

**HARDING TOWNSHIP COMMITTEE
MAY 7, 2008
AGENDA MEETING**

TABLE OF CONTENTS

ROLL CALL	2
REVIEW OF TENTATIVE AGENDAS FOR FUTURE MEETINGS	2
EXECUTIVE SESSION DETERMINATION	
ORDINANCES/RESOLUTIONS	
Ordinances / Introduction	
Ordinance 7-08 – Authorizing Ground Lease and Easement with Harding Township Library	2
Ordinance 8-08 – Authorizing Roadway Dedication and Right of Way Easement on Blue Mill Road	4
Ordinance 9-08 – 2008 Capital Budget Ordinance	5
Ordinance 10-08 – Sewer Capital Ordinance	6
Ordinance 11-08 – Road Naming Ordinance	7
Public Hearing	
Resolution TC 08-107 – Authorizing Budget to be read by title	7
Resolution TC 08-108 – Public Hearing/Adoption of 2008 Budget	8
Resolution TC 08-114 – Budget Amendment	8
Resolutions	
Resolution TC 08-101 – Environmental Commission Appointment	10
Resolution TC 08-102 – Executive Session Minutes Approval	11
Resolution TC 08-103 – Auction/Raffle License Approval	11
Resolution TC 08-104 – Waterline Extension	12
Resolution TC 08-105 – CFO reappointment	13
Resolution TC 08-110 – 2008 Cash Capital	14
Consent	
Resolution TC 08-106 – Release of court checks	14
Resolution TC 08-109 – Authorizing Cancellation of certain Capital Ordinance balances	15
Resolution TC 08-112 – Partial Release of Performance Guarantee Escrow (Wilkerson)	15
ANNOUNCEMENTS/REPORTS/PRESENTATIONS	16
CORRESPONDENCE	16
HEARING PERSONS PRESENT	16
EXECUTIVE SESSION – Resolution TC ES – 08-113	17
Resolution TC 08-111 – Salary Resolution	18
ADJOURNMENT	19

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 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. Bartlett, Mr. Murray, Mr. Rybka and Mr. Ward
Absent – None
Also Present – Ms. McKane, Township Administrator; Ms. Nergaard, Township Attorney; Himanshu Shah, CFO; and Robert Swisher, Township Auditor
Number of members of the public present: approx. 15

REVIEW OF TENTATIVE AGENDAS FOR FUTURE MEETINGS:

Ms. McKane reminded the public of the Special Meeting that is scheduled for May 20, 2008, at 7:00 P.M. at the Harding Township School. She reviewed the Tentative Agenda for future meetings.

EXECUTIVE SESSION DETERMINATION

Executive Session would be necessary to discuss matters regarding:

- Contract Negotiation – Eggert
- Attorney-Client Privilege – Glen Alpin
- Personnel – Non contractual salaries
- Litigation – Combe Fill South, Various Tax Appeals

ORDINANCES/RESOLUTIONS

Ordinances – Introduction

Ordinance 7-08 – Authorizing Ground Lease and Easement with Harding Township Library

Ms. McKane reviewed the Ordinance and lease. A motion was made by Mr. Murray and seconded by Mr. Bartlett to introduce Ordinance 7-08 and set the public hearing for June 4, 2008. Roll Call Vote: All Ayes

Mr. Murray indicated that a lot has been completed to get the lease together and complemented the Library’s attorney Mr. Broderick and the officers of the Library for the hard work and cooperation.

Mr. Lanzerotti questioned the dumpster use by the Library stated in the lease; Mr. Nergaard clarified that the dumpster would be on the property only during construction.

**AN ORDINANCE AUTHORIZING AND APPROVING THE GROUND LEASE AND EASEMENTS
BETWEEN THE TOWNSHIP OF HARDING AND THE HARDING TOWNSHIP LIBRARY, INC.**

WHEREAS, the Township is the owner of certain real property located at the corner of Blue Mill Road and Sand Spring Road, depicted on the Harding Township Tax Map as Block 19, Lot 12.07 and consisting of approximately 14.49 acres, on which the Kirby Municipal Building and municipal tennis courts are currently located (“Municipal Site”); and

WHEREAS, the Township has agreed that it would be in the best interests of the Township residents to enter into a long term ground lease agreement with the Library to provide for the construction of a local, not for profit, privately funded free public library (“Library Building”) on a portion of the Municipal Site for use by the residents of the Township; and

WHEREAS, the Local Land and Buildings Law, *N.J.S.A. 40A:12-14(c)*. authorizes municipalities to enter into long term leases with nonprofit corporations where it is determined that the leasehold will serve a public purpose; and,

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

WHEREAS, the Township Committee has determined that the portion of Block 19, Lot 12.07 to be leased is not needed for public use, and that the proposed library use is a public purpose that will provide a service to approximately 3,500 residents of Harding Township and non-resident members of the Morris Automated Information Network (“M.A.I.N.”); and.

NOW, THEREFORE, 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: A Ground Lease Agreement between the Township of Harding and the Harding Township Library, Inc. (the “Library”), leasing a portion of Block 19, Lot 12.07, as depicted on the tax maps of Harding Township, for the purposes of constructing and operating the Library Building, is hereby approved. A copy of the Ground Lease Agreement is annexed hereto as Exhibit A, and a metes and bounds description of the lease parcel easement is annexed hereto as Exhibit B.

