

HARDING TOWNSHIP COMMITTEE
MARCH 13, 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

MEETING MINUTES

CALL MEETING TO ORDER – Mayor

Mayor Jones called the March 13, 2023 meeting to order at 6:05 pm.

ADEQUATE NOTICE of this March 13, 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.

Mayor Jones announced that adequate notice of the March 13, 2023 meeting was called in accordance with the Open Public Meetings Act.

ROLL CALL – Municipal Clerk

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

Mayor Jones asked the Municipal Clerk to call the roll. Mrs. Sharp called the roll as follows:

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. Edwards, Township Counsel, Mr. DeNave, Assistant Township Administrator

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Mayor Jones asked for a motion to recess into Executive Session. A motion was made by Township Committee Member Yates and seconded by Township Committee Member Lacz.

Mrs. Sharp called the roll.

Resolution TC 23-080– 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. Glen Alpin Contract - R. Goldsmith
2. Hurstmont Financial Agreement/Redevelopment Agreement – R. Goldsmith
3. KRE – M. Edwards

Litigation:

1. Verizon – M. Edwards

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"/> |

RECONVENE INTO PUBLIC SESSION – Mayor

Mayor Jones asked for a motion to reconvene into public session. Upon a motion made by Township Committee Member Lacz, seconded by Township Committee Member Platt and with a vote of all ayes, none opposed, the meeting reconvened at 7:00 pm.

ROLL CALL – Municipal Clerk

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

Mayor Jones asked the Municipal Clerk to call the roll.

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. Edwards, Township Counsel, Mr. DeNave, Assistant Township Administrator |
| Public: | 100 + |

PLEDGE OF ALLEGIANCE – Mayor

Mayor Jones led the 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 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.

Mayor Jones announced that adequate notice of the March 13, 2023 Township Committee meeting was called to order in accordance with the Open Public Meetings Act.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Mayor Jones asks **Township Committee Member Chipperson** to proceed with Resolution TC 23-081 listed on the Non-Consent agenda.

Township Committee Member Chipperson read Resolution TC 23-081 into the record.

Resolution TC 23-081 – Resolution to Promote Lieutenant Michael Gromek to the Rank of Chief of Police for the Township of Harding

WHEREAS, Patrolman Gromek graduated from the Union County Police Academy's 89th Class in December of 2003; and

WHEREAS, Patrolman Gromek was hired by the Township of Harding as a Probationary Police Officer on February 16, 2004; and

WHEREAS, Patrolman Gromek was promoted to the rank of Sergeant on March 12, 2018, with the Harding Township Police Department; and

WHEREAS, Sergeant Gromek was promoted to the rank of Lieutenant on February 8, 2021; and

WHEREAS, Lieutenant Gromek is a Defensive Tactics Instructor, a graduate of the FBI-LEEDA Supervisor, Command and Executive Leadership Institute, graduate of FBI LEEDA Media and Public Relations Academy, graduate of Penn State University Field Training Officer Program, graduate of Stockton University Internal Affairs Investigator Program, a court recognized Drug Recognition Expert, eleven (11) time recipient of Mothers Against Drunk Driving Award, one (1) exceptional duty award, one (1) honorable service award, and two (2) lifesaving awards; and

WHEREAS, Lieutenant Gromek received a Bachelor of Arts Degree from Kean University; and

WHEREAS, Lieutenant Gromek received a Master's Degree from Seton Hall University; and

WHEREAS, due to the retirement of Chief Erik Heller, there exists a vacancy in the position of Chief of Police in the Harding Township Police Department; and

WHEREAS, Lieutenant Gromek was appointed Acting Chief of Police on August 8, 2022; and

WHEREAS, the Township Administrator, Robert Falzarano has conducted a seven (7) month extensive evaluation process; and

WHEREAS, the Township Administrator, Robert Falzarano recommends that Lieutenant Michael Gromek, Acting Chief of Police, be promoted to Chief of Police effective March 13, 2023; and

WHEREAS, pursuant to the Code of the Township of Harding Chapter 7-31, Police Department, and in accordance with N.J.S.A. 40A:14-118 et seq., all members of the Harding Township Police Department shall be appointed by the Township Committee.

