

**HARDING TOWNSHIP COMMITTEE MEETING
FEBRUARY 20, 2008
REGULAR MEETING**

TABLE OF CONTENTS

ROLL CALL	2
REVIEW OF TENTATIVE AGENDAS FOR FUTURE MEETINGS.....	2
EXECUTIVE SESSION DETERMINATION	2
MINUTES	2
ORDINANCES/RESOLUTIONS	
Resolutions	
Resolution TC 08-62 – Part-Time Clerk Appointment	2
Resolution TC 08-63 – County Agricultural Board Liaison	3
Resolution TC 08-64 – Cancellation and Refund of Taxes.....	3
Resolution TC 08-65 – Bill List.....	3
Resolution TC 08-66 – Raffle License Approval.....	3
Resolution TC 08-68 – Model Cash Management Plan.....	4
Resolution TC 08-69 – Appointment of Professional (Ferriero).....	5
Resolution TC 08-70 – Authorize Financial Analysis of the Glen Alpin property	6
ANNOUNCEMENTS/REPORTS/PRESENTATIONS.....	6
CORRESPONDENCE.....	7
DEPARTMENT REPORTS.....	7
HEARING PERSONS PRESENT	7
EXECUTIVE SESSION – Resolution TC ES – 08- 67.....	7
ADJOURNMENT	8

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – February 20, 2008

Mr. Lanzerotti, Chairman, called the regular meeting of the Harding Township Committee to order at 7:30 P.M. and announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Present – Mr. Lanzerotti, and Mr. Rybka and Mr. Ward
Absent – Mr. Bartlett and Mr. Murray
Also Present – Ms. McKane, Township Administrator, Ms. Nergaard, Township Attorney, Ms. Zimmermann, Deputy Township Clerk
Number of members of the public present: approx. 10

REVIEW OF TENTATIVE AGENDAS FOR FUTURE MEETINGS:

Ms. McKane reviewed the Tentative Agenda for future meetings.

EXECUTIVE SESSION DETERMINATION:

Executive Session would be necessary to discuss matters regarding:

- Contract Negotiation – Morris Township, possible Open Space Acquisition, Chatham Township Dispatch Services
- Personnel – Police

MINUTES:

A motion was made by Mr. Rybka and seconded by Mr. Ward to approve the minutes of January 4, 2008 and January 16, 2008. There being no further discussion, the roll was called. The minutes of January 4, 2008, and January 16, 2008, were approved by a vote of all ayes.

ORDINANCES/RESOLUTIONS

Resolutions

Resolution TC 08-62 – Part-Time Clerk Appointment:

Mr. Lanzerotti reviewed the resolution. After a brief discussion, a motion was made by Mr. Rybka and seconded by Mr. Ward to introduce the resolution.

There being no further discussion, the roll was called. The Resolution TC 08-62 was approved by a vote of all ayes

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY that effective March 1, 2008, Gail W. McKane is hereby appointed as the Harding Township Clerk and Registrar of Vital Statistics at the annual salary of \$15,000 on a part-time basis, which shall be pro-rated as of the date of her appointment.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – February 20, 2008

Resolution TC 08-63 – County Agricultural Board Liaison:

Ms. McKane reviewed the resolution. A motion was made by Mr. Rybka and seconded by Mr. Ward to introduce the resolution.

After Mr. Ward and Ms. Nergaard discuss the County Agriculture Board a roll was called. Resolution TC 08-63 was approved by a vote of all ayes.

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 appointment as liaison to the County Agriculture Development Board be made:

Louis Lanzerotti

Resolution TC 08-64 – Cancellation and Refund of Taxes:

Mr. Lanzerotti reviewed the resolution. A motion was made by Mr. Rybka and seconded by Mr. Ward to introduce the resolution.

There being no discussion, the roll was called. Resolution TC 08-64 was approved by a vote of all ayes.

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 taxes be cancelled hereinafter set forth:

BLOCK	LOT	NAME AND REASON
17	11.03	Gregory Clark 42 Millbrook Rd 100% Exempt Veteran as of 1/31/06
	Cancelled Amount	Refund Amount
2006	\$4692.64	\$4692.64
2007	\$5663.84	\$5663.84
2008	\$2831.92	-0-

BE IT FURTHER RESOLVED by the Township Committee that all appropriate applications and verifications have been made by the Tax Assessor and are filed in his office.

Resolution TC 08-65 – Bill List:

Mr. Lanzerotti reviewed the resolution. A motion was made by Mr. Ward and seconded by Mr. Rybka to introduce the resolution.

There being no discussion, the roll was called. Resolution TC 08-65 was approved by a vote of all ayes.

BE IT RESOLVED, that the itemized claims listed on the attached Bill List, dated February 20, 2008, is hereby approved for payment.

Resolution TC 08-66 – Raffle License Approval:

Mr. Lanzerotti reviewed the resolution. A motion was made by Mr. Rybka and seconded by Mr. Ward to introduce the resolution.