SECTION 2. The initial term of the lease shall be for forty (40) years, and the Library shall pay an annual rent of One (\$1.00) Dollar. The parties have agreed to negotiate the terms of any extension upon the expiration of the initial term.

SECTION 3. The Township Administrator and Township Committee, on behalf of the Township, and the Board of Trustees of the Harding Township Library, Inc., on behalf of the Library, are responsible for the enforcement of the conditions of the lease.

SECTION 4. In accordance with the requirements of *N.J.S.A. 40A:12-14(c)* of the Local Lands and Buildings Law, the Harding Township Library, Inc. shall annually submit a report to the Township Administrator, describing the use to which the leasehold was put during the previous year, the activities that it has taken in furtherance of the public purpose and an affirmation of its continued tax-exempt status pursuant to state and federal law.

SECTION 5. The following easements, which are incorporated in the Ground Lease Agreement, are also specifically authorized and approved:

- A. A utility easement for the construction and maintenance of telephone, electric and cable services, as referenced in Paragraph 1 of the Ground Lease Agreement and more particularly described in the metes and bounds description entitled “Utility Easement 1” and annexed hereto as Exhibit C;
- B. A utility easement for the water line and well, as referenced in Paragraph 1 of the Ground Lease Agreement and more particularly described in the metes and bounds description entitled “Utility Easement 2” and annexed hereto as Exhibit D;
- C. A utility easement for the septic system and gas service, as referenced in Paragraph 1 of the Ground Lease Agreement and more particularly described in the metes and bounds description entitled “Utility Easement 3” and annexed hereto as Exhibit E;
- D. A sight easement, as referenced in Paragraph 1 of the Ground Lease Agreement and more particularly described in the metes and bounds description entitled “Sight Easement” and annexed hereto as Exhibit F; and
- E. A temporary construction easement to the Library for staging or phasing purposes during construction as referenced in Paragraph 7E of the Ground Lease Agreement and more particularly described in the metes and bounds description entitled “Staging Area Easement” and annexed hereto as Exhibit G.

SECTION 6. The Mayor and Clerk are hereby authorized and directed to execute the Ground Lease Agreement, together with any other documents necessary for the completion of the transaction. Once the documents are fully executed, the Clerk shall cause the Ground Lease and such other related documents that require recording to be recorded in the office of the Morris County Clerk.

SECTION 7. This ordinance shall take effect after final passage and publication as prescribed by law.

Ordinance 8-08 – Authorizing Roadway Dedication and Right of Way Easement on Blue Mill Road

Ms. McKane and Ms. Nergaard reviewed the Ordinance. A motion was made by Mr. Bartlett and seconded by Mr. Murray to introduce Ordinance 8-08 and set the public hearing for June 4, 2008. Roll Call Vote: All Ayes

Mr. Lanzerotti added that the Township is planning on awarding a contract for the parking lot at the next Township Committee meeting.

AN ORDINANCE AUTHORIZING AND APPROVING ROADWAY DEDICATION AND
RIGHT-OF-WAY EASEMENT OF A PORTION OF BLUE MILL ROAD
TO THE COUNTY OF MORRIS

WHEREAS, by Ordinance No. 7-08, the Township Committee has authorized and approved a Ground Lease Agreement between the Township of Harding and the Harding Township Library, Inc.; and

WHEREAS, as part of the approval process, the Morris County Planning Board required the Township to dedicate a portion of Blue Mill Road to the County of Morris, and grant a right-of-way easement of a portion of Blue Mill Road to the County of Morris; and

WHEREAS, N.J.S.A 40A:12-13.4 authorizes the transfer of municipal lands to the county for nominal consideration where the municipality determines that the land is not needed for municipal purposes; and

WHEREAS, the Township Committee has determined that the land to be dedicated to the County of Morris and the land that will be burdened by the right-of-way easement are not needed for municipal purposes.

NOW, THEREFORE, 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 As required by Paragraph 1 of the Ground Lease Agreement between the Township of Harding and the Harding Township Library, Inc., a dedication of a portion of Blue Mill Road to the County of Morris, more particularly described in the metes and bounds description annexed hereto as Exhibit A and entitled “Roadway Dedication” is hereby authorized and approved.

SECTION 2. As required by Paragraph 1 of the Ground Lease Agreement between the Township of Harding and the Harding Township Library, Inc., the grant of a right-of-way easement to the County of Morris for a portion of Blue Mill Road, more particularly described in a metes and bounds description annexed hereto as Exhibit B and entitled “Right-of-Way Easement” is hereby authorized and approved.

SECTION 3. In accordance with the requirements of N.J.S.A. 40A:12-13.4, the Township is authorizing the dedication and transfer with the proviso that Morris County shall limit its use of the property to public purposes.

SECTION 3. The Mayor and Clerk are hereby authorized and directed to execute such deeds of dedication and easement as are necessary for the completion of the transaction. Thereafter, the Clerk shall

cause the deed of dedication and deed of easement and such other related documents that require recording to be recorded in the office of the Morris County Clerk.

