

**HARDING TOWNSHIP COMMITTEE MEETING
APRIL 16, 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	
Ordinances	
Introduction	
Ordinance 6-08 – Establishing the Position and Duties of Municipal Housing Liaison	2
Public Hearing	
Ordinance 4-08 – Amending Chapter 145 entitled “Recycling”	5
Ordinance 5-08 – Amending Chapter 105 entitled “Land Use and Development” (Recycling).....	11
Resolutions	
Resolution TC 08-94 – Bill List	13
Resolution TC 08-95 – Release of grading escrow (McHale).....	13
Resolution TC 08-96 – Approval of Employee Manual.....	13
Resolution TC 08-97 – Approval of Waiver (Burgen).....	14
Resolution TC 08-99 – Opposing the Abolishment of the Department of Agriculture.....	16
ANNOUNCEMENTS/REPORTS/PRESENTATIONS	14
CORRESPONDENCE.....	15
DEPARTMENT REPORTS.....	16
HEARING PERSONS PRESENT	16
EXECUTIVE SESSION – Resolution TC ES – 08- 98.....	17
ADJOURNMENT	18

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 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, Mr. Murray, Mr. Rybka and Mr. Ward
Absent – Mr. Bartlett
Also Present – Ms. McKane, Township Administrator, Ms. Nergaard, Township Attorney
Number of members of the public present: approx. 12

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 –Glen Alpin, Library and Eggert
- Personnel – Police, Non-contractual Employees, Boards and Commissions

MINUTES:

A motion was made by Mr. Ward and seconded by Mr. Murray to introduce the minutes of Regular Meeting, February 20, 2008; Agenda Meeting, March 5, 2008; and Regular Meeting, March 19, 2008. There being no further discussion, the minutes were approved by a vote of all ayes.

ORDINANCES/RESOLUTIONS

Ordinances – Introduction

Ordinance 6-08 – Establishing the Position and Duties of Municipal Housing Liaison

Ms. McKane summarized the Ordinance and indicated that the public hearing is scheduled for May 21st. Mr. Ward and Ms. McKane discussed the need for the Ordinance. Ms. McKane noted that a certification is now required. Mr. Lanzerotti added that if the Township had a housing authority, a municipal housing liaison would not be required; however, approximately ten to fifteen years ago the Township Committee decided that a housing authority removed the responsibility of affordable housing too far from its citizens. Mr. Lanzerotti added that he agrees. Mr. Murray stated that the majority of the changes will concern the reporting of the information.

Mr. Ward asked if the tasks being completed now were done by a paid position. Ms. McKane indicated that it was not a paid position at the moment.

A motion was made by Mr. Murray and seconded by Mr. Rybka to introduce Ordinance 6-08. Roll Call Vote: All Ayes

"AN ORDINANCE AMENDING CHAPTER 5 (ADMINISTRATION OF GOVERNMENT) AND 105 (LAND USE AND DEVELOPMENT) OF THE CODE OF THE TOWNSHIP OF HARDING TO ESTABLISH THE POSITION AND DUTIES OF THE MUNICIPAL HOUSING LIAISON AND PROVIDING FOR THE ADMINISTRATION OF AFFORDABLE HOUSING PURSUANT TO THE FAIR HOUSING ACT OF 1985"

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1: Chapter 5, Administration of Government, is hereby amended by adding a new Article IX, entitled Affordable Housing Administration, to read as follows:

ARTICLE IX
Affordable Housing Administration

5-50. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of the township's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

5.51. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Township of Harding.

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for the Township of Harding to ensure that the affordable units under administration are affirmatively marketed and sold or rented, as applicable, only to low and moderate income households.

5-53. Municipal Housing Liaison.

- A. There is hereby established the position of Municipal Housing Liaison for the Township of Harding.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by resolution of the Township Committee and may be a full or part time municipal employee with compensation to be fixed by the Township Committee at the time of appointment.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Township of Harding, including the following responsibilities, which shall not, pursuant to state regulations, be contracted out:
 - (1) Serving as the township's primary point of contact for all inquiries from the state, affordable housing providers, Administrative Agents, and interested households;
 - (2) Monitoring the status of all affordable units in the township's Fair Share Plan;
 - (3) Compiling, verifying, and submitting annual reports as required by COAH;
 - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
 - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - (6) Supervising the Administrative Agent(s) contracted or authorized by the Township Committee to administer some or all of the affordable units in the township.
 - (7) The Municipal Housing Liaison shall be responsible for any of the duties listed below that are not specifically delegated by the Township Committee to an Administrative Agent.

5-54. Administrative Agent.

