



**HARDING TOWNSHIP COMMITTEE**  
**SEPTEMBER 11, 2023**  
**IN-PERSON**  
**EXECUTIVE SESSION at 5:30 PM**  
**REGULAR MEETING AGENDA at 7:00 PM**  
**Kirby Hall, Blue Mill Road, New Vernon, New Jersey**

**MEETING MINUTES**

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**CALL MEETING TO ORDER – Mayor**

Mayor Jones called the meeting of the Township Committee to order at 5:30 pm.

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**ADEQUATE NOTICE** of this September 11, 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 this September 11, 2023, meeting of the Township Committee was called in accordance with the Open Public Meetings Act.

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**ROLL CALL – Municipal Clerk**

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

Mrs. Sharp called the roll as follows:

Present:	Ms. Chipperson, Dr. Lacz, Mr. Platt, Mr. Yates, Mr. Jones
Absent:	None
Also Present:	Mr. Falzarano, Township Administrator; Mr. Edwards, Township Attorney, Mr. DeNave, Assistant Township Administrator; Mr. Michael Coskey, Special Counsel (via phone)

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**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 Lacz and seconded by Township Committee Member Yates.

**Resolution TC 23-152– 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. Redevelopment – R. Goldsmith
- 2. Property Acquisitions – M. Edwards
- 3. Kemmerer Library – V. DeNave

**Attorney Client Privilege:**

- 1. Affordable Housing – M. Edwards
- 2. 88 Glen Alpin – M. Edwards

**Personnel:**

- 1. 2024 Employee Salaries – R. Falzarano

**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 <sup>nd</sup> <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 <sup>st</sup> <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"/>

A discussion ensued pertaining to Hurstmont, redevelopment, Glen Alpin, and Kemmerer Library. An update was provided on Affordable Housing by the Township Attorney. A discussion on 88 Glen Alpin ensued along with a brief discussion on the 2024 salary ordinance.

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**RECONVENE INTO PUBLIC SESSION – Mayor**

A motion was made by Township Committee Member Platt and seconded by Mayor Jones to reconvene into public session. Upon a roll call vote the public session convened at 7:10 pm.

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**ROLL CALL – Municipal Clerk** Ms. Chipperson, Dr. Lacz, Mr. Platt, Mr. Yates, Mr. Jones

Mrs. Sharp called the roll as follows:

Present: Ms. Chipperson, Dr. Lacz, Mr. Platt, Mr. Yates, Mr. Jones  
Absent: None  
Also Present: Mr. Falzarano, Township Administrator; Mr. Edwards, Township Attorney; Mr. DeNave, Assistant Township Administrator  
Members of the Public: 20

**PLEDGE OF ALLEGIANCE – Mayor**

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

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**ADEQUATE NOTICE** of this meeting of the Harding Township Committee was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE* on January 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 this September 11, 2023, meeting of the Township Committee was called in accordance with the Open Public Meetings Act.

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

**Mayor Jones** asked Township Committee Member Chipperson to proceed with Resolution TC 23-153 listed on the Non-Consent agenda. Township Committee Member Chipperson read Resolution TC 23-153 in its entirety.

**Resolution TC 23-153 – Resolution of the Township Committee of the Township of Harding, County of Morris, State of New Jersey, Accepting the Retirement of the Chief Financial Officer, Himanshu Shah and Recognizing his Outstanding Contribution to the Township of Harding**

**WHEREAS**, Harding Township Chief Financial Officer, Himanshu Shah has announced his retirement as the Township's Chief Financial Officer effective September 1, 2023; and

**WHEREAS**, Himanshu Shah was appointed Chief Financial officer on May 5, 2004; and

**WHEREAS**, Himanshu organized and implemented the "Best Practices" model for the Finance Department operations; and

**WHEREAS**, the processes implemented have exceeded expectations for accuracy, efficiency and financial control; and

**WHEREAS**, Himanshu's attention to financial detail impressed everyone that had the privilege to work with him; and

**WHEREAS**, Himanshu has left a very positive indelible mark on the Harding Township Finance Department.



**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris, State of New Jersey accept the retirement of Himanshu Shah effective September 1, 2023, and reminding him of the adage that “Life begins at Retirement” and remember you will be missed but not forgotten; and

**BE IT FURTHER RESOLVED**, the Township Committee extends their appreciation and congratulations for the many years of dedicated service to the residents of Harding Township. Best Wishes!