BE IT RESOLVED, by the Township Committee of the Township of Harding that they hereby approve the promotion of Lieutenant Gromek to the rank of Chief of Police in the Harding Township Police Department; and

BE IT FURTHER RESOLVED, the Mayor is authorized to execute the Chief's employment agreement; and

BE IT FURTHER RESOLVED, that the Harding Township Committee hereby congratulate and extend their best wishes to Chief Michael Gromek.

Township Committee Member Chipperson made a motion to approve this 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 | 1 st | <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 | <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 administered the oath of Office to Mr. Michael Gromek. Mrs. Sharp congratulated Mr. Gromek on his promotion to Chief of Police with the Harding Township Police Department. Mayor Jones presented Chief Gromek with a sealed copy of the above resolution. Chief Gromek thanked everyone for attending this evening. Chief Gromek thanked his Officers', co-workers, the Township Committee, Mr. Falzarano, Township

Administrator, his wife and girls, his mom and dad, Mike Meade, and everyone in attendance and said it is an honor to be promoted to the rank of Chief.

RESOLUTION TC 23-082 -- RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES

Mayor Jones asked Township Committee Member Yates to proceed with Resolution TC 23-082.

Township Committee Member Yates read the following:

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: **February 14, 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: **February 14, 2023.**

Township Committee Member Yates made a motion to accept the Township Committee meeting minutes, 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 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"/> |

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones

1. Hesna Pfeiffer Award – L. Lanzerotti

Mr. Lanzerotti is honored to be here this evening to bestow the Hesna Pfeiffer Citizen of Year award to Mrs. Susan Sameth. Mr. Lanzerotti explained that Mrs. Sameth exemplifies a life of service to Harding Township as well as other organizations and people in the Harding region. Mr. Lanzerotti reported that Mrs. Sameth has been an essential member of the Harding Township First Aid Squad for more than thirty-two (32) years. She was a first Lieutenant, Captain, Vice President, and President has been a New Vernon First Aid Squad Crew Chief. Harding Township is very fortunate to have such an outstanding resident as Sue Sameth. A copy of Mr. Lanzerotti full speech is appended to these minutes.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Resolution TC 23-083 – Historic Preservation Commission - Historic House of the Year 2022

Mayor Jones asks **Township Committee Member Lacz** to proceed with Resolution TC 23-083 listed on the Non-Consent agenda. Township Committee Member Lacz read resolution TC 23-083 into the record.

WHEREAS, the Historic Preservation Commission of Harding Township would like to present a historic home that adds aesthetic value and interest to the community; and

WHEREAS, the Historic Preservation Commission is proud of the homes that contribute to the historical character of the Township; and

WHEREAS, Historic Districts recognize the architectural importance of commercial and residential buildings all across the nation that preserve the character and identity of their communities; and

WHEREAS, the Historic House Award will be an opportunity for the Historic Preservation Commission to highlight a property that enhances the historical character in Harding Township; and

WHEREAS, the home that the Historic Preservation Commission wishes to highlight should be viewed from the road, enhance the streetscape, display proper use of scale, rhythm, massing and materials and have an architectural style that compliments the rural character of Harding Township; and

WHEREAS, the Eddy House of 48 Meyersville Road is an historic structure dating back to circa 1853; and

WHEREAS, it is a 1 ½ story side gabled structure and is a wonderful contribution to the historic character of the Meyersville wooded community; and

WHEREAS, alterations were completed in a thoughtful process allowing the home to continually remain a positive street scape feature; and

WHEREAS, 48 Meyersville Road is one of a little string of older houses on Meyersville Road that qualify as contributing historical sites in the Harding Township's Historic District Inventory.

BE IT RESOLVED, by the Mayor and the Township Committee of Harding Township in the County of Morris and State of New Jersey that the property at 48 Meyersville Road is hereby chosen as Historic House Award.

Township Committee Member Lacz made a motion to approve resolution TC 23-083 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"/> |

Mrs. Gwenn Claytor, Historic Preservation Commission, presented a sealed copy of the resolution to Mrs. DelCoro. Mrs. DelCoro thanked everyone and invited anyone to stop by to see her historic house.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Mayor Jones asks **Township Committee Member Yates** to proceed with Resolution TC 23-084 listed on the Non-Consent agenda. Township Committee Member Yates read Resolution TC 23-084 into the record.

Resolution TC 23-084 – Emergency Temporary Appropriations Resolution

WHEREAS, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments, or payments prior to the 2023 budget and no adequate provision has been made in the 2023 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$108,200.00.