Subject to approval by COAH, the Township of Harding may contract with or authorize a consultant, authority, government or any agency, which entity shall have the responsibility for administering specified affordable units, projects or housing programs, to undertake the duties listed herein, except for those responsibilities which may not be contracted out pursuant to subsection 5-53C above. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder, including the hiring of qualified staff, consultants and/or professional management to assist in the implementation of these responsibilities, and shall conduct all of its actions and duties in conformance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80 26.1 et seq. (hereafter "UHAC" regulations), COAH regulations and township ordinances.

A. Affirmative Marketing.

- (1) An Affirmative Marketing Plan, in compliance with UHAC regulations, shall be prepared by the Administrative Agent for each housing project or program utilizing the sample form supplied by COAH. The plan shall be maintained on file in the office of the Municipal Housing Liaison. The Affirmative Marketing Plan shall include all of the information required by UHAC regulations and township ordinances including, but not limited to sample media advertisements, a list of contacts for outreach to organizations within the COAH-designated housing region of which the township is a part, and a description of the random selection method to be employed in selecting prospective occupants for affordable units.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

- (2) Conducting an outreach process to ensure the affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan and UHAC regulations; and
 - (3) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law, in accordance with UHAC regulations.
- B. Household Certification.
- (1) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (2) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (3) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (4) Requiring that all certified applicants for affordable units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
 - (5) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - (6) Employing the random selection process as provided in the township's Affirmative Marketing Plan when referring households for certification to affordable units.
- C. Affordability Controls.
- (1) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each affordable unit that is for sale;
 - (2) Creating and maintaining a file on each affordable unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as applicable;
 - (3) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each affordable unit;
 - (4) Communicating with lenders regarding foreclosures of affordable units; and
 - (5) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to UHAC regulations with respect to code compliance upon the first transfer of title that follows the expiration of the applicable minimum control period for affordable units.
- D. Resale and Rental.
- (1) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of affordable units for resale or rental; and
 - (2) Instituting and maintaining an effective means of communicating information to low and moderate income households regarding the availability of affordable units for resale or re-rental.
- E. Processing Request from Unit Owners (non-rental units).
- (1) Reviewing and approving requests from owners of affordable units who wish to take out home equity loans or refinance during the term of their ownership;
 - (2) Reviewing and approving requests to increase sales prices from owners of affordable units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (3) Processing requests and making determinations on requests by owners of affordable units for hardship waivers.
- F. Enforcement.
- (1) With respect to non-rental units, securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it to a qualified and certified household;
 - (2) Securing from all developers and sponsors of affordable units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no affordable unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (3) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

- (4) Sending annual mailings to all owners of affordable units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- (5) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the Department of Community Affairs;
- (6) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
- (7) Providing information to the Municipal Housing Liaison, in the format required by COAH and certifying as to its accuracy, for the submission of monitoring reports to COAH.

SECTION 2: Subsections C(1) and C(2) in section 105-154 (AH Zone - Affordable Housing Regulations) shall be amended to read as follows:

C. Income eligibility, verification and monitoring reports.

- (1) All affordable housing hereafter constructed, renovated or rehabilitated within Harding Township for COAH credit shall be administered in accordance with Chapter 5, Article IX of this Code.
- (2) To ensure that affordable units are occupied by income-eligible households, the Township of Harding may, subject to COAH approval, contract with a qualified Administrative Agent to qualify and certify households as income-eligible, in conformance with COAH rules, and to undertake the duties set forth in section 5-54 of this Code and any other duties specified in the contract

SECTION 3: Section 105-155A (AH Zone – Supplemental regulations and requirements) shall be amended to read as follows:

- A. Affirmative marketing requirements. The marketing of all affordable housing shall be undertaken in accordance with an affirmative marketing plan. The affirmative marketing plan is a regional marketing strategy designed to attract renters of all groups regardless of sex, age or number of children, to available affordable housing units. The plan shall address the requirements of N.J.A.C. 5:93-11. The plan prohibits discrimination in the sale, rental, financing or other services related to the housing on the basis of race, color, sex, religion, handicap, familial status/size, age or national origin. The Township of Harding is located within Region 2, as determined by COAH, which includes Essex, Morris, Union and Warren Counties. The Township of Harding shall comply with monitoring and reporting requirements in accordance with N.J.A.C. 5:93-11.6 and 12.1. If authorized and contracted by the Township Committee, the Administrative Agent for specified affordable housing units shall have the primary role in developing the affirmative marketing plan and carrying out the marketing of affordable housing consistent with this Code and COAH regulations. If no Administrative Agent has been contracted to undertake these requirements, the Municipal Housing Liaison shall be responsible for compliance with these requirements. Affirmative marketing is a continuing program and shall meet the requirements of this Code, COAH regulations and the specific requirements set forth herein.