**NON-CONSENT AGENDA VOTE:**

**Township Committee Member Chipperson made** a motion to approve the resolution placed on this evening’s Non-Consent Agenda by consent of the Township Committee, seconded by Township Committee Member 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 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	2 <sup>nd</sup>	<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"/>

Mr. Shah thanked the Township Committee for all their support. Himanshu thanked previous Township Committee members as well; R. Egea, L. Lanzerotti, A. Newlin, M. Bartlett, J. Murray, etc. Himanshu mentioned that he had a good relationship with everyone. Mr. Shah explained that over the past 19 years we have accomplished a lot in Harding financially. Mr. Shah stated that he is very proud of what has been accomplished such as stop bonding routine items with a good capital program which started at \$50,000 and is now \$500,000. Andy Fiore has learned the processes and will continue to provide Harding Township with good financial stability.

Mayor Jones commented that Himanshu was so impressive and kept us in line. Township Committee Member Yates commented that in his nine years on the Township Committee, he has learned so much from Himanshu. He was always quick to get 25 basis points out of the tax rate. Township Committee Member Platt commented that he could not have done the job without Himanshu’s assistance. Mr. Falzarano, Township Administrator commented that because of Mr. Shah, Mr. Fiore, and the Finance Committee, they are the reason the Town is in the most financially stable condition that it can be in.

Mr. Shah commented that he is confident that Mr. Fiore will continue the financial stability for Harding Township and again thanked everyone for the wonderful 19 years off service. Mayor Jones presented Himanshu with a sealed copy of the above resolution.

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

**Mayor Jones** asked Township Committee Member Yates to proceed with Resolution TC 23-154 listed on the Non-Consent agenda. Township Committee Member Yates read Resolution TC 23-154 in its entirety.

**Resolution TC 23–154 – Resolution to Appoint Andrew Fiore to the Position of Chief Financial Officer**

**WHEREAS**, in December 2003, Andrew Fiore graduated from Pennsylvania State University with a Bachelor of Management Science and Information Systems Degree; and

**WHEREAS**, on April 20, 2014, Andrew was appointed Assistant Finance Officer; and

**WHEREAS**, on June 3, 2014, Andrew successfully completed the NJ State Chief Financial Officer Certification program; and

**WHEREAS**, on June 12, 2019, Andrew successfully completed the NJ State Qualified Purchase Agent Certification program; and

**WHEREAS**, on July 1, 2021, Andrew was appointed Harding Township’s Qualified Purchasing Agent; and

**WHEREAS**, on December 7, 2022, Andrew successfully completed the Certified Tax Collector Certification program; and

**WHEREAS**, Andrew has prepared the annual Municipal Budgets for years 2019, 2020, 2021, 2022, and 2023; and

**WHEREAS**, Mr. Himanshu Shah, Harding Township’s Chief Financial Officer retired effective September 1, 2023; and

**WHEREAS**, the Harding Township Administrator, Robert Falzarano, recommended to the Harding Township Personnel Committee that Mr. Andrew Fiore is qualified for the appointment to the Chief Financial Officer position; and

**WHEREAS**, the Harding Township Personnel Committee reviewed Mr. Fiore’s performance and submitted a recommendation to the Harding Township Committee to approve Mr. Andrew Fiore’s appointment to the position of Chief Financial Officer for the Township of Harding; and

**WHEREAS**, the Harding Township Committee unanimously approved the recommendation by the Personnel Committee to appoint Mr. Andrew Fiore to the position of Chief Financial Officer for the Township of Harding at an annual salary of \$109,645, which includes the Qualified Purchase Agent Stipend, and to be pro-rated for the remainder of 2023.

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, they hereby approve the four-year appointment of Andrew Fiore which shall be effective September 11, 2023; and

**BE IT FURTHER RESOLVED**, the Mayor is authorized to execute the Chief Financial Officer’s employment agreement; and



**BE IT FURTHER RESOLVED**, that the Harding Township Committee hereby congratulate and extend their best wishes to Chief Financial Officer, Andrew Fiore. Congratulations!

**NON-CONSENT AGENDA VOTE:**

**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 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 <sup>nd</sup>	<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 <sup>st</sup>	<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 conducted the oath of office to Andrew Fiore. The Township Committee and members of the public congratulated Mr. Fiore on his promotion.

Mr. Fiore thanked the Township Committee for this opportunity and commented that there is a lot of work to do and build on for the financial security of the Town. Mr. Fiore thanked Himanshu for his guidance for the last ten years and thanked Mr. Falzarano, the Township Committee and Mrs. Sharp for all their assistance.