BE IT RESOLVED, by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$4,707,117.00 as follows:

| DEPARTMENT | BUDGET LINE ITEM | 2023 EMERGENCY APPROPRIATION |
|------------------------|--------------------|---------------------------------|
| HUMAN RESOURCES | OTHER EXPENSES | \$ 2,075.00 |
| GENERAL ADMINISTRATION | SALARIES AND WAGES | \$ 196,450.00 |

Harding Township Committee Agenda
March 13, 2023
Regular Meeting

| | | | |
|--------------------------|--------------------|----|------------|
| GENERAL ADMINISTRATION | OTHER EXPENSES | \$ | 69,200.00 |
| MIS | OTHER EXPENSES | \$ | 41,925.00 |
| MAYOR AND COUNCIL | SALARIES AND WAGES | \$ | 1,800.00 |
| MAYOR AND COUNCIL | OTHER EXPENSES | \$ | 26,000.00 |
| MUNICIPAL CLERK | SALARIES AND WAGES | \$ | 15,650.00 |
| MUNICIPAL CLERK | OTHER EXPENSES | \$ | 20,825.00 |
| ELECTION | OTHER EXPENSES | \$ | 3,250.00 |
| FINANCIAL ADMINISTRATION | SALARIES AND WAGES | \$ | 81,050.00 |
| FINANCIAL ADMINISTRATION | OTHER EXPENSES | \$ | 11,125.00 |
| AUDIT SERVICES | OTHER EXPENSES | \$ | 15,500.00 |
| TAX COLLECTION | SALARIES AND WAGES | \$ | 28,000.00 |
| TAX COLLECTION | OTHER EXPENSES | \$ | 2,950.00 |
| TAX ASSESSMENT | SALARIES AND WAGES | \$ | 25,850.00 |
| TAX ASSESSMENT | OTHER EXPENSES | \$ | 3,250.00 |
| COST OF TAX APPEAL | OTHER EXPENSES | \$ | 20,000.00 |
| TAX MAP REVISION | OTHER EXPENSES | \$ | 1,750.00 |
| LEGAL SERVICES | OTHER EXPENSES | \$ | 70,750.00 |
| ENGINEERING SERVICES | OTHER EXPENSES | \$ | 21,250.00 |
| PLANNING BOARD | SALARIES AND WAGES | \$ | 6,045.00 |
| PLANNING BOARD | OTHER EXPENSES | \$ | 20,350.00 |
| BD OF ADJUSTMENT | SALARIES AND WAGES | \$ | 22,500.00 |
| BD OF ADJUSTMENT | OTHER EXPENSES | \$ | 50,850.00 |
| UNIFORM CONST. CODE | SALARIES AND WAGES | \$ | 126,800.00 |
| UNIFORM CONST. CODE | OTHER EXPENSES | \$ | 9,187.00 |
| LIABILITY INSURANCE | OTHER EXPENSES | \$ | 85,000.00 |
| GROUP INSURANCE | OTHER EXPENSES | \$ | 651,841.00 |
| HEALTH BENEFIT WAIVER | OTHER EXPENSES | \$ | 17,500.00 |
| POLICE DEPARTMENT | SALARIES AND WAGES | \$ | 956,400.00 |
| POLICE DEPARTMENT | OTHER EXPENSES | \$ | 64,237.00 |
| EMERGENCY MANAGEMENT | SALARIES AND WAGES | \$ | 2,000.00 |
| EMERGENCY MANAGEMENT | OTHER EXPENSES | \$ | 750.00 |
| FIRE HYDRANT SERVICE | OTHER EXPENSES | \$ | 3,000.00 |
| STREETS & ROAD MAINT | SALARIES AND WAGES | \$ | 325,100.00 |
| STREETS & ROAD MAINT | OTHER EXPENSES | \$ | 37,900.00 |
| SNOW REMOVAL | SALARIES AND WAGES | \$ | 30,000.00 |
| SNOW REMOVAL | OTHER EXPENSES | \$ | 50,000.00 |
| SOLID WASTE COLLECTION | SALARIES AND WAGES | \$ | 1,000.00 |
| SOLID WASTE COLLECTION | OTHER EXPENSES | \$ | 42,000.00 |
| RECYCLING | SALARIES AND WAGES | \$ | 4,500.00 |
| RECYCLING | OTHER EXPENSES | \$ | 8,875.00 |
| BUILDING & GROUNDS | OTHER EXPENSES | \$ | 57,125.00 |
| VEHICLE MAINT. | OTHER EXPENSES | \$ | 40,250.00 |
| HEALTH SERVICE | SALARIES AND WAGES | \$ | 46,900.00 |
| HEALTH SERVICE | OTHER EXPENSES | \$ | 8,050.00 |
| ENVIRONMENTAL COMMISSION | SALARIES AND WAGES | \$ | 1,000.00 |
| ENVIRONMENTAL COMMISSION | OTHER EXPENSES | \$ | 6,700.00 |
| ANIMAL CONTROL COST | OTHER EXPENSES | \$ | 700.00 |
| OPENSOURCE COMMISSION | SALARIES AND WAGES | \$ | 1,000.00 |