SECTION 4: If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 5: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6: This ordinance shall take effect after final passage and publication as prescribed by law.

Ordinances – Public Hearings

Ordinance 4-08 – Amending Chapter 145 entitled “Recycling”:

Mr. Lanzerotti reviewed the Ordinance. A motion was made by Mr. Murray and seconded by Mr. Ward to open the Ordinance for public hearing. Vote: All Ayes

Ms. Nergaard reviewed the Ordinance and state regulations. She commented that based on discussions with Tracy Toribio, Public Works Superintendent, the Township would continue to accept all forms of paper for recycling. Mr.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

Toribio recommended that newspaper be dropped off in brown paper bags or loose newspaper be tied or bundled. He reiterated that all forms of paper will be accepted. Mr. Toribio indicated that the only item not accepted is plastic bags.

Mr. Murray asked Mr. Toribio if the regulations will change the operation of the recycling center or impact the citizens differently. Mr. Toribio indicated that it would not change the operation or impact the citizens. He added that Harding Township is well over the state quota requirements for recycling. Ms. Nergaard noted the reasons for the Ordinance.

Mr. Murray questioned the administrative burden on Mr. Toribio. Mr. Toribio replied that he sees no additional impact. Mr. Ward suggested the Township promote batteries, etc. and recommended posters be placed at the recycling center. Mr. Toribio reviewed the current regulations and items that the Township will accept.

Chris Allyn, Chair of the Environmental Commission, commented that the Ordinance changes the floor language associated with the state regulations, noting that Harding Township has always done above what was required. He added that this Ordinance does not change what is described in the flyer distributed by the DPW each year. Mr. Allyn also pointed out the Environmental Commission has discussed recycling several times, and Mr. Toribio has been remarkable as a champion of recycling. He added that Mr. Toribio advocated in 2000 for Harding Township to go self sufficient and relieved the Township of the financial burden to pay for disposal. Mr. Allyn noted that a financial return increase over the last four years has been realized, which is very important. He stressed that Mr. Toribio is always open to the expansion of recycling. On behalf of the Environmental Commission, Mr. Allyn commended Mr. Toribio.

Mike Meade, resident of Millbrook Road, questioned if the Township has to pay to dispose of computers, tires and television sets. Mr. Toribio explained that currently the County takes the items at a minimal cost. He pointed out that because the Township does its own recycling, it has saved over \$370,000 since 2002. Mr. Toribio estimated the Township realized \$40,000 for recycling in 2007 after expenses.

Mr. Murray asked Mr. Toribio our current recycling percentage. Mr. Toribio indicated that the last percentage received from the County for Harding Township was in 2005, which was 64.8%. Mr. Murray complimented Mr. Toribio on his very effective efforts on behalf of Harding. Mr. Toribio was given an ovation by those in attendance.

Seeing no additional comments from the public, a motion was made by Mr. Murray and seconded by Mr. Ward to close the public hearing. Vote: All Ayes

A motion was made by Mr. Murray and seconded by Mr. Rybka to adopt Ordinance 4-08. Roll Call Vote: All Ayes

“AN ORDINANCE AMENDING CHAPTER 145 OF THE
CODE OF THE TOWNSHIP OF HARDING ENTITLED “RECYCLING”

SECTION 1: Chapter 145 of the Code of the Township of Harding is hereby amended in its entirety to read as follows:

§145-1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

COMMINGLED- A combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

DESIGNATED RECYCLABLE MATERIALS- Those materials designated within the Morris County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include:

Aluminum Cans - Cans made from aluminum that was manufactured to hold a serving of a beverage.
Specifically omitted from this definition are aluminum foil and aluminum pie plates.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

Glass Bottles and Jars - Bottles and jars made from glass including clear, brown and green glass. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. A jar is defined as a wide mouthed container that can be capped. Caps and lids not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.

Plastic Bottles (coded 1 and 2) - Plastic bottles coded to indicate that they are comprised of the specific types of plastic compounds (polymers) known as polyethylene terephthalate (PETE) or high density polyethylene (HDPE). See symbols to the left. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown to the left is specifically omitted from this definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc. should not be recycled.



Steel (Tin) Cans - An air-tight container for the distribution or storage of goods, composed of thin, usually ferrous, metal. Examples are soup cans and tuna fish cans.

Newspaper - A publication containing news, information and advertising, usually printed on low-cost paper called newsprint. Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time.

Corrugated Cardboard - Shipping containers made with kraft paper linerboard and corrugated medium.

Mixed Paper - Various categories of recyclable paper including, but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, soft cover books.

Leaves - Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.

Grass Clippings - Vegetative material generated when grass (lawns) are cut.

Brush - Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.

Natural Wood Waste - Logs, stumps, branches and other wood tree parts. Dimensional lumber is omitted from inclusion in this definition.