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

Ordinance 9-08 – 2008 Capital Budget Ordinance

Ms. McKane reviewed the contents of this Ordinance. A motion was made by Mr. Murray and seconded by Mr. Ward to introduce Ordinance 9-08 and set the public hearing for June 4, 2008. Roll Call Vote: All Ayes

Mr. Ward questioned how many trucks were needed for the Department of Public Works. Ms. McKane indicated one full size picks up, one small pick up and a used bucket truck are required. She reviewed the status of the trucks now being used by DPW.

Ms. McKane added that some changes were made in terms of the HVAC system which is now a two-year plan. Mike Meade, resident of Millbrook Road, questioned how much the Township will pay for a bucket truck. Ms. McKane indicated that a used bucket truck will be approximately \$5,000. Ms. McKane and Mr. Meade discussed the need for DPW vehicles. Mr. Ward asked if there would be an insurance problem having our employees using bucket truck and Ms. McKane stated that she believes that there were no issues.

Mr. Meade commented that the DPW trucks seem to be in good shape and Ms. McKane indicated that the professional’s opinion is to replace the trucks instead of putting more money into them than they are worth.

CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS,
NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS
AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING
THEREFOR THE SUM OF \$456,500 FROM THE CAPITAL IMPROVEMENT FUND AND
\$62,500 FROM CAPITAL SURPLUS OF THE TOWNSHIP.

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

Section 1. The Township of Harding, in the County of Morris, New Jersey (the “Township”), is hereby authorized to make the following public improvements and acquisitions in, by and for the Township, including all work, materials and appurtenances necessary and suitable therefore:

CAPITAL IMPROVEMENT FUND	
Projects	Estimated Costs
a. Payment to Morris Township for sewer capacity for Township’s affordable housing project	\$ 37,500
b. Exterior and Interior Improvements at Township facilities, Police Department and HVAC system	\$ 190,000
c. Replacement of Traffic Lights and appurtenances	\$ 9,000
d. Installation of water lines (dry) and hydrants for fire fighting	\$ 75,000
e. Improvements to public parking lot and driveway in New Vernon	\$ 75,000
f. Bayne Park Skating Rinks, Lighting, Electric and appurtenances	\$ 15,000
g. Acquisition of trucks for DPW (pickups and bucket)	\$ <u>55,000</u>
Total from Capital Improvement Fund	\$ 456,500

CAPITAL SURPLUS

Projects	Estimated Costs
a. Basins: Replacement / Repairs; Pipe: Replacement / Repairs / Culvert Repairs; Roads: Seal Coat	\$ 50,000
b. Improvements/resurfacing of Sand Spring Road, Section II	\$ 7,500
c. Acquisition of recycling box	\$ <u>5,000</u>
Total from Capital Surplus	\$ 62,500

Section 2. The aggregate sum of \$456,500 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the costs of the improvements and acquisitions authorized and described in Section 1 hereof.

Section 3. The aggregate sum of \$62,500 is hereby appropriated from Capital Surplus of the Township to the payment of the costs of the improvements and acquisitions authorized and described in Section 1 hereof.

Section 4. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 6. This capital ordinance shall take effect after final passage and publication as required by law.

Ordinance 10-08 – Sewer Capital Ordinance

Ms. McKane reviewed the Ordinance and added that this is needed because of an emergency at the sewer pumping station. She confirmed that Paul Fox, Township Engineer, concurred that this was an emergency. Barbara Brennan, resident of Sand Spring Road, questioned when the project would be completed. Ms. McKane indicated that the pumps have been ordered and the Township is now waiting on the installation. Mr. Meade, Mr. Lanzerotti and Ms. McKane reviewed the issue of the failure of the pumps. Ms. McKane added that the pumps are monitored on a regular basis.

A motion was made by Mr. Murray and seconded by Mr. Bartlett to introduce Ordinance 10-08 and set the public hearing for June 4, 2008. Roll Call Vote: All Ayes

CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFOR THE SUM OF \$30,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

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

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

Section 1. The Township of Harding, in the County of Morris, New Jersey (the “Township”), is hereby authorized to make the following public improvements and acquisitions in, by and for the Township, including all work, materials and appurtenances necessary and suitable therefore:

Project	Estimated Cost
a. Improvements to Sewer Pumping Station	\$30,000

Section 2. The aggregate sum of \$30,000 is hereby appropriated from the Sewer Capital Improvement Fund of the Township to the payment of the costs of the improvements and acquisitions authorized and described in Section 1 hereof.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The Sewer capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 5. This Sewer capital ordinance shall take effect after final passage and publication as required by law.

Ordinance 11-08 – Road Naming Ordinance

Ms. McKane reviewed the Ordinance. A motion was made by Mr. Murray and seconded by Mr. Bartlett to introduce Ordinance 11-08 and set the public hearing for June 4, 2008.

Chris Allyn, resident of Lake Trail West, asked whether the Township received feedback from the post office regarding the road names. Ms. McKane stated that both Morristown and New Vernon Post Office’s have approved the road names.

There being no further discussion, the roll was called. The Ordinance 11-08 was approved by a roll call vote of all ayes.

