

**HARDING TOWNSHIP COMMITTEE  
JUNE 4, 2008  
AGENDA MEETING**

**TABLE OF CONTENTS**

<b>ROLL CALL .....</b>	<b>2</b>
<b>REVIEW OF TENTATIVE AGENDAS FOR FUTURE MEETINGS .....</b>	<b>2</b>
<b>EXECUTIVE SESSION DETERMINATION .....</b>	<b>2</b>
 <b>ORDINANCES/RESOLUTIONS</b>	
<b>Ordinances / Public Hearing</b>	
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
 <b>Resolutions</b>	
Resolution TC 08-127 – Support of Family Dinner Night .....	8
Resolution TC 08-128 – Approve Award and Authorize Contract for Solid Waste Collection .....	9
Resolution TC 08-129 – Approval of Liquor License (Mt. Kemble Lake Country Club) .....	10
Resolution TC 08-130 – Approval of Liquor License (New Vernon Fire Department) .....	10
Resolution TC 08-131 – Approval of Liquor License (MBN Associates, Inc.) .....	11
Resolution TC 08-132 – Approval of Liquor License (Pierre’s Restaurant) .....	11
 <b>ANNOUNCEMENTS/REPORTS/PRESENTATIONS .....</b>	 <b>11</b>
 <b>CORRESPONDENCE .....</b>	 <b>12</b>
 <b>HEARING PERSONS PRESENT .....</b>	 <b>12</b>
 <b>EXECUTIVE SESSION – Resolution TC ES – 08-133 .....</b>	 <b>12</b>
 <b>ADJOURNMENT .....</b>	 <b>13</b>

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

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

**REVIEW OF TENTATIVE AGENDAS FOR FUTURE MEETINGS:**

Ms. McKane reviewed the Tentative Agenda for future meetings. She pointed out that the Board of Adjustment Chairman will be presenting its annual 2007 report at the next meeting. Also, she noted that at the next meeting the Township Committee may be introducing an Ordinance for a property acquisition and there will also be a discussion to amend the COAH development fees. Lastly, Ms. McKane indicated that there is a discussion scheduled with the Shade Tree Advisory Committee for the July 9<sup>th</sup> meeting concerning a tree survey.

**EXECUTIVE SESSION DETERMINATION**

Executive Session would be necessary to discuss matters regarding:  
Contract Negotiation – Eggert, Property Acquisition  
Attorney-Client Privilege – Glen Alpin  
Litigation – Property on Lindsley Road

**ORDINANCES/RESOLUTIONS**

**Ordinances – Public Hearing**

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

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

Alice Condon, Harding Township Library Executive Board member, thanked the Township Committee for their help, guidance and support, which has been fantastic throughout this educational process. Ed Broderick, Harding Township Library Executive Board member, also thanked the Township Committee, Ms. McKane and Ms. Nergaard for all their hard work throughout this process. He added that the best news in all is that the library and municipal building will be on the same site.

Mr. Murray commented that the Township Committee is looking forward to having the library, and is delighted that it has come this far. He added that the library committee has been great collaborators.

Seeing no further comments from the Township Committee or the public, a motion was made by Mr. Murray and seconded by Mr. Bartlett to close the public hearing. Vote: All Ayes.

A motion was made by Mr. Murray and seconded by Mr. Ward to adopt Ordinance 7-08. Roll Call Vote: All Ayes

**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

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

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,

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.

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

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:**

A motion was made by Mr. Rybka and seconded by Mr. Bartlett to open the Ordinance for public hearing. Vote: All Ayes

A discussion ensued pertaining to the dedication, easement and legal requirements of the County pertaining to this ordinance. Mr. Ward questioned if any trees were going to be removed from the area, and Ms. McKane indicated that she had been advised that no trees would be removed.

Mr. Murray explained that the right-of-way will be increased and pointed out that it was a necessary precondition from the County in order for the Township to obtain approval to relocate the driveway.

Seeing no further comments from the Township Committee or the public, a motion was made by Mr. Rybka and seconded by Mr. Ward to close the public hearing. Vote: All Ayes.

A motion was made by Mr. Murray and seconded by Mr. Ward to adopt Ordinance 8-08. Roll Call Vote: All Ayes

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.