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

**Resolution TC 23-155 – Resolution to Accept the Meeting Minutes of the Township Committee**

**Mayor Jones asks Township Committee Member Yates to proceed with Resolution TC 23-155.** Township Committee Member Yates read the following.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the minute(s) from the following meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk’s office: **August 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: **August 14, 2023.**

Township Committee Member Yates asked for a motion to accept the Township Committee meeting minutes, seconded by Township Committee Member Platt.

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

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 <sup>st</sup>	<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 announced that a wreath was placed at Memorial Park in honor of 911. It is meetings like this that keeps things going. Mayor Jones asked members of the Township Committee and members of the public for a moment of silence to honor all those who lost their lives on 911.

Township Committee Member Chipperson announced that Saturday, October 14, 2023 from 2 to 7 pm the Centennial festivities will be held at Margetts Field. The event will have food trucks, fireworks, etc.

A question was asked about what can be done with these large landscaping vehicles that obstruct driver's views. Chief Gromek explained that landscaping vehicles are always a problem. The Harding Township Police will provide a warning to those vehicles that are obstructing traffic. A discussion ensued pertaining to landscaping vehicle and theft of cars.

**DISCUSSION ITEMS:**

1. 2022 Audit – Steve McDermott

Mr. McDermott commented that the 2022 audit for Harding Township was conducted in May and June of 2023. A change for 2022 was the court structure which included the court in the audit. The court portion of the audit went very well. Mr. McDermott reported that the audit of the Township went well. There were no material items found. A meeting to discuss minor findings in the report was held with Mr. Shah, Mr. Fiore, Mr. Flazarano and those findings have been resolved. New for 2023 will be the new format for leases. Mr. McDermott thanked Mr. Fiore and Mr. Shah for all their assistance and facilitating that transpired. Harding Township is in good financial condition. Mr. Falzarano, Township Administrator thanked Mr. McDermott and mentioned that you do a very thorough job. Mr. Falzarano explained that it is Mr. Shah, Mr. Fiore, and the Finance Committee along with the Township Committee's help that also continues the financial strength of the Township.



2. Village Road – Mayor Jones could not provide an update on the paving of Village Road as it was not completed to date.

3. TC Meeting Dates – Mayor Jones explained that there is a conflict with the October 16, 2023, Township Committee meeting date and asked the members of the Township Committee if Tuesday, October 10, 2023 would work. All members were in consensus for the new date of October 10, 2023 at 7 pm. Mr. Edwards commented that he has a conflict and Mr. William Olson will attend in his absence.

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## MEETING OPEN TO THE PUBLIC

### NOTICE OF PUBLIC COMMENT TIME LIMIT

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

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

Mayor Jones opened the public comment section of the meeting and asked if any member of the public would like to be heard at 7:30 pm. With no members of the public wishing to be heard, Mayor Jones closed the public comment portion of the meeting at 7:30 pm.

**Mr. Balog** – resident commented on the roads being paved. Mayor Jones explained that the Township received a grant from the NJDOT for Red Gate Road, Sand Spring Road, and Jenks Road.

**Dr. Matthew Spelker**, Superintendent Harding Township School addressed the Township Committee by saying how thankful he is to have the support of the Township Committee, Mr. Falzarano, and the Department of Public Works, especially Mr. Toribio, Mr. Miller, and Mr. Buller. They used heavy equipment to remove trees and brush. There is 40 acres on school property that is now visible. Dr. Spelker thanked the Harding Township Police Department. Dr. Spelker mentioned the Chief is fantastic. The Officers conduct many visits at the School and mingle with the students. The Harding Township Police Officers are very supportive of the school. Dr. Spelker thanked everyone for this. The School Board and I are very appreciative of all your assistance.

Mayor Jones commented that we want to ensure that the School is the best it can be and thanked Dr. Spelker for coming to the Township Committee to express his public comments.

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## ORDINANCES FOR SECOND READING:

**Mayor Jones** asked **Township Committee Member Yates** to read Ordinance TC #10-2023.

**Township Committee Member Yates** read Ordinance TC #10-2023 by title as follows:



**HARDING TOWNSHIP  
ORDINANCE #10-2023**

**“CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE SUM OF \$149,800”**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on August 14, 2023.

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

The Municipal Clerk announced that a legal notice was sent for publication on August 14, 2023, to the Observer Tribune indicating that Ordinance #10-2023 was introduced and passed on first reading at the August 14, 2023 meeting and indicated that the second reading and public hearing were to be held on September 11, 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 opened the meeting at 7:44 pm for members of the public to provide comments on Ordinance 10-2023. With no members of the public wishing to be heard, Mayor Jones closed the public hearing at 7:44 pm.