ORDINANCE APPROVING THE ROAD NAMES FOR VARIOUS SUBDIVISIONS

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: The Township Committee hereby approves the names “Twin Oaks Lane” and “Singing Wood Lane” for Block 22, proposed Lots 2, 3, 4, 4.01 and 5; new private roads.

SECTION 2: This ordinance shall take effect after final passage and publication as prescribed by law.

SECTION 3: This ordinance is subject to approval from the New Vernon and Morristown Post Offices.

Resolutions

Resolution TC 08-107 – Authorizing Budget to be read by title

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

There being no further discussion, the roll was called. The Resolution TC 08-107 was approved by a roll call vote of all ayes.

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

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 budget shall be read by title only.

Resolution TC 08-108 – Public Hearing/Adoption of 2008 Budget

A motion was made by Mr. Murray and seconded by Mr. Ward to open the public hearing for the 2008 Harding Township Budget. Roll Call Vote to open the public hearing: All Ayes.

Mr. Murray introduced and thanked Mr. Shah, Robert Swisher and Patricia Kickenweitz, Finance Manager, for all their assistance and hard work. Mr. Murray prepared and presented an overview and summary of the 2008 municipal budget. Mr. Murray along with the Township Committee, Mr. Shah and Mr. Swisher reviewed the following:

- o school, municipal and county tax
- o 2007 and 2008 Harding Township budget comparison
- o budget appropriations and revenue
- o 1.6% tax increase for the municipal portion of the budget
- o major appropriation increases; pension , affordable housing, loss of state aid, capital improvements, insurance and emergency dispatch
- o major offsets; staff and departmental reductions
- o expenses; staff, other departmental expenses, reserves, debt service, miscellaneous, capital improvement and utilities
- o total debt in Harding Township is approximately \$14 million dollars with no new debt – debt is due to old legacy to borrow by bond issuance
- o management of debt and importance of shared services
- o capital project planning

Ms. Brennan questioned where the state received the funds raised for state aid. Mr. Murray replied that it is raised through income tax, and Mr. Lanzerotti reviewed the process.

Chris Allyn questioned the pension increase. Mr. Shah reviewed the issue and cautioned that the amount of increase pertaining to pensions will also be affected by the market.

Mr. Balog questioned how the 4% is determined for salaries. Ms. McKane stated that it follows the negotiation of the police contract. Mr. Murray pointed out that the Township Committee has voted in the past to have parity between the union and non-union employees. Mr. Shah and Mr. Balog discussed the salary increase and salary portion of the budget.

Mike Meade, resident of Millbrook Road, stated that Harding Affordable Housing was \$79,000 short and questioned the mechanism to increase rent. Ms. McKane indicated that COAH determines the allowable rent increases.

A motion was made by Mr. Murray and seconded by Mr. Ward to close the public hearing for the 2008 Harding Township Budget. There being no further discussion, Roll Call Vote: All Ayes.

(Adoption of Budget occurs after the approval of the Budget Amendment)

MINUTES HARDING TOWNSHIP COMMITTEE
 AGENDA MEETING – May 7, 2008

Resolution TC 08-114 – Budget Amendment

Mr. Shah reviewed the budget amendment. A motion was made by Mr. Murray and seconded by Mr. Bartlett to introduce the resolution.

There being no further discussion, the roll was called. The Resolution TC 08-114 was approved by a roll call vote of all ayes.

WHEREAS, the local municipal budget for the year 2008 was approved on the 2nd day of April, 2008 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, that the following amendments to the approved budget of 2008 be made:

<u>RECORDED VOTE</u>	((<u>Abstained</u> (
(INSERT LAST NAMES)	<u>Ayes</u> (<u>Nays</u> ((
	((<u>Absent</u> (
	(((

	<u>FROM</u>	<u>TO</u>
Public and Private Programs Offset By Revenues		
Matching Funds For Grants	15,000.00	14,603.75
Municipal Alliance - Matching Funds	1,588.00	1,984.25

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 7th day of May, 2008.

Certified by me

_____, 2008

 Municipal Clerk

Adoption of 2008 Budget (continued)

A motion was made by Mr. Murray and seconded by Mr. Ward to **ADOPT** 2008 Harding Township Budget, as amended. Roll Call Vote: All Ayes.

Mr. Murray noted that this is the last time he would be presenting the budget and thanked Mr. Shah and Ms. Kickenweitz for their support. Mr. Shah thanked Mr. Murray and added that he has done a fantastic job presenting the budget.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008;

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

SUMMARY OF REVENUES – CURRENT FUND

General Revenues:	
Surplus Anticipated:	\$2,075,000.00
Miscellaneous Revenues Anticipated:	1,452,970.19
Receipts from Delinquent Taxes:	179,000.00
Local Tax for Municipal Purposes:	<u>4,990,300.00</u>
TOTAL GENERAL REVENUES	\$8,697,270.19

SUMMARY OF APPROPRIATIONS – CURRENT FUND

General Appropriations	
Operating Expenses:	
Salaries & Wages:	\$3,024,400.00
Other Expenses:	3,098,338.19
Deferred Charges & Other Appropriations:	381,400.00
Capital Improvements:	500,000.00
Debt Service:	547,000.00
Judgments	0.00
Reserve for Uncollected Taxes	<u>1,146,132.00</u>
TOTAL GENERAL APROPRIATIONS	\$8,697,270.19