Oil-Contaminated Soil - Non-hazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 & #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be non-hazardous in accordance with the standards set forth in N.J.A.C. 7:26.

Used Motor Oil - Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.

Lead-Acid Batteries - Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.

Hazardous Dry Cell Batteries - Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small sealed lead acid, etc. These are often used as substitutes for non-rechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are non-rechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Non-rechargeable, hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

domestically manufactured alkaline and carbon zinc non-rechargeable batteries made after circa 1994 eliminated mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.

Metal Appliances - Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the refrigerant must be recovered accordingly.

Whole Tires* - Tires that are whole, not chipped into small pieces.

*Tires are allowed to be recycled and/or incinerated for energy recovery.;

MULTIFAMILY DWELLING- Any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the “Hotel and Multiple Dwelling Law,” P.L. 1967, c. 76 (C.55: 13A-1 et seq.);

MUNICIPAL RECYCLING COORDINATOR- The person or persons appointed by the municipal governing body to fulfill the requirements of the Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act and those rules and regulations promulgated therefore.

MUNICIPAL SOLID WASTE All solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Township which is not bulky waste or construction and demolition debris;

RECYCLABLE MATERIAL- Those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

SOURCE-SEPARATED RECYCLABLE MATERIALS- Recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

SOURCE SEPARATION- The process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

TOWNSHIP – The Township of Harding

§145-2 Source Separation; Exemption from Source Separation Requirements

- A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Township, to separate designated recyclable materials from all solid waste. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Disposal of Designated Recyclable Materials shall be separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises as follows:
1. Aluminum cans, steel (tin) cans, glass containers, glass bottles and jars, HDPE plastics, PETE plastics shall be emptied, rinsed and disposed of as specified by the Township.
 2. Used newspapers shall be secured in bundles no larger than 12 inches high and shall not be placed in plastic bags. The used newspapers shall be disposed of as specified by the Township.
 3. Corrugated cardboard shall be flattened and disposed of as specified by the Township.
 4. Mixed paper, paperboard/clipboard, and magazines, shall be disposed of as specified by the Township.
 5. All other designated materials as listed as Designated Recyclable Materials in §145-1 shall be disposed of as specified by the Township.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

6. Yard waste shall not be disposed of with the regular solid waste and shall not be disposed of at any solid waste facility. It shall either be composted on the site of the residential establishment or disposed of at a yard waste compost facility.
- B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16.6.(d), the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose, and provide the following information:
 1. the name of the commercial or institutional entity;
 2. the street address location and lot and block designation;
 3. the name, official title and phone number of the person making application on behalf of the commercial or institutional entity;
 4. the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials; and
 5. a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

§145-3 Acceptance of the Municipal Solid Waste Recycling Goal

As set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c), the Township accepts the goal of 50% recycling of municipal solid waste by 2015 and shall monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.

§145-4 Residential Dwelling Compliance Requirements

The owner of any property shall be responsible for compliance with this chapter. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by Municipal Recycling Coordinator or the Director of Public Works. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every 6 months during their occupancy.

§145-5 Non-Residential Establishment Compliance Requirements

- A. Institutional Establishment Compliance. Institutional establishments shall source separate Designated Recyclable Materials. Designated Recyclable Materials may be deposited at the recycling center during hours of operation. Otherwise the institution shall be responsible for establishing recycling programs for collection, transportation and marketing of Designated Recyclable Materials.
- B. Commercial Establishment Compliance. Commercial establishments shall source separate all designated materials for recycling. Designated Recyclable Materials, excluding office paper, may be deposited at the recycling center during hours of operation. Otherwise, each establishment shall be responsible for establishing recycling programs for collection, transportation and marketing of Designated Recyclable Materials.
- C. All commercial, institutional or multifamily dwellings which are not serviced by municipal recycling collection systems must submit recycling documentation on a semiannual basis to the Municipal Recycling Coordinator on forms prescribed by the Township, documenting the amount of recycled material, by material

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

type, collected and recycled and the vendor or vendors providing recycling service. Due dates for report periods are as follows:

Reporting Period	Due Date
January 1 to June 30	July 15
July 1 to December 31	January 15

- D. All of the aforementioned provisions may, from time to time, be modified by the Municipal Recycling Coordinator to the extent that procedures are developed for establishments to have their recyclables recycled, or new requirements are imposed by county or state agencies having appropriate jurisdiction.

§145-6 Alternate methods of disposal

Any person who is an owner, lessee or occupant may donate or sell used recyclable materials to any person, partnership or corporation, whether operating for profit or not for profit. No person, partnership or corporation shall appropriate recyclable material placed for collection as designated by the Township of Harding unless they have received the expressed permission from the Township of Harding to remove such material.