| | | | |
|--|--------------------|-----------|---------------------|
| HISTORICAL PRESERVATION | SALARIES AND WAGES | \$ | 500.00 |
| HISTORICAL PRESERVATION | OTHER EXPENSES | \$ | 1,150.00 |
| MAINT. OF PARKS | OTHER EXPENSES | \$ | 24,000.00 |
| MAINT OF LIBRARY | OTHER EXPENSES | \$ | 20,000.00 |
| ACCUMULATED LEAVE COMP | SALARIES AND WAGES | \$ | 25,000.00 |
| ELECTRICITY | OTHER EXPENSES | \$ | 22,500.00 |
| STREET LIGHTING | OTHER EXPENSES | \$ | 2,000.00 |
| TELEPHONE | OTHER EXPENSES | \$ | 14,500.00 |
| WATER & SEWER | OTHER EXPENSES | \$ | 500.00 |
| NATURAL GAS/HEATING OIL | OTHER EXPENSES | \$ | 6,500.00 |
| GASOLINE | OTHER EXPENSES | \$ | 46,500.00 |
| CONTINGENCY | OTHER EXPENSES | \$ | 1,250.00 |
| PERS | OTHER EXPENSES | \$ | 230,719.00 |
| DCRP | OTHER EXPENSES | \$ | 2,000.00 |
| SOCIAL SECURITY | OTHER EXPENSES | \$ | 154,000.00 |
| PFRS | OTHER EXPENSES | \$ | 527,888.00 |
| JUDGEMENTS | OTHER EXPENSES | \$ | 50.00 |
| MORRIS COUNTY I/L | OTHER EXPENSES | \$ | 39,000.00 |
| MORRIS CTY PARTNERSHIP | OTHER EXPENSES | \$ | 500.00 |
| JOINT MUNICIPAL COURT | OTHER EXPENSES | \$ | 81,600.00 |
| TOTAL CURRENT BUDGET EXCLUDING CIF & DEBT SERVICE | | \$ | 4,536,367.00 |

| | | | |
|---|--------------------|-----------|-------------------|
| SEWER UTILITY | SALARIES AND WAGES | \$ | 20,000.00 |
| SEWER UTILITY | OTHER EXPENSES | \$ | 150,000.00 |
| SEWER UTILITY - SOCIAL SECURITY | OTHER EXPENSES | \$ | 750.00 |
| TOTAL SEWER UTILITY EXCLUDING CAPITAL IMPROVEMENT FUND | | \$ | 170,750.00 |

2. Said emergency temporary appropriations will be provided for in the 2023 budget.

3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Township Committee Member Yates explained that the State has not certified the State Aid which means, Harding cannot introduce the Township's 2023 budget. 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 asks 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"/> |

DISCUSSION ITEMS:

Mayor Jones reported that in the February 2023 monthly Administrator's report, the Township was notified that the following County roads will be milled and paved this summer:

- Village Road
- Glen Alpin Road
- Tempe Wick Road

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 to members of the public at 7:30 pm.

Several residents from Gleneagles Drive discussed the attempted break-in to two cars last weekend in the afternoon. The residents were interested in learning what steps could they take and mentioned a possible neighborhood watch, signage, etc. Chief Gromek commented that this is happening all over New Jersey and not just Harding Township. Chief Gromek stressed locking the cars, do not keep key fobs inside the car and lock your doors to your homes. Dogs are a good distraction. The patrols have been dispatched. A lengthy discussion ensued. Township Committee Member Yates recommended that a community meeting be held so that Chief Gromek and others address Harding's residents. The Township Committee thanked the residents for attending this evening.