Township Committee Member Yates offered Ordinance #10-2023 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 <sup>st</sup>	<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 Chipperson** to read Ordinance TC #11-2023.

Township Committee Member Chipperson read Ordinance TC #11-2023 by title as follows:

**HARDING TOWNSHIP**

## ORDINANCE #11-2023

### “ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY – MONUMENTS & MEMORIALS”

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on August 14, 2023.

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

The Municipal Clerk reported that a legal notice was sent for publication on August 14, 2023, to the Observer Tribune indicating that Ordinance #11-2023 was introduced and passed on first reading at the August 14, 2023 meeting and indicated that the second reading and public hearing were to be held on September 11, 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 opened the meeting at 7:46 pm for members of the public to provide comments on Ordinance 11-2023. With no members of the public wishing to be heard, Mayor Jones closed the public hearing at 7:46 pm.

Township Committee Member Chipperson offered Ordinance #11-2023 and moved its adoption.

Township Committee Member Lacz 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	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	2 <sup>nd</sup>	<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"/>

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**ADD-ON RESOLUTIONS:** NONE

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE:** NONE

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#### **CONSENT AGENDA**

The following items are considered to be routine by the Harding Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a Township Committee Member so

requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

**RESOLUTIONS TC 23-156 THROUGH RESOLUTION TC 23-163 HAVE BEEN PLACED ON THE CONSENT AGENDA**

**CONSENT AGENDA VOTE:**

**Mayor Jones** asks Township Committee Member Lacz to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 23-156 through TC 23-163.

Township Committee Member Lacz 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 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 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<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:**

**Resolution TC 23- 156 - Resolution to Establish and Appoint Members to the Affordable Housing Council**

**WHEREAS**, N.J.S.A. 40A:63-7(d) authorizes Township Committees to create “Advisory Councils to the Committee”; and

**WHEREAS**, the Township Committee of the Township of Harding has determined that it requires advice with respect to Affordable Housing matters.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the Affordable Housing Advisory Council is hereby established; and

**BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Harding that said Council shall be responsible for providing advice to the Township Committee as follows:

1. Matters concerning the Township’s compliance with State laws and regulations relating to



providing affordable housing in the Township.

2. Identifying needs for affordable housing.
3. Identifying and evaluating potential locations for affordable housing in the Township.

**BE IT FURTHER RESOLVED**, the Affordable Housing Council shall meet quarterly and as otherwise deemed advisable by the said Council; and

**BE IT FURTHER RESOLVED**, the Township Committee of the Township of Harding does hereby appoint the following individuals to the Affordable Housing Advisory Council for the terms indicated:

**AFFORDABLE HOUSING ADVISORY COUNCIL**

NAME	TERM EXPIRES
Mayor, Timothy Jones or Designee	12/31/2023
Township Committee Member, Christopher Yates	12/31/2023
Township Administrator, Robert Falzarano	12/31/2023
Assistant Township Administrator, Vince DeNave	12/31/2023
Township Attorney, Michael Edwards	12/31/2023
Township Planner/Administrative Agent, McKinley Mertz	12/31/2023

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**CONTRACTS:**

**Resolution TC 23-157 – Resolution to Execute the Contract Between Foveonics and Harding Township for the Digitizing of Harding Township Municipal Records**

**WHEREAS**, Harding Township seeks to update its records to be digitalized and placed into a cloud-based system; and

**WHEREAS**, Harding Township has deemed the services provided by Foveonics Document Solutions to be appropriate for the Township’s needs; and

**BE IT RESOLVED**, by the Township Committee of the Township of Harding (the “Committee”):

1. The Committee hereby approves for Harding Township to enter into an agreement with Foveonics Document Solutions to digitalize its records and be placed into a cloud-based system. Attached hereto as **Exhibit A** is the Foveonics Business Continuity and Disaster Recovery Approved Migration Path.

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**Resolution TC 23-158 – Resolution to Authorize the Ploetner Amendment**

**WHEREAS**, on January 18, 2019, under Docket Number MRS-L-001881-17, the Parties, Madeline Ploetner, Individually and as Administrator of the Estate of Donald Ploetner (“Plaintiff”), the Township of Harding

("Defendant"), and BMW Financial Services NA, LLC ("Third-Party Defendant"), executed a Settlement Agreement which resolved the outstanding issues between the parties (Settlement Agreement attached as **Exhibit B** to this resolution); and