There being no discussion, the roll was called. Resolution TC 08-66 was approved by a vote of all ayes.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY that a Raffle License be issued to Birth Haven Inc. for an Off-Premise Merchandise Raffle to be held on May 22, 2008 at 2:00 p.m.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – February 20, 2008

Resolution TC 08-68 – Model Cash Management Plan:

Mr. Lanzerotti and Ms. McKane reviewed the resolution. A motion was made by Mr. Ward and seconded by Mr. Rybka to introduce the resolution.

There being no further discussion, the roll was called. The Resolution TC 08-68 was approved by a vote of all ayes

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, that for the year 2008, the following shall serve as the cash management plan of the Township of Harding.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Township of Harding funds.

The following are suitable and authorized investments:

1. Interest bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.
2. Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1(e).
3. Local government investment pools which comply with N.J.S.A. 40A:5-15(e) and conditions set by the Division of Local Government Services.
4. New Jersey State Cash Management Fund.
5. Repurchase agreements (repros) of fully collateralized securities which comply with N.J.S.A. 40A:5-15(a).

Each month, the Chief Financial Officer shall prepare a schedule of investments purchase and redeemed, investment earnings, fees incurred and market value of all investments.

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

PNC Bank
Hudson City Savings Bank
The Chase Manhattan Bank
TD Bank North
Commerce Bank
Peapack-Gladstone Bank
New Jersey Cash Management Fund
Amboy National Bank
Commerce Bank
Bank of NY
NJ ARM
MBIA
Columbia Savings Bank
OCWEN / Berkeley Federal
Valley National Bank
Wachovia
First Morris Bank & Trust
Somerset Hills Bank

BE IT FURTHER RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY that any successor of any of the aforementioned banks and any bank that provides GUDPA certification are hereby authorized depositories.

BE IT FURTHER RESOLVED that this resolution replaces resolution TC 08-17 approved on January 4, 2008.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – February 20, 2008

Resolution TC 08-69 – Appointment of Professional (Ferriero):

Ms. McKane reviewed and amended the resolution to include that this contract will be awarded as a Professional Service Contract. A motion was made by Mr. Ward and seconded by Mr. Rybka to introduce the resolution as amended.

Justine Kovacs, resident of Village Road, questioned the projected costs of the contract. Ms. McKane reviewed the costs for engineering. Mr. Lanzerotti added the project will be paid within one to three years.

There being no further discussion, the roll was called. The Resolution TC 08-69, as amended, was approved by a vote of all ayes.

WHEREAS, the Township of Harding has a need to award a contract for the services of a Professional Engineer to provide services related to the engineering of the driveway and parking lot for the municipal building and new library; 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-20.7), 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-20.7) such as awarding to the lowest bidder; and

WHEREAS, this contract is awarded without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A11-5(1)(a), because the contract is for professional services to be performed by a person authorized by law to practice a recognized profession; and

WHEREAS, the cost of this contract is anticipated to exceed \$17,500, as certified in writing by the appropriate Township Official; and

WHEREAS, Paul Ferriero of Ferriero Engineering, Inc. has submitted a proposal dated February 15, 2008 for such services; and

WHEREAS, Paul Ferriero of Ferriero Engineering, Inc. has completed and submitted the required Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2008 budget for this contract;

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Harding authorizes a contract with Ferriero Engineering, Inc. (Paul Ferriero principal Project Engineer) pursuant to the attached proposal for the project outlined not to exceed \$25,000; 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.

Resolution TC 08-70 – Authorize Financial Analysis of the Glen Alpin property:

Mr. Lanzerotti reviewed the resolution. He added that the Township Committee will continue to research uses for the property through a Request for Proposal (RFP) in order to minimize the financial burden to the Township. A motion was made by Mr. Ward and seconded by Mr. Rybka to introduce the resolution.

Ms. Kovacs, Glen Alpin Conservancy (GAC) President, offered to help with the information compiled by the GAC. She commented the GAC would like to be part of this process. Mr. Lanzerotti stated that only an analysis will be completed at this time. Mary Prendergast, Glen Alpin Conservancy member, questioned whether volunteer hours will be taken into consideration in the analysis. Sally Dudley, Glen Alpin Conservancy member, reiterated the GAC should be considered for all their work they put into Glen Alpin and would like to work with the Township. Ms. Kovacs reminded the Township Committee of grant funds which have been received for Glen Alpin. Mr. Lanzerotti noted all the funds will be accounted for in the analysis and the public will be kept updated.

There being no further discussion, the roll was called. The Resolution TC 08-70 was approved by a vote of all ayes

WHEREAS, Harding Township has a need for a financial analysis report pertaining to the Glen Alpin project; 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-20.7), 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-20.7) such as awarding to the lowest bidder; and

WHEREAS, this contract is awarded without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A11-5(1)(a), because the contract is for professional services to be performed by a person authorized by law to practice a recognized profession; and

WHEREAS, the Township Administrator is authorized to arrange for the financial analysis report to be completed by Suplee, Clooney & Company (Robert M. Swisher, RMA principle auditor) which will analyze the capital, financial and operating costs related to the Glen Alpin project; and

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY that the Township Administrator is authorized to arrange to have Suplee, Clooney & Company prepare the financial analysis report for the Glen Alpin project in an amount not to exceed \$7,500.00.