ORDINANCES FOR SECOND READING: NONE

ADD-ON RESOLUTIONS: NONE

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

CONSENT AGENDA

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

RESOLUTIONS TC 23-085 THROUGH RESOLUTION TC 23-092 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Jones asked Township Committee Member Chipperson to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 23-085 through TC 23-092.

Township Committee Member Chipperson made a motion to approve Resolutions TC 23-085 through 23-092 placed on this evening's Consent Agenda by consent of the Township Committee, seconded by Township Committee Member Platt.

Mayor Jones asks 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 | 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"/> |

APPOINTMENTS: NONE

Resolution 23-085 – Resolution to Authorize J. S. the Hourly Pay Rate for Part-Time Carpenter with the Department of Public Works

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that effective March 15, 2023, the hourly pay rate is hereby \$45.00.

Resolution 23-086 – Resolution to Authorize F.O.A. the Hourly Pay Rate for Part-Time Carpenter with the Department of Public Works

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that effective March 15, 2023, the hourly pay rate is hereby \$40.00.

CONTRACTS:

Resolution TC 23-087 – Resolution to Amend Resolution TC 23-005 Authorizing the Award of Non-Fair Open Process Profession Service Contract for the Year 2023

WHEREAS, Resolution TC 23-005 was adopted by the Township Committee at their January 5, 2023 meeting; and

WHEREAS, there is a need to amend the resolution as follows; and

WHEREAS, the following professional service contractors have submitted proposals for 2023 and have completed and submitted their Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, certifying that reportable contributions to a political or candidate committee in the Township of Harding have not been made in the previous one year period and that the award of contract will prohibit the following professional service vendors from making any reportable contributions through the term of the contract.

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 professional service contracts are hereby awarded for a one-year period; and

BE IT FURTHER RESOLVED, one quarter of these funds are currently certified with the remainder of funds being certified pending final 2023 budget approval.

| | | |
|--|--|---|
| Township Attorney | Surenian, Edwards, Buzak & Nolan LLC Michael J. Edwards, Esq. | 1/1/23 to 12/31/23 \$84,000.00 Retainer 01-2023-1155-0155-2-00000 |
| Special Tax Counsel | Dorsey & Semrau Fred C. Semrau, Esq. | 1/1/23 to 12/31/23 \$153.00 per hour Not to exceed \$30,000.00 01-2023-1150-0151-2-00000 |
| Labor Counsel | Plosia Cohen LLC James L. Plosia, Jr. | 1/1/23 to 12/31/23 \$185.00 per hour Not to Exceed \$15,000 01-2023-1155-0155-2-00000 |
| Affordable Housing Counsel/ Redevelopment | Surenian, Edwards & Nolan LLC Michael J. Edwards, Esq. | 1/1/23 to 12/31/23 \$190.00 per hour Not to exceed \$75,000.00 25-9999-1110-0170-2-00037 |
| Affordable Housing Counsel | Stickel, Koenig, Sullivan & Drill, LLC Jonathan Drill, Esq. | 1/1/23 to 12/31/23 \$200.00 per hour Not to exceed \$17,500.00 25-9999-1110-0170-2-00037 |