2008 Dedicated Sewer Utility Budget

SUMMARY OF REVENUES

Surplus:	\$ 34,900.00
Miscellaneous Revenues:	<u>130,000.00</u>
TOTAL REVENUES	\$164,900.00

SUMMARY OF APPROPRIATIONS

Operating Expenses:	
Salary & Wages:	\$ 6,500.00
Other Expenses:	138,400.00
Capital Improvements:	20,000.00
Debt Service:	0.00
Deferred Charges & Other Appropriations:	<u>0.00</u>
TOTAL APPROPRIATIONS	\$164,900.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the budget set forth for 2008 is hereby adopted.

Resolutions

Resolution TC 08-101 – Environmental Commission Appointment

Chris Allyn, Chairman of the Environmental Commission, commented on the resolution and expressed his appreciation to Bonnie Gannon whose term is being filled by Mark O’Keefe. A motion was made by Mr. Murray and seconded by Mr. Ward to introduce the resolution.

Mr. Meade questioned how individuals get chosen for a board or committee. Mr. Lanzerotti explained that there is a list of volunteers who responded to a request for volunteers last year.

There being no discussion, the roll was called. Resolution TC 08-101 was approved by a vote of all ayes.

Resolution TC 08-104 – Waterline Extension

Ms. McKane reviewed the resolution, which was discussed at the last Township Committee meeting. A motion was made by Mr. Bartlett and seconded by Mr. Ward to introduce the resolution.

Mr. Murray expressed his opposition, and commented that it is a direct contravention of the policy that the Township Committee adopted at the recommendation of the Harding Township Planning Board and a contravention of the Master Plan. He opined that this would make it more difficult for Harding Township to defend its zoning.

Mr. Ward indicated that he understands Mr. Murray’s concerns, but believes the facts do not substantiate a development concern. Mr. Bartlett indicated that it was discussed at length at the Planning Board.

Chris Allyn, Environmental Commission Chairman, echoed Mr. Murray’s concerns. He added that if you look at the Highlands’ characterization of developmental areas it will bring light to these areas as areas of potential growth because of the water lines.

Mr. Balog questioned the location of the current water lines. Mr. Lanzerotti reviewed the areas and Mr. Murray added that they are not franchised extensions contrary to what is being requested.

Justine Kovacs, member of the Shade Tree Committee, voiced her opposition because of the number of roadside trees that would be at risk. Mr. Lanzerotti assured the addition of waterlines will not damage the trees she is concerned about. Ms. Kovacs reiterated that she agrees with Messrs. Murray and Allyn that this is not consistent with the Harding Township Master Plan.

Mr. Ward indicated that this resolution was reviewed at the last meeting and this memorializes the Township Committee’s decision.

There being no discussion, the roll was called. Resolution TC 08-104 was approved by roll call vote:

Ayes:	Mr. Rybka, Mr. Ward and Mr. Lanzerotti
Nays:	Mr. Murray
Abstained:	Mr. Bartlett

WHEREAS, Peter H. B. Frelinghuysen, Jr. (“Applicant”) intends to file a request with the Southeast Morris County Municipal Utilities Authority (“Authority”) for an extension of service to a portion of his property currently designated as Block 22, Lots 2, 3, 4, 4.01 and 5 (“Property”) and Block 5, Lot 19 in the Township of Harding which is outside the Authority’s service area; and

WHEREAS, the Applicant has obtained preliminary and final major subdivision approval from the Harding Township Planning Board (“Subdivision Approval”) to subdivide the Property into 13 residential lots, five of which presently contain residential structures that are served by an existing public water line (“Existing Water Line”); and

WHEREAS, the 13 lots created by the Subdivision Approval are designated as Block 22, Lots 2, 2.01, 2.02, 3, 3.01, 3.02, 4, 4.01, 4.02, 4.03, 4.04, 4.04 and 5 on a certain map entitled “Final Plat, Major Subdivision, Block 22, Lots 2, 3, 4, 4.01 and 5, James Street and Sand Spring Lane, Township of Harding, Morris County, New Jersey” prepared by Schommer Engineering, Inc. dated July 25, 2007 (“Final Plat”); and

WHEREAS, the Applicant intends to install new water lines serving Lots 3.02, 4, 4.03, 4.04, 4.05 and 5 in Block 22 on the Final Plat and property designated as Block 5, Lot 19 on the Harding Township Tax Map (these seven lots are collectively referred to as the “Public Water Lots”); and

WHEREAS, Lots 2, 2.01, 2.02, 4.01 and 4.02 on the Final Plat will be served by on-site wells and Lots 3 and 3.01 on the Final Plat will continue to be served by the Existing Water Line; and

WHEREAS, the proposed extension of public water lines to the Public Water Lots requires the approval of the Authority's four creating municipalities, the Morris County Municipal Utilities Authority and the Township of Harding; and