§145-7 Ownership of materials following placement for collection.

From the time of placement at the designated area, the recyclable materials shall be the property of Harding Township or its designated agents, and revenues collected from the sale of recyclable materials, if any, shall be the property of Harding Township or its designated agents.

§145-8 Multi-generator building recycling responsibilities.

In the case of multi-generator buildings, including apartment buildings, hotels, office buildings and commercial establishments, the building management as well as the individual generators shall be responsible for compliance with the requirements of this chapter.

§145-9 Enforcement agent designated

The Municipal Recycling Coordinator or members of the Police and Public Works Department are hereby authorized and directed to enforce all provisions of this chapter. Enforcement officers shall have the right to inspect garbage set out for disposal in order to determine whether recyclable materials are included.

§145-10 Unlawful acts

- A. It shall be unlawful to combine designated, unsoiled recyclables with other solid waste. Failure to source separate designated materials for recycling is a violation of this chapter.
- B. It shall be unlawful for solid waste collectors to collect solid waste that contains visible signs of designated recyclable materials. It shall be the responsibility of the resident whose solid waste was not removed because it contained recyclables, to properly segregate the uncollected waste for proper recycling. Allowing such unseparated refuse to accumulate will be considered a violation of this chapter.

§145-11 Violations and Penalties

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$25, nor more than \$1,000.

SECTION 2: If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

SECTION 3: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect after final passage and publication as prescribed by law.

Ordinance 5-08 – Amending Chapter 145 entitled “Recycling”:

A motion was made by Mr. Murray and seconded by Mr. Rybka to open the Public Hearing for Ordinance 5-08. Roll Call Vote: All Ayes

Ms. Nergaard reviewed the Ordinance noting that it is proactive. Mr. Allyn commented that his understanding of the Ordinance is that the applicability of this language is only for specific plans. Ms. Nergaard agreed.

Seeing no additional comments from the public, a motion was made by Mr. Murray and seconded by Mr. Rybka to close the public hearing. Vote: All Ayes

A motion was made by Mr. Murray and seconded by Mr. Ward to adopt Ordinance 5-08. Roll Call Vote: All Ayes

AN ORDINANCE AMENDING CHAPTER 105 OF THE CODE OF THE
TOWNSHIP OF HARDING ENTITLED “LAND USE AND DEVELOPMENT”
TO REQUIRE RECYCLING PLANS TO BE SUBMITTED AS PART OF SITE PLAN
AND SUBDIVISION APPLICATIONS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1: Chapter 105 of the Code of the Township of Harding entitled “Land Use and Development” is hereby amended as follows;

1. Article II entitled “Definitions and Interpretation” is hereby amended by adding the following definitions to §105-5 entitled “Definitions”:

MULTIFAMILY HOUSING -- a building containing three (3) or more dwelling units occupied or intended to be occupied by persons living independently of each other or a group of such buildings.

RECYCLING AREA -- an area allocated for the collection and storage of source-separated recyclable materials.

2. §105-100 in Article XVI entitled “Design Standards for Site Plans” entitled “Renewable energy sources and solid waste recycling requirements” is hereby amended in its entirety as follows:

A. Renewable energy resources. The Board may, in its discretion, require that buildings or structures use renewable energy sources.

B. Solid waste and recycling requirements.

(1) Any application for site plan approval for the construction of multifamily dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional or industrial development shall include provisions on the site for the storage and disposition of solid waste and source-separated recyclable materials. The application shall contain, at a minimum, the following:

(a) A detailed analysis of the estimated composition and amounts of solid waste and recyclables generated at the proposed development; and

(b) One or more locations shown on the site plan that provide for the convenient storage and disposition of recyclable materials and solid waste by all owners, tenants and occupants. Any such area shall comply

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

with all setback limitations and no such area shall be located in front of a principal building. Any recycling and/or solid waste storage area shall be provided on an impervious surface and be screened from view by enclosing it within a building, or by a solid fence and/or landscaping, as approved by the Board. It shall be of sufficient size, convenient location and contain other attributes including signage and lighting as may be proposed by the Applicant after consultation with the Municipal Recycling Coordinator and the Township Engineer.