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|--|--|--|
| Township Auditor | Suplee, Clooney & Company Robert Swisher, RMA | 1/1/23 to 12/31/23 Not to Exceed \$31,950.00 01-2023-1135-0135-2-00000 |
| Township Engineer | Apgar Associates Paul Fox, P.E. | 1/1/23 to 12/31/23 \$160.00 / \$150 per hour Not to exceed \$25,000.00 01-2022-1165-0165-2-00036 |
| Insurance Broker | Corporate Benefits Solutions Ralph Valente | 1/1/23 to 12/31/23 2% of annual premiums \$50 per employee Not to exceed \$31,000.00 |
| Risk Manager | Meeker Sharkey & Hurley Insurance & Benefits | 1/1/23 to 12/31/23 6% of premium Not to exceed \$9,000.00 |
| Affordable Housing Administrative Agent | Heyer, Gruel & Associates McKinley Mertz | 1/1/23 to 12/31/23 \$190/175/150/135/110 per hour Not to exceed \$10,000.00 25-9999-1110-0170-2-00037 |
| Affordable Housing Planning Services | Heyer, Gruel & Associates McKinley Mertz | 1/1/23 to 12/31/23 \$190/175/150/135/110 per hour Not to exceed \$20,000.00 25-9999-1110-0170-2-00037 |
| Redevelopment & Planning Services | Heyer, Gruel & Associates McKinley Mertz | 1/1/23 to 12/31/23 \$190/175/150/135/110 per hour Not to exceed \$25,000.00 01-2023-1110-0100-2-00105 |
| Bond Counsel | Rogut, McCarthy, Troy LLC Steven Rogut, Esq. | 1/1/23 to 12/31/23 \$150 per hour / \$400 per Bond Ordinance Not to exceed \$5,000.00 05-5000-0000-0170-2-00000 01-2023-1155-0155-2-00000 |
| Block 34, Lot 1.01 & Glen Alpin Redevelopment | Goldsmith, Robert Hague, John Greenbaum, Rowe, Smith & Davis LLP | 1/1/23 to 12/31/23 \$315 per hour Not to exceed \$40,000.00 01-2023-1110-0100-2-00105 |
| Glen Alpin Diversion | Goldsmith, Robert Hague, John Greenbaum, Rowe, Smith & Davis LLP | 1/1/23 to 12/31/23 \$315 per hour Not to exceed \$5,000 05-9999-1155-0155-2-00000 |

| | | |
|--------------------------------------|--|---|
| Affordable Housing Legal Services | Goldsmith, Robert Hague, John Greenbaum, Rowe, Smith & Davis LLP | 1/1/23 to 12/31/23 \$315 per hour Not to exceed \$10,000 25-9999-1110-0170-2-00037 |
| Glen Alpin Disposal/Diversion | Greener By Design Frank Pinto | 1/1/23 to 12/31/23 \$175.00 per hour Not to exceed \$19,250 for 110 hours 01-2023-1110-0100-2-00020 |

Resolution TC 23-088 -- Resolution to Authorize a Tonnage Grant Application

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand the existing program; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS; the recycling regulations impose on the municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2023 recycling grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Harding Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

BE IT RESOLVED, by the Harding Township Committee that:

1. Harding Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Tracy Toribio to ensure that the application is properly filed.
 2. The monies received from the recycling tonnage grant will be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.
 3. This resolution replaces resolution TC 22-088 which was approved on March 14, 2022.
-

Resolution TC 23-089 - Resolution to Authorize a Survey for Environmental Screening

WHEREAS, the following bid was received from Colliers Engineering & Design in response to provide professional services for possible development of Affordable Housing located on Kitchell Road, Block 1, Lot 10 in the Township of Harding. The scope of services are as follows:

| | |
|--|--------------------|
| Survey Services | \$ 9,800.00 |
| Wetland Delineation, Report, and LOI Application | \$ 6,500.00 |
| TOTAL: | \$16,300.00 |

WHEREAS, the Township Committee has determined that it would be in the best interests of the Township to award the contract to Colliers Engineering & Design for the total amount not to exceed \$16,300.00; and

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

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

1. The bid submitted by Colliers Engineering & Design in the total amount of \$16,300.00 for Phase I Survey in accordance with the prescribed specifications is hereby accepted.
2. The Mayor and Township Clerk are hereby authorized and directed to execute and deliver a contract for \$16,300.00 for professional services for development of Affordable Housing at 53 Kitchell Road, Block 1, Lot 10 in the Township.

FINANCE:

Resolution TC 23-090 – 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 23-091 – Resolution to Authorize the Execution of the Verizon Consent Order

WHEREAS, on July 13, 2022, Plaintiff New York SMSA Limited Partnership (aka “Verizon”) filed a Complaint in the United States District Court, District of New Jersey, bearing Docket No. 2:22-CV-

04531-JMV-MAH against Defendants the Township of Harding (“Township”), New Jersey, and Zoning Board of Adjustment of the Township of Harding (the “Zoning Board”), New Jersey (the “Lawsuit”); and

WHEREAS, the Township issued a public bid, in accordance with New Jersey’s Local Lands and Buildings Law, codified at N.J.S.A. 40A-12.1, et seq., for lease rights to construct a wireless communications facility “not to exceed 140 feet above ground” level at the Subject Property in November 2016, and Plaintiff was the successful bidder and in furtherance of same, the Township and Plaintiff entered into a Land Lease Agreement dated June 14, 2018 (the “Land Lease Agreement”), that was contingent upon Plaintiff, as Lessee, obtaining all required governmental approvals including but not limited to site plan and use variance approval from the Board of Adjustment; and