WHEREAS, the Applicant will be submitting an application to the aforesaid four creating municipalities and the Morris County Municipal Utilities Authority for approval for the proposed public water connection to the Public Water Lots; and

WHEREAS, the Authority will have to determine, based upon a certification of its Chief Engineer, that the proposed extension of water to the Public Water Lots is feasible and can be constructed without substantially impairing the Authority's ability to meet existing and reasonably foreseeable service requirements within the District; and

WHEREAS, the proposed water connections to the Public Water Lots will be constructed at the sole expense of the Applicant; and

WHEREAS, the Applicant has requested that the Township Committee of the Township of Harding approve and support the Applicant's application to the Morris County Municipal Utilities Authority and the other creating municipalities of The Southeast Morris County Municipal Utilities Authority for approval of the proposed public water extension to the Public Water Lots and to give its consent to such proposed new extension, as required by agreements between the Authority and such parties;

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 Township of Harding does hereby consent to the Applicant's request to extend public water to the Public Water Lots.

Resolution TC 08-105 – CFO reappointment

Ms. McKane introduced the resolution and recommended the reappointment of Himanshu Shah as CFO. A motion was made by Mr. Murray and seconded by Mr. Ward to introduce the resolution.

There being no discussion, the roll was called. Resolution TC 08-105 was approved by a vote of all ayes.

WHEREAS, Himanshu R. Shah was appointed Chief Financial Officer on May 5, 2004, for a four-year term; and

WHEREAS, Township Administrator Gail McKane, recommends Mr. Shah be reappointed as Chief Financial Officer.

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 Himanshu R. Shah is hereby reappointed as Chief Financial Officer.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute an employment agreement with Mr. Shah that sets forth the terms and condition of employment.

Resolution TC 08-110 – 2008 Cash Capital

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

Mr. Murray asked if there was any grant money available for the fingerprinting machine. Ms. McKane indicated that there are no grants available at this time, and commented that it seems to be an unfunded requirement. Mr. Allyn questioned if this is a state requirement and asked how this ties into the existing computer system. Ms. McKane indicated that she believes it will tie into our system and she would forward information to Mr. Allyn

There being no further discussion, the roll was called. Resolution TC 08-110 was approved by a vote of all ayes.

WHEREAS, the amount of \$100,000 has been appropriated in the 2008 Budget for the Cash Capital Account (Furniture and Improvement of Municipal Facility); and

WHEREAS, the Township Committee determined the following public improvements are to be part of the 2008 Capital Budget:

Projects	Estimated Costs
a. Improvements to Municipal Building Driveway and Parking Lot	\$ 50,000
b. Removal and Replacement of Oil Tank at Public Works Facility	\$ 3,000
c. Acquisition of Computerized Fingerprinting Machine and Computer Equipment/Software for Police Dept.	\$ 30,000
d. Acquisition of Furniture/Filing System for Police Dept.	\$ <u>15,000</u>
Total from Cash Capital	\$ 98,000

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY that the Cash Capital Account is to be utilized for payment of the costs of improvements and acquisitions; including all work, materials and appurtenances necessary.

Consent Agenda

Mr. Lanzerotti moved Resolutions TC 08-106, TC 08-109, and TC 08-112 to a consent agenda. A motion was made by Mr. Murray and seconded by Mr. Bartlett to introduce the Consent Agenda.

There being no discussion, the roll was called. Resolutions TC 08-106, TC 08-109, TC 08-112 were approved by a roll call vote of all ayes.

Resolution TC 08-106 – Release of court checks

WHEREAS, there are certain Municipal Court overpayment checks that have been outstanding in excess of one (1) year or lost; and

WHEREAS, it is necessary to formally cancel the outstanding or lost checks listed below:

OUTSTANDING CHECKS - CURRENT FUND

<u>DATE ISSUED:</u>	<u>CHECK NUMBER:</u>	<u>AMOUNT</u>
1/8/2007	1376	\$ 23.00
2/6/2007	1385	2.00
4/5/2007	1396	9.00
4/20/2007	1402	1.00
5/1/2007	1404	1.00
6/13/2007	1416	1.00
9/27/2007	1434	1.00
10/9/2007	1438	4.00
9/19/2006	1636	<u>1.00</u>
Total		\$ 43.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Harding that the above listed outstanding checks totaling \$43.00 be cancelled.

Resolution TC 08-109 – Authorizing Cancellation of certain Capital Ordinance balances

WHEREAS, certain General Capital Ordinance balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended funded balances may be returned to the Capital Improvement Fund or credited to Capital Surplus, and unfunded debt authorizations may be cancelled; and

WHEREAS, Capital Ordinances with balances to be cancelled are as follows:

Capital Ordinance	Description	Balance
04-98	Municipal Building Improvements	\$ 17.66
07-99	Municipal Building Improvements	227.98
06-01	Municipal Building Improvements	7.30
18-01	Acquisition of Real Property, Block 51, Lot 34 (Wildlife Preserves)	20,533.76
20-03	Computer System Upgrade	1,396.33
20-04	Administrative Departments, various equipment	447.17
20-05	Acquisition of hopper style sand/salt spreader	15.06
	Acquisition of Lawnmower	<u>7,505.00</u>
	TOTAL	\$ 30,150.26

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 unexpended and dedicated Capital Ordinance balances listed above be cancelled and funded balances returned to the Capital Improvement Fund or credited to Capital Surplus and unfunded debt authorizations cancelled.