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

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:**

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

Mr. Ward and Ms. McKane reviewed the replacement of vehicles needed by the Department of Public Works. Tracy Toribio, Superintendent of Public Works, explained the condition of the vehicles being replaced.

Mr. Murray thanked Ms. McKane for her effort and success in moving along the improvement of the HVAC system. Mr. Bartlett concurred.

Seeing no further comments from the Township Committee or 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. Ward to adopt Ordinance 9-08. 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 \$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:

<b>CAPITAL IMPROVEMENT FUND</b>	
<b>Projects</b>	<b>Estimated Costs</b>
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>
<b>Total from Capital Improvement Fund</b>	<b>\$ 456,500</b>

**CAPITAL SURPLUS**

<b>Projects</b>	<b>Estimated Costs</b>
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>
<b>Total from Capital Surplus</b>	<b>\$ 62,500</b>

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:**

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

Mr. Ward indicated that it states \$30,000 in the Capital Ordinance and in \$37,500 in the Capital Improvement for the sewer pumping station. Ms. McKane replied they are separate items, explaining \$37,500 is the last payment to Morris Township for sewer capacity for Township’s affordable housing project, and \$30,000 is for emergency repairs to the pumping station. Mr. Bartlett and Mr. Toribio briefly reviewed the issue with the sewer pumps.

Seeing no further comments from the Township Committee or 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. Rybka to adopt Ordinance 10-08. 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 – June 4, 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:

<b>Project</b>	<b>Estimated Cost</b>
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:**

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

Seeing no comments from the Township Committee or 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. Rybka to adopt Ordinance 11-08. Roll Call Vote: 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 08-127 – Support of Family Dinner Night:**

A motion was made by Mr. Murray and seconded by Mr. Rybka to introduce the resolution. Mr. Murray commented that it is disappointing to have to designate a night for parents to have dinner with their children. Ms. McKane pointed out that this resolution has been done in the past.

There being no further discussion, the roll was called. The Resolution TC 08-127 was approved by a Roll Call Vote of All Ayes.

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

WHEREAS the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children;

WHEREAS surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs;

WHEREAS teenagers who eat dinner with their families two times a week or less are twice as likely to drink alcohol and smoke cigarettes, compared to teens who have frequent family dinners;

WHEREAS teenagers who eat dinner with their families are half as likely to smoke cigarettes, smoke marijuana and drink alcohol;

WHEREAS the correlation between family dinners and reduced risk for teen substance abuse are well documented;

WHEREAS parental engagement is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers;

WHEREAS family dinners have long constituted a substantial pillar of family life in America:

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:

Wednesday, October 29, 2008 shall be observed as Family Day – A Day to Eat Dinner With Your Children in Harding Township and urge all citizens to recognize and participate in its observance.

**Resolution TC 08-128 – Approve Award and Authorize Contract for Solid Waste Collection:**

A motion was made by Mr. Murray and seconded by Mr. Ward to introduce the resolution. Mr. Rybka indicated that he will be recusing himself from this resolution. Ms. McKane reviewed the resolution and explained that the contract is for Harding Township's fall clean up. She noted that the costs have remained constant. The Township Committee reviewed the costs for the clean up. Mr. Murray stated his concerns regarding the low cost, and if the service would remain the same at the low cost.

There being no further discussion, the roll was called. Resolution TC 08-128 was approved by a Roll Call Vote:

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

Recuse: Mr. Rybka

WHEREAS, the following bid was received in response to public advertisement and opened on May 22, 2008, to provide for solid waste collection for the Harding Township's annual bulk pick up from properties within the Township commencing in September 2008 and terminating October 2011 in accordance with the prescribed "Bid Specifications for Solid Waste Type 13 Collection Service":

Contractor

Peter Rubinetti Private Disposal LLC

Total Bid September 28, 2008 – October 4, 2008

\$57,000.00

Total Bid September 27, 2009 – October 3, 2009

\$57,000.00

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

Total Bid September 26, 2010 – October 2, 2010  
\$57,000.00

Total 3-year contract: \$171,000.00

WHEREAS, by memorandum dated May 28, 2008, Maryann Nergaard, Esq. of Woolson, Sutphen, Anderson & Nergaard, P.C., having reviewed the bid submitted, recommends the award of the contract to the lowest responsive and responsible bidder, Peter Rubinetti Private Disposal LLC; and