WHEREAS, Plaintiff originally proposed that the Facility include a monopole designed to resemble a tree at a height of 140 feet, extending to a height of 146 feet to include stealth branching, as well as related equipment located at the base of the monopole; and

WHEREAS, the Consent Order is contingent upon the Board of Adjustment’s review and approval of the Consent Order at a duly noticed Whispering Woods hearing. See Whispering Woods at Bamm Hollow, Inc. v. Township of Middletown Planning Board, et al., 220 N.J.Super. 161, 170-72 (1987); and

WHEREAS, the Zoning Board of Adjustment has agreed to the terms of this Consent Order and entered the same --subject to said Whispering Woods Hearing and thus, in accordance with the Board, the Township agrees to the terms of the Consent Order; and

WHEREAS, the Parties desire to resolve and settle any and all claims relating to the Lawsuit to avoid the additional expense and uncertainties of continued litigation and have agreed to resolve all claims amongst the Parties.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Harding (the “Committee”) that subject to the following conditions:

1. The Township Committee hereby authorizes and directs Township Counsel, or his/her designee to execute the Consent Order attached hereto as **Exhibit A**, subject to any minor revisions from Counsel.

Resolution TC 23-092 – Resolution to Authorize the Award of a Contract for Lawn Care Services to High Valley Farm & Contracting Corp.

WHEREAS, the Township of Harding has a need to contract for Lawn Care services for the year 2023; and

WHEREAS, High Valley Farm & Contracting Corporation was the lowest bidder; and

WHEREAS, funds are available for this purpose.

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

| | | |
|--------------------|--------------------------------------|--|
| Lawn Care Services | High Valley Farm & Contracting Corp. | 1/1/23 to 12/31/23 |
| | | Not to exceed \$52,530.00 for 30 Occurrences |
| | | 26-9999-2600-2600-2-00299 (\$31,120.00) |
| | | 05-5000-00000-0000-2-0000 (\$4,800.00) |
| | | 01-2023-1375-0375-2-00000 & |
| | | 01-2023-1310-0310-2-00038 (\$16,610.00) |

ORDINANCES FOR FIRST READING

ORDINANCE #02-2023 – Ordinance to Authorize the Stop Signs Within the Township of Harding -- Creating Township Municipal Code, Chapter 250, “Motor Vehicle Regulations, Traffic, and Parking”, Chapter 1.1 “Stop Signs Within the Township”, and Section 2.1 “Design of Stop Signs”

Mayor Jones asked Township Committee Member Platt to introduce Ordinance #02-2023.

Township Committee Member Platt introduced Ordinance #02-2023 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #02–2023
ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
NEW JERSEY, CREATING TOWNSHIP MUNICIPAL CODE, CHAPTER 250 “MOTOR
VEHICLE REGULATIONS, TRAFFIC, AND PARKING”, CHAPTER 1.1 “STOP SIGNS
WITHIN THE TOWNSHIP” AND SECTION 2.1 “DESIGN OF STOP SIGNS,” TO
AUTHORIZE THE STOP SIGNS WITHIN THE TOWNSHIP OF HARDING**

Township Committee Member Platt read:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on March 13, 2023.

BE IT RESOLVED, that at the Township Committee meeting to be held on April 10, 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

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 #04-2023 and moved its introduction, seconded by Township Committee Member Lacz.

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

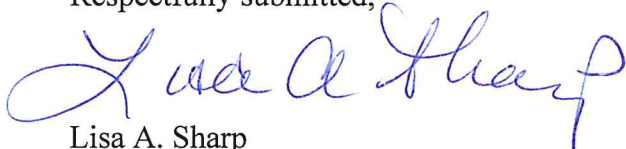
Vote on Introduction:

| | 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 | 2 nd <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Platt | 1 st <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"/> |

ADJOURNMENT – Mr. Jones

With no further comments, Mayor Jones asked for a motion to adjourn. Upon a motion made by Township Committee Member Platt, seconded by Township Committee Member Lacz, and with a vote of all ayes, none opposed, the meeting adjourned at 8:07 pm.

Respectfully submitted,



Lisa A. Sharp
Municipal Clerk