**WHEREAS**, pursuant to the Settlement Agreement, Paragraph 4(c), the sum of \$8,322.00 ("Retained Escrow") was to be retained by the Township until BMW Financial Services NA, LLC, sold the property to a third-party purchaser who in turn issued a replacement bond acceptable to the Township, at which time the Township would return the Retained Escrow to the Plaintiffs Madeline and Donald Ploetner through its counsel LaGrotta Law, LLC's Attorney Trust Account; and

**WHEREAS**, BMW Financial Services NA, LLC sold the subject properties to a third-party purchaser (Coach and Four, LLC) and the third-party purchaser has issued a replacement bond which has been deemed acceptable by the Township at its June 12, 2023, meeting. Therefore, pursuant to the Agreement, Paragraph 4(c), the Retained Escrow is to be released by the Township to Madeline and Donald Ploetner through their Counsel, LaGrotta Law, LLC's Attorney Trust Account; and

**WHEREAS**, LaGrotta Law, LLC has ceased operations and the Plaintiff's Counsel, Robyn LaGrotta, is no longer practicing law. Therefore, the Township and Madeline and Donald Ploetner have agreed to release the Retained Escrow directly to Madeline and Donald Ploetner through Madeline Ploetner's power of attorney Donald Ploetner II; and

**WHEREAS**, the Township and Madeline and Donald Ploetner have drafted an amendment to the Settlement Agreement for the purpose of releasing the funds directly to Madeline Ploetner's power of attorney, Donald Ploetner II; and

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

1. The Township Committee hereby authorizes and directs the Mayor, or his designee and the Township Clerk to execute the Amended Settlement Agreement attached hereto as **Exhibit A**, subject to any de minimis revisions from Counsel.

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## **FINANCE:**

### **Resolution TC 23-159 – Bill List**

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

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

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### **Resolution TC 23-160 – Resolution to Approve the 2022 Audit Review**



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

**WHEREAS**, The Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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**Resolution TC 23-161 – Resolution to Authorize the Purchase of a Truck and Chassis for the Township of Harding Department of Public Works**

**WHEREAS**, there is a need to purchase a truck and chassis 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- 2023-202304-4003-4-04072 in the amount of \$141,169.40; 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**, Gabrielli Kenworth of New Jersey Inc, 2306 Route 130 N, Dayton, NJ is an approved vendor under the Educational Services Commission of New Jersey #23/24-04 for a 2024 Kenworth T480 cab and chassis.

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

<b>Vendor</b>	<b>ESCNJ Cooperative Number</b>	<b>Department</b>	<b>Quantity</b>	<b>Item</b>	<b>Price</b>
Gabrielli Kenworth of New Jersey Inc.	23/24-04	DPW	1	2024 Kenworth T480 cab and chassis	141,169.40
<b>TOTAL:</b>					<b>\$141,169.40</b>

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**Resolution TC 23-162 – Resolution to Authorize the Purchase of a Stainless Steel Dump Body**

**WHEREAS**, there is a need to purchase a stainless steel dump body 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- 2023-202304- 4003- 4- 04072 in the amount of \$89,226.00; 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**, Cliffside Body Corp., 130 Broad Ave, Fairview, NJ is an approved vendor under the Educational Services Commission of New Jersey #23/24-04 for a Bibeau 11' stainless steel dump body.

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

<b>Vendor</b>	<b>ESCNJ Cooperative #</b>	<b>Department</b>	<b>Quantity</b>	<b>Item</b>	<b>Price</b>
Cliffside Body Corporation	23/24-04	DPW	1	Bibeau 11' stainless steel dump body	\$89,226.00
<b>TOTAL:</b>					<b>\$89,226.00</b>

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**MISCELLANEOUS:**

**Resolution TC 23-163 – Resolution to Authorize the Use of Margetts Field for the Centennial Celebration and Fireworks Display Festival**

**WHEREAS**, the Township Committee of the Township of Harding approved the Centennial Committee; and

**WHEREAS**, the Centennial Committee recommends a festival and fireworks display to be held at Margetts Field on October 14, 2023.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the Centennial festival and fireworks display at Margetts Field is approved; and

**BE IT FURTHER RESOLVED**, all vendors shall comply with Harding Township's proof of insurance requirements; and

**BE IT FURTHER RESOLVED**, all food vendors shall comply with New Jersey food handling laws and regulations; and

**BE IT FURTHER RESOLVED**, the Township Committee of the Township of Harding that all Township Officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

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**ORDINANCES FOR FIRST READING: NONE**

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**ADJOURNMENT – Mr. Jones**

With no further comments, Mayor Jones asked for a motion to adjourn the meeting. 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 7:56 pm.

Respectfully submitted,



Lisa A. Sharp  
Municipal Clerk