WHEREAS, the Chief Financial Officer has filed a certification of availability of funds in the office of the Township Clerk., as required by the Local Budget Law.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS AND STATE OF NEW JERSEY, on this 4<sup>th</sup> Day of June, 2008 as follows:

1. The bid submitted by Peter Rubinetti Private Disposal LLC in the total amount of \$171,000 to provide for solid waste collection for the Harding Township’s annual bulk pick up from properties within the Township in accordance with the prescribed “Bid Specifications for Solid Waste Type 13 Collection Service” as prepared by Maryann Nergaard, Esq. of Woolson, Sutphen, Anderson & Nergaard, P.C., is accepted.
2. The Mayor and Township Clerk are hereby authorized and directed to execute and deliver a 3 year contract for \$171,000 for solid waste collection for the Harding Township’s annual bulk pick up from properties within the Township between Peter Rubinetti Private Disposal LLC and the Township of Harding.

**Resolution TC 08-129 – Approval of Liquor License (Mt. Kemble Lake Country Club):**

Ms. McKane reviewed the resolution. A motion was made by Mr. Rybka and seconded by Mr. Ward to introduce the resolution. Ms. McKane reviewed the ABC regulations for a club license.

There being no discussion, the roll was called. Resolution TC 08-129 was approved by a Roll Call Vote:

Ayes: Mr. Bartlett, Mr. Rybka and Mr. Ward

Recuse: Mr. Murray

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Harding Township Committee is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with;

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 Harding Township Committee hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2008 and to expire at midnight on June 30, 2009, upon clearance of the fee to the Harding Township Treasurer’s Account.

APPLICANT:

Mt. Kemble Lake Country Club  
Club License  
No. 1413-31-003-001

ADDRESS:

Trails End

FEE:

\$60.00

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution TC 08-130 – Approval of Liquor License (New Vernon Fire Department):**

Ms. McKane 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 08-130 was approved by a Roll Call Vote:

Ayes: Mr. Bartlett, Mr. Murray and Mr. Ward  
Recuse: Mr. Rybka

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Harding Township Committee is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

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 Harding Township Committee hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2008 and to expire at midnight on June 30, 2009, upon clearance of the fee to the Harding Township Treasurer's Account.

<u>APPLICANT:</u>	<u>ADDRESS:</u>	<u>FEE:</u>
New Vernon Volunteer Fire Department Club License No. 1413-31-004-001	Village Road and Bailey's Mill Road	\$60.00

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution TC 08-131 – Approval of Liquor License (MBN Associates):**

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

There being no discussion, the roll was called. Resolution TC 08-131 was approved by a Roll Call Vote of All Ayes.

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Harding Township Committee is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

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 Harding Township Committee hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2008 and to expire at midnight on June 30, 2009, upon clearance of the fee to the Harding Township Treasurer's Account.

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

<u>APPLICANT:</u> MBN Associates, Inc. For Plenary Retail Distribution License No. 1413-44-002-004	<u>ADDRESS:</u> 1098 Mt. Kemble Avenue	<u>FEE:</u> \$2,500.00
--	---	---------------------------

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution TC 08-132 – Approval of Liquor License (Pierre’s Restaurant):**

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

There being no discussion, the roll was called. Resolution TC 08-132 was approved by a Roll Call Vote of All Ayes.

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Harding Township Committee is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

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 Harding Township Committee hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2008 and to expire at midnight on June 30, 2009, upon clearance of the fee to the Harding Township Treasurer’s Account.

<u>APPLICANT:</u> Pierre’s Restaurant, Inc. For Plenary Retail Consumption License No. 1413-33-001-007	<u>ADDRESS:</u> 995 Mt. Kemble Avenue	<u>FEE:</u> \$2,500.00
--	--	---------------------------

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**ANNOUNCEMENTS/REPORTS/PRESENTATIONS**

Administrative Updates