- (c) The location of recycling areas shall be convenient for the disposition of source-separated recycling materials and may be near, but clearly distinct from a refuse dumpster.
- (d) Recycling/solid waste areas shall be adequately lit and shall be safely and easily accessible to owners and tenants, collection personnel, motor vehicles, and collection vehicles without interference from parked cars or other obstacles.
- (e) Recycling areas and any bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions that might render the collected materials unmarketable. Any bins or containers used for the collection of recyclable paper or cardboard, and which are located in an outdoor recycling area, shall be equipped with a lid, or otherwise covered, so as to keep the paper or cardboard dry.
- (f) Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein. All proposed signs shall be shown on the plans and approved by the Board.
- (g) Landscaping and/or fencing shall be shown on the plans and be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

- C. Contract with a hauling company for source separation of recyclables as condition of issuance of certificate of occupancy. In instances where the Township does not provide collection service, prior to the issuance of a certificate of occupancy, the owner of any new multifamily housing or commercial, institutional or industrial development shall supply a copy of an executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials.

3. Article XV entitled “Design Standards for Subdivisions” is hereby amended to revise §105-77 entitled “Requirements applicable to all subdivisions” by adding a new subsection L as follows:

- L. Recycling and solid waste requirements for new developments of multifamily residential units or commercial, institutional, government or industrial properties. Any application for subdivision approval for the construction of multifamily dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional or industrial development shall include a recycling plan that satisfies the requirements set forth in §105-100.

- 4.. Checklist A contained in §105-43 for Site Plan and Subdivision Applications shall be amended by revising requirement 49 to read as follows:

- 49. Proposed features such as outdoor storage areas, outdoor mechanical equipment, solid waste and recycling areas, service areas, utility buildings and structures and fences or walls, including all building or structure dimensions.

Requirement 49 shall be applicable to applications for a minor site plan, minor subdivision, preliminary major subdivision, preliminary site plan and final site plan.

SECTION 2: If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

SECTION 3: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect after final passage and publication as prescribed by law.

Resolutions

Resolution TC 08-94 – Bill List:

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

After Mr. Ward, Mr. Lanzerotti and Ms. McKane had a brief discussion of an item concerning street lighting, the roll was called. The Resolution TC 08-94 was approved by a vote of all ayes

BE IT RESOLVED, that the itemized claims listed on the attached Bill List, dated March 19, 2008, is hereby approved for payment.

Resolution TC 08-95 – Release of grading escrow (McHale):

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

There being no discussion, the roll was called. The Resolution TC 08-95 was approved by a vote of all ayes

WHEREAS, John and Elaine Mchale requests the return of a grading escrow in the amount of \$806.20 with the Township of Harding regarding grading for Block: 9 Lot: 12, 238 Blue Mill Road; and

WHEREAS, the Township Engineer, the Township Construction Official and the Township Health Administrator have certified that the construction work has been completed and have recommended the release of the grading escrow;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that appropriate municipal officials be and are hereby authorized to return said grading escrow in the amount of \$806.20 as due per N.J.S.A. 40:55D-53.1 to John and Elaine Mchale.

Resolution TC 08-96 – Approval of Amended Employee Manual:

Mr. Lanzerotti reviewed the resolution and revisions. A motion was made by Mr. Murray and seconded by Mr. Ward to introduce the resolution. Ms. McKane commented that a majority of the changes were required by our Joint Insurance Fund in order to continue to be in compliance.

There being no discussion, the roll was called. The Resolution TC 08-96 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 attached revised Harding Township Personnel Policies and Procedures Manual is hereby adopted.

*Employee Manual on file with resolution in Clerk's Office.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

Resolution TC 08-97 – Approval of Waiver (Bugen):

Mr. Lanzerotti reviewed the resolution. A motion was made by Mr. Ward and seconded by Mr. Rybka to introduce the resolution. Ms. McKane provided an overview the Bugen's request, which had been reviewed and approved by the Township Engineer.

There being no further discussion, the roll was called. The Resolution TC 08-97 was approved by a vote of all ayes

WHEREAS, Section 105-208 of the Code of the Township of Harding requires that roof drain drywells be provided for newly constructed roof area; and

WHEREAS, Barbara Bugen has requested a waiver from this requirement for the construction of an addition on her property known as Block 12, Lot 3 by letter dated April 3, 2008; and

WHEREAS, the Township Engineer has commented on this waiver request by memorandum dated April 10, 2008 and recommended the granting of this waiver.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY that the above stated roof drain drywell requirement be waived for the construction of an addition by Barbara Bugen for the property known as Block 12, Lot 3 in Harding Township.

ANNOUNCEMENTS/REPORTS/PRESENTATIONS

Frelinghuysen Road

Ms. McKane indicated that Mr. Malman on behalf of his client, Peter Frelinghuysen, has requested a waterline extension and road naming approval. Mr. Malman reviewed the proposed road names – Twin Oaks Lane and Singing Wood Lane. Mr. Lanzerotti asked if the names were consistent with Harding Township's Ordinances, and Mr. Malman indicated that they were. Mr. Rybka questioned whether there is a process set in place which examines proposed street names with those that already exist. Mr. Malman responded that the post office reviews and approves street names. Mr. Allyn stated that this has been discussed in the past, and it was suggested that the developer present the names to the post office for approval.