Resolution TC 08-112 – Partial Release of Performance Guarantee Escrow (Wilkerson)

WHEREAS, John and Barbara Wilkerson request a reduction of the performance guarantee escrow with the Township of Harding commensurate with the amount of work that has been completed regarding Block 21, Lot 5 on Sycamore Farm Road; and

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

WHEREAS, pursuant to the letter from the Township Engineer dated April 28, 2008 has certified that enough of the construction work has been completed to recommend that the performance guarantee escrow be reduced to \$75,157.51;

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 reduce said performance escrow guarantee to the amount of \$75,157.51 for the property located on Sycamore Farm Road, Block 21, Lot 5 owned by John and Barbara Wilkerson.

ANNOUNCEMENTS/REPORTS/PRESENTATIONS

Updates from the Chair

Mr. Lanzerotti thanked the Bayne Park Committee for the fishing contest event that occurred in early April. He also thanked David Smith of Bernardsville for donating the prizes. Mr. Meade, member of the Bayne Park Committee, described the event as a success.

Mr. Lanzerotti indicated that he has received two more letters related to the proposed Morris Township fields; one in opposition and one in favor.

Mr. Lanzerotti referenced literature received from the League of Municipalities pertaining to COAH. He noted that the Township Committee has a subcommittee to review the proposed regulations. Mr. Lanzerotti stated the subcommittee will update the Township Committee and public at its next meeting. He reviewed the proposed COAH bills and regulations. Mr. Lanzerotti examined the proposed middle income housing and anticipated State Housing Commission. He stated that the League of Municipalities may oppose some of the COAH regulations and standards and are considering legal action. Mr. Lanzerotti noted the League of Municipalities has asked municipalities to pledge \$500 as a potential litigation amount. Ms. Nergaard noted the League is only seeking interest from municipalities at this time. The Township Committee, along with Ms. Nergaard, reviewed proposed COAH regulation and voiced their concerns.

A motion was made by Mr. Ward, seconded by Mr. Bartlett to pledge \$500 to NJ League of Municipalities. Vote: All Ayes

Administrative Updates

Ms. McKane stated that the Township's emergency dispatch service has been transferred to the county. She added that she has heard nothing but positive feedback since the transfer. Ms. McKane acknowledged Chief Gaffney, Chief Noetzli, and the county for their help and support.

Justine Kovacs, member of the Garden Club and Bayne Park Committee, stated that the Garden Club would like to rebuild and landscape of the center driveway island. She stated the Garden Club has received one estimate in the amount of \$4,000 and would present the Township with the funding. Mr. Ward stated that it is a wonderful idea. Ms. Kovacs, Mr. Ward and Ms. McKane reviewed donation regulation. The Township Committee thanked Justine Kovacs, and the Garden Club.

CORRESPONDENCE

Ms. McKane reviewed various items of correspondence and noted new departments at the state level.

HEARING PERSONS PRESENT

Ms. Brennan questioned the May 20th agenda and asked if there was an opportunity for the public to make a presentation. Ms. McKane indicated that it would be up to the Township Committee how they would like to hear the public. She

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

added that Morris Township would be making a PowerPoint presentation. Mr. Lanzerotti stated that the Township Committee will be asking the public to sign in, in order to have a record of who will be speaking. He indicated that the purpose of this meeting is to gain a better understanding of what Morris Township is proposing in order to make an educated decision. Mr. Lanzerotti stated that the Township Committee wanted all interested parties to have the same knowledge base on the proposal by Morris Township. Ms. Brennan asked to present her and her neighbors' concerns at the meeting. Mr. Bartlett voiced that he believed a presentation would be a good idea to represent a number of citizens with the same concerns. Mr. Lanzerotti agreed. Ms. Brennan and Mr. Bartlett reviewed the concerns with artificial turf. Mr. Lanzerotti stated he would like the public to police themselves. Mr. Murray commented that it may be hard to police group presentations. Mr. Ward indicated that a presentation from Ms. Brennan's group is fine with him. Mr. Rybka had no objection to a presentation, although he thought the Township Committee needed to know in advance who they represent.

The Township Committee reviewed presentation options and how the meeting would be run. Roberta Shields, resident of Birch Lane, voiced her concern on how the meeting on May 20th would be held; and added that it was her understanding that this meeting was to educate the Township Committee and have the Harding Township residents voice their concerns. Ms. McKane indicated that it is a public meeting and anyone in attendance has the right to speak. Mr. Meade noted that during the meeting in December many of the sports club members stated their opinions and it will be redundant. Mr. Rybka suggested that in the future perhaps they could have a handout stating their position. Kevin Dietsch, resident of Blackwell Avenue, questioned whether there will be a decision made at the May 21, 2008; and indicated that a decision made the day after the Morris Township presentation seems to be unfair. Mr. Lanzerotti indicated that the Township Committee may make a decision at its regular meeting on the 21st, and anyone wishing to voice their concerns is encouraged to do so at the May 20th meeting.