ANNOUNCEMENTS/REPORTS/PRESENTATIONS

Highlands Regional Master Plan

Mr. Lanzerotti reviewed the history of the Highlands Regional Master Plan. He reviewed the Township’s response, which outlined the consistency with the State Development and Redevelopment Plan and growth capacity as basis for COAH obligations. The Township Committee reviewed the letter and agreed to have Ms. McKane send the letter.

Mr. Ward made a motion and Mr. Rybka seconded the motion to have the letter sent to the Highlands Council. There being no further discussion, a voice vote was called: All Ayes.

Administrative Updates

Ms. McKane indicated the Census is currently underway and added that Harding Township may see an upward shift in population when the census is released in 2010.

CORRESPONDENCE

Ms. McKane briefly reviewed items of correspondence. She noted e-mails received from residents pertaining to the proposed recreation complex. Ms. McKane advised COAH meeting dates had been released and added that she would forward the dates to the COAH Ad Hoc Committee. Mr. Lanzerotti indicated he would attend the meeting on February 29th.

DEPARTMENT REPORTS

Mr. Lanzerotti briefly reviewed the department reports.

HEARING PERSONS PRESENT

Ms. Kovacs stated that the GAC would be happy to work with the Township in order to raise funds for Glen Alpin. Mr. Lanzerotti explained the RFP would assist the Township in discovering options for the property. The Township Committee along with Ms. Kovacs, Nick Platt, GAC member and Ms. Dudley reviewed the RFP process, costs and options for the Glen Alpin house. Mr. Platt noted the GAC is fundraising for Glen Alpin, but opined it is difficult to fundraise when the future is unsure for Glen Alpin. He reiterated that it is hurting the GAC's attempt to raise funds. Mr. Lanzerotti provided Ms. Dudley with a copy of the resolution authorizing an analysis report on Glen Alpin.

Ms. Kovacs advised the GAC has a silent donator who will not be named due to the bad image of the Glen Alpin project. Mr. Ward asserted the RFP is important and overdue. Mr. Platt commented that he thinks the RFP is a great idea, and the GAC vision is to not have the property go into disrepair. He added that it is a wonderful piece of property and all parties involved should work together. Mr. Ward stated that he appreciates the effort of the GAC.

Kevin Dietsch, resident of Blackwell Avenue, questioned the status of an open public meeting in March regarding the Mt. Kemble Recreation Complex. Ms. McKane indicated that a date has not been established for a public meeting at this time.

Mr. Platt indicated that he is arranging a volunteer clean up. The volunteers would remove the trash from the Glen Alpin property in order to assist the DPW. He asked the Township Committee to encourage volunteers to help. Mr. Lanzerotti pointed out the safety of Harding Township citizens is important and asked Mr. Platt to keep the Township involved because liability could be an issue. The Committee along with Ms. McKane, Mr. Platt, Ms. Dudley and Ms. Kovacs reviewed the current condition of the Glen Alpin property. Ms. Nergaard reiterated that liability is an issue. Ms. Kovacs asked if the County can be contacted in order to remove trees on the property. Ms. McKane indicated that if the County is willing to remove the trees at no cost to the Township she would be fine with it, and she asked that she be kept aware of the situation. Ms. Kovacs thanked the Township Committee.

Resolution TC-ES-08-67 – Executive Session

A motion was made by Mr. Rybka and seconded by Mr. Ward to introduce the executive session resolution. The Resolution TC-ES-08-67 was approved by a vote of all ayes.

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS AND STATE OF NEW JERSEY on this 20th day of February, 2008 as follows:

1. The public shall be excluded from discussion of an action upon the specified subject matter.
2. The subject matters to be discussed are as follows:

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – February 20, 2008

- Litigation – Combe Fill South
 - Personnel Matter – Police
 - Contract Negotiation –Glen Alpin, Chatham Dispatch Services and Morris Township, possible Open Space Acquisition
 - Attorney-Client Privilege -- Specify
 - Collective Bargaining Agreement -- Specify
 - Other – as authorized by N.J.S.A. 10:4-12 -- Specify
3. Minutes reflecting the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, shall be promptly available to the public when the matters discussed are resolved, to the extent that making such matters public shall not be inconsistent with section N.J.S.A. 10:4-12.
 4. The Township Committee may come back into open session and take further action.
 5. This Resolution shall take effect immediately.

A motion was made by Mr. Ward and seconded by Mr. Rybka to reopen the meeting to the public. Vote: All Ayes

ADJOURNMENT:

There being no further business, a motion was made and seconded to adjourn the meeting at 9:30 p.m. Vote: All Ayes

Respectfully Submitted,

Christine Zimmermann
Harding Township Deputy Clerk