Mr. Ward motioned to approve the road names subject to the approval of the post office. Mr. Murray seconded the motion. Mr. Meade reviewed the affected post offices. It was the consensus of the Township Committee to introduce the Ordinance at the next meeting. The Township Committee directed Mr. Malman to contact both Morristown and New Vernon Post Offices for approval. Ms. Nergaard asked Mr. Malman to contact the post offices prior to the introduction of the Ordinance.

Frelinghuysen Water Line Extension

Mr. Malman reviewed the subdivision and the request for water line extension. He added that the proposal will be served by two new private roads extending from Sand Spring Lane. Mr. Murray questioned whether the net increase would be three lots which border Sand Spring Lane and Mr. Malman agreed. Mr. Ward commented that safety is provided by having water capability and indicated his approved of the extension. Mr. Ward added that he does not see this extension bringing on further development.

Mr. Murray disagreed and pointing out that Harding Township is in Planning Area 5 and the recent change to five acre zone from three acre zoning is predicated on the assumption that we could not build out Harding at three acre level because of the availability of water. He opined that each water line extension added is a further infringement on the integrity of that zoning and the policy in place should direct the Township Committee on this request. Mr. Malman argued that this is not increasing development. Mr. Murray maintained that the extension would make it more difficult to defend our five acre zoning. Mr. Rybka clarified that the plan was approved by the New Vernon Fire Department, and added that he does not view this extension as an increase in infrastructure because of the amount of water lines being abandoned. Mr. Ward briefly reviewed water extension history in Harding Township.

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

Ms. Nergaard indicated the Utility Authority requests that extensions and users be approved by the Township Committee by resolution.

The Township Committee agreed to have the resolution on the next agenda for consideration and thanked Mr. Malman.

2008 Capital Plan Budget Review

Mr. Lanzerotti indicated that the Township is discussing the six-year Draft Capital Plan tonight. He added that the amount of money in the capital plan is already in the budget and the Township Committee is now examining the elements in the plan. Ms. McKane reviewed the draft plan, and added that the Township Committee will use this plan to prioritize the projects in Harding Township. She along with the Township Committee reviewed and discussed the 2008 plans. Mrs. McKane noted that an Ordinance is needed to adopt the Capital Plan. The total amount for proposed capital improvements for 2008 is \$582,000. Mrs. McKane reviewed the cash flow of the capital improvement fund.

Mr. Murray noted the Township had set up an objective to bank and grow the capital funding in order to held offset extraordinary expenses.

Mr. Ward questioned how many times the HVAC has been on the Capital Plan previous to this year and added that he feels strongly that it needs to be replaced. Mr. Ward indicated that he would rather postpone other projects, and have the HVAC restored. Ms. Lanzerotti suggested that we not replace the Health Department vehicle and assess how many vehicles the Township has, which would save funds toward the HVAC system. Ms. McKane pointed out that the HVAC total cost is approximately \$370,000. Mr. Toribio commented on the HVAC system and explained the current situation. Mr. Ward agreed the Health Department vehicle be removed from the capital expense plan. Ms. McKane stated that she would remove the item. Mr. Lanzerotti and Mr. Murray asked Ms. McKane to examine a way to accelerate the next step for the HVAC system.

Mr. Rybka asked if there would be air conditioning in the basement. Mr. Toribio confirmed that the system would be expanded to include the portion of the basement utilized by the Police Department.

Ms. McKane stated that she would prepare a draft Ordinance for consideration at the next meeting. Mr. Murray recommended that Ms. McKane move the HVAC (Chiller replacement) amount of \$60,000 to the 2008 Capital Plan. Mr. Murray added that the Township would have \$25,000 from the deletion of the Health Department vehicle and stated that the Finance Committee could be of assistance to Ms. McKane if needed.

Other Topics

Mr. Murray recommended to the Township Committee that an “Abandoned Property Ordinance” be drafted and considered. He provided an example of an abandoned property within the redevelopment area. Mr. Murray added that he feels strongly the Township needs the capability of eliminating problems where no one is utilizing or taking care of a property. He requested permission of the Township Committee to work with Ms. Nergaard to draft an Ordinance for discussion in the future. Mr. Rybka indicated that he has no objection conceptually. Mr. Ward stated that he conceptually has no objection but has concerns. Mr. Murray agreed with the concern and acknowledged that it will be a challenge. Ms. Nergaard noted that there are some statutory provisions which she would need to investigate.

Mr. Meade expressed concern about the length of construction on Lees Hill and Young Roads. He suggested there be a time frame on projects, because it is not fair to the neighbors. Mr. Murray replied that he does not disagree with Mr. Meade; however, this Ordinance would not pertain to that type of situation, which could possibly be dealt with separately.