Mr. Bartlett suggested that one person have more time if they spoke for a group of people. Mr. Ward agreed. Mr. Rybka stated that the Township Committee would need to be as equitable as possible. Mr. Murray agreed with Mr. Rybka. Ms. Nergaard stated that this meeting was originally designed to detail what Morris Township is presenting, and she voiced her concerns regarding presentations. Mr. Balog pointed out that this is a fact finding meeting and questions should be sought and not debated. Ms. Nergaard reviewed the Township Committee's options. Mr. Lanzerotti asked Ms. Brennan if she would be interested in having a presentation; and if, so to contact Ms. McKane in advance. Mr. Lanzerotti stated that the Township Committee will be presenting a statement on May 21st and a decision will be made.

EXECUTIVE SESSION – Resolution TC ES – 08-113

A motion was made by Mr. Murray and seconded by Mr. Bartlett to introduce the resolution.

There being no discussion, the roll was called. Resolution TC 08-113 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 7th day of May, 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, Various Tax Appeals
 - Personnel Matter – Non contractual salaries
 - Contract Negotiation – Eggert

MINUTES HARDING TOWNSHIP COMMITTEE
 AGENDA MEETING – May 7, 2008

- Attorney-Client Privilege – Glen Alpin
- 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. Murray and seconded by Mr. Rybka to reopen the meeting to the public. Vote: All Ayes

Resolution TC 08-111 – Salary Resolution

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

There being no discussion, the roll was called. Resolution TC 08-111 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 salaries of the following non-contract employees are listed below for the year 2008 retroactive to January 1, 2008.

POSITION	NAME	SALARY
Township Administrator	McKane, Gail	113,152.00
Secretary to the Administrator	Phillips, Cynthia	22,882.00
Receptionist	Gatti, Christine	10,695.36
Township Clerk	McKane, Gail	15,000.00
Deputy Township Clerk	Gatti, Christine	33,586.08
Construction Official / Bldg. Subcode / Insp.	Balady, MaryEllen	102,452.61
Subcode Official – Electrical	Gingerelli, Robert	19,978.23
Subcode Official – Plumbing	Driscoll, Brady	17,680.00
Subcode Official – Fire	Mastrobattista, Albert	14,061.22
Inspector	Mastrobattista, Albert	7,311.20
Construction Office Assistant / Secretary	Doherty, Janet	43,344.04
Municipal Court Judge	Schaul, Robert	30,987.84
Excess of 48 Sessions Per Year	Schaul, Robert	175.00 / session
Court Administrator	Schwab, Barbara	54,948.61
Court Administrator Call Out Rate	Schwab, Barbara	75.00 / call
Deputy Court Administrator	Bansfield-Moss, Elizabeth	43,108.34
Court Administrator Call Out Rate	Bansfield-Moss, Elizabeth	75.00 / call
Prosecutor	Fico, Peter	28,029.66
Excess of 48 Sessions Per Year	Fico, Peter	170.00 / hour
Chief Finance Officer	Shah, Himanshu	23,284.68
Treasurer	Shah, Himanshu	16,224.00
Finance/Tax Manager	Kickenwietz, Patricia	27.04 / hour

MINUTES HARDING TOWNSHIP COMMITTEE
AGENDA MEETING – May 7, 2008

POSITION	NAME	SALARY
Senior Bookkeeper	Doherty, Amy	37,544.00
Payroll / Benefits Coordinator	Phillips, Cynthia	3,120.00
Tax Assessor	Aceto, Pasquale	29,059.28
Tax Collector	Silber, Kathleen	10,816.00
Finance / Tax Clerk	Demeter, Mary	29.15 / hour
Planning Board Administrator / Secretary	Phillips, Cynthia	22,882.00
Zoning Officer	Zaborsky, Karen	11,897.60
Zoning Board Administrator / Secretary	Zaborsky, Karen	41,586.44
Police Chief	Gaffney, Kevin	137,119.79
Police Lieutenant	Nunn, Daniel	103,000.00
Police Secretary	Sherlock, Susan	42,911.32
Public Works Superintendent	Toribio, Tracy	87,317.57
Public Works Forman-Buildings & Grounds	Rauter, Gary	54,080.00
Public Works Foreman-Fleet	Noetzli, Kenneth	58,760.00
Public Works Forman-Streets & Roads	Miller, James	57,720.00
Public Works Laborer/Driver/ Equip. Operator	Philhower, Jeffrey	43,740.40
Public Works Laborer / Driver	Alicea, Luis	34,320.00
Public Works Laborer / Driver	Gatti, Jared	34,320.00
Public Works Equipment Operator/Mechanic	Carranno, John	52,000.00
Pumping Station Operator	Swenson, Steve	6,240.00

BE IT FURTHER RESOLVED that such salaries shall not exceed the amount set forth in the Township of Harding Minimum/Maximum Ordinance #3-08 adopted on March 13, 2008.

ADJOURNMENT:

There being no further business, a motion was made by Mr. Murray and seconded by Mr. Bartlett to adjourn the meeting at 10:45 p.m. Vote: All Ayes

Respectfully Submitted,

Christine Gatti
Harding Township Deputy Clerk