and hereby authorizes, subject to the conditions listed herein and within the Township Professional's Review Report, the Redeveloper to file an application with the Planning Board for the Land Use Approvals.
- 3. The Township Professional's Review Report, a copy of which is attached hereto as Exhibit A, is hereby incorporated herein by reference.
 - 4. A copy of this Resolution shall be provided to the secretary of the Planning Board.

Resolution TC 23-116 – Resolution Approving an Amendment to the Redevelopment Agreement, Dated May 11, 202, with Hurstmont Estate Acquisition LLC for the Hurstmont Property Pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.)

WHEREAS, the Local Redevelopment and Housing Law, *NJS.A.* 40A:12A-1, *et seq.*, as amended and supplemented (the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as being in need of redevelopment; and

WHEREAS, the Township Committee of the Township of Harding (the "Township") in its capacity as the municipal governing body (the "Governing Body") is responsible for

implementing redevelopment plans and carrying out redevelopment projects pursuant to the Redevelopment Law; and

WHEREAS, on November 19, 2018, the Governing Body adopted Resolution TC 18-196 directing the Planning Board of the Township of Harding (hereinafter the "Planning Board") to undertake a preliminary investigation to determine, in part, whether the real property located at 679 Mt. Kemble Avenue and designated as Block 27, Lot 2 on the official tax maps of the Township, also known as the Hurstmont Estate (the "Property"), qualified as a "noncondemnation" area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on February 25, 2019, following the preliminary investigation conducted by the Planning Board, including the public hearing, the Governing Body adopted Resolution TC 73-2019 designating the Property as a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on June 24, 2019, the Governing Body adopted Ordinance #12-2019 approving a redevelopment plan for the Property entitled the "Glen Alpin/Hurstmont Redevelopment Plan," dated May 13, 2019 (the "Initial Redevelopment Plan"); and

WHEREAS, on September 30, 2019, the Governing Body adopted Ordinance #16-2019 to amend the Initial Redevelopment Plan ("Amended Redevelopment Plan"); and

WHEREAS, on September 30, 2019, the Governing Body determined that it was in the best interest of the Township to designate Redeveloper as the redeveloper of the Property and adopted Resolution TC 20-094 approving a redevelopment agreement and authorizing the Mayor to execute on behalf of the Township; and

WHEREAS, on May 11, 2020, the Township and the Redeveloper entered into a Redevelopment Agreement setting forth the rights and obligations of the Parties with respect to the development, financing, and construction of the Property (the "Redevelopment Agreement"); and

WHEREAS, pursuant to the Redevelopment Agreement, the Redeveloper agreed to redevelop the Property in two separate phases, consisting of the following: (i) the northerly portion of the Property would be redeveloped with no more than 125 Apartment Style Independent Living Units and no more than 85 units designated as Assisted Living Residences and/or units located within the

Dementia Care Home, all as defined in the Redevelopment Plan, (the "AL/IL Project Phase") and (ii) the southernly portion of the Property would be redeveloped with no more than 40 Townhouses, all as defined in the Amended Initial Redevelopment Plan (the "Townhome Project Phase". The Townhome Project Phase with the AL/IL Project Phase is collectively referred to as the "Project"); and

WHEREAS, the AL/IL Project Phase will include 40 Affordable Housing Units to be located within the Independent Living Units, Assisted Living Units and Dementia Care Home; and O 05-16-2023

WHEREAS, on February 14, 2023, the Governing Body adopted Ordinance #01-2023, to amend the Amended Redevelopment Plan with a redevelopment plan, dated January 13, 2023, entitled "Glen Alpin/Hurstmont Redevelopment Plan," (as may be further amended and supplemented, the "Redevelopment Plan") to, among other things, plan for and promote the redevelopment of the Property as envisioned by the Parties; and

WHEREAS, the Parties desire to enter into an Amended Redevelopment Agreement to set forth the rights and obligations of the Parties with respect to the redevelopment of the Property.

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

- 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.
- 2. The Amended Redevelopment Agreement is hereby approved, and the Mayor is hereby authorized to sign the Amended Redevelopment Agreement and take such other actions as are necessary to implement the Amended Redevelopment Agreement.

ORDINANCES FOR FIRST READ	ING					
Mayor Jones asks Township Committ	ee Member	to re -introduce Ordinance #06-2023				
Township Committee Member	re-introduces	Ordinance #06-2023 by title as follows:				
HARDING TOWNSHIP ORDINANCE #06–2023 "ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, REVISING CONSTRUCTION FEES, CHAPTER 171, SECTION 4 THROUGH CHAPTER 171, SECTION 6"						
Township Committee Member introduction on first reading.	explains the pu	rpose of the Ordinance and moves for				
Township Committee Member	reads:					

WHEREAS, the above ordinance was re-introduced and read by title at this Township Committee meeting held on May 15, 2023.

BE IT RESOLVED, that at the Township Committee meeting to be held on June 12, 2023, 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

Harding Township Committee Agenda May 15, 2023 Regular Meeting

			pal Clerk is hereby ace, and make copies		
Township Comm	nittee Member	r: I offer	Ordinance #06-202	23 and move its in	ntroduction.
Township Comm	nittee Member	r se	conds the motion.		
Mayor Jones as	ks the Munici	pal Clerk for a Rol	ll Call:		
Vote on Introduc	etion:				
Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT

ADJOURNMENT – Mr. Jones