Harding Township Sewer Pumping Station

Ms. McKane referenced a memo provided by Paul Fox, Township Engineer, pertaining to an emergency replacement of pumps at the Harding Township Sewer Pumping Station. She explained that the expenditure would be appropriated from the Sewer Utility Authority. The Township Committee briefly reviewed the related costs. The Township

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

Committee thanked Steve Swenson, Township Sewer Operator and Mr. Toribio with their assistance during this emergency.

CORRESPONDENCE

Ms. McKane reviewed various items of correspondence. She pointed out two letters of support for the Great Swamp Bike Loop. Ms. McKane also reviewed various state regulations, proposed bills and COAH regulations.

DEPARTMENT REPORTS

Mr. Lanzerotti briefly reviewed the department reports.

HEARING PERSONS PRESENT

Hall Scaff, resident of Lees Hill Road, requested, as a member of the agriculture community, that the Harding Township Committee approve a resolution opposing the abolishment of the Department of Agriculture. He stressed that the Department is instrumental in monitoring so many things, and it is an essential service. Mr. Scaff reviewed a draft resolution with the Township Committee.

Mr. Lanzerotti referenced an article that stated the Governor was not going to abolish the Department of Agriculture. Mr. Lanzerotti reviewed and distributed the draft resolution to the Township Committee. He noted that the Township Committee does not normally pass resolutions of this nature, but believes it to be important to Harding Township. Mr. Lanzerotti noted the receipt of a letter from Dick Walter, resident of Pleasantville Road, who is also in favor of the Township Committee passing a resolution opposing the dissolution of the Department of Agriculture.

Mr. Rybka agreed with Mr. Scaff, but philosophically never understood a governing body passing resolutions commenting on what other public entities are doing. He added that he would like to see the Township stay focused on what is before them. Mr. Murray indicated that he is strongly in favor of this resolution. Mr. Ward agreed with Mr. Scaff and commented on its importance. Roberta Shields, resident of Birch Lane, reiterated what she discussed at the prior meeting and agreed with Mr. Rybka. She added that there are many important issues that could come before the Township Committee in the future. Mr. Meade suggested the Township Committee wait and see if the Governor has in fact agreed not to abolish the Department of Agriculture before taking any action. Mr. Scaff reiterated that he would like to have Harding Township's opposition relayed to the state before any action is taken.

Resolution TC 08-99 –Opposition of the abolishment of the Department of Agriculture:

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

There being no further discussion, the roll was called. The Resolution TC 08-99 was approved by a vote:

Ayes: Mr. Murray, Mr. Ward and Mr. Lanzerotti

Abstain: Mr. Rybka

WHEREAS, the Township of Harding, County of Morris, State of New Jersey is an agricultural community which enjoys the quality of life and economic benefits from farms and farming; and

WHEREAS, Harding Township is an active participant in farmland preservation and has active farmers and farm families; and

WHEREAS, the State of New Jersey is nationally recognized as the Garden State and the New Jersey Department of Agriculture supports the farming profession with essential services for plant inspection and trade, animal health and transport, inspection and promotion of "Jersey Fresh" produce and organic certification; and

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

WHEREAS, the New Jersey Department of Agriculture develops the school nutrition guidelines and operates the federal school meal programs as well as emergency food purchase and distribution linking New Jersey farmers with nutrition programs; and

WHEREAS, Governor Jon Corzine has initiated an effort to abolish the New Jersey Department of Agriculture as a cost cutting measure, that would result in no substantial savings to the taxpayers of the state while resulting in a reduction of services to the farms, farmers and citizens of New Jersey; and

NOW THEREFORE, BE IT RESOLVED, by the Township of Harding, County of Morris, State of New Jersey that: the Township of Harding adamantly opposed any effort to abolish the New Jersey Department of Agriculture as a cabinet level department, and strongly supports the funding of the essential program of the Department of Agriculture.

Resolution ES TC-08-98:

A motion was made by Mr. Murray and seconded by Mr. Rybka to introduce the executive session resolution. The Resolution TC-ES-08-98 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:
 - Litigation – Combe Fill South, Tax Appeal
 - Personnel Matter – Police, Retirement
 - Contract Negotiation –Open Space Acquisition, Eggert
 - Attorney-Client Privilege --
 - 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

MINUTES HARDING TOWNSHIP COMMITTEE
REGULAR MEETING – April 16, 2008

ADJOURNMENT:

There being no further business, a motion was made and seconded to adjourn the meeting at 10:50 p.m. Vote: All Ayes

Respectfully Submitted,

Christine Gatti
Harding Township Deputy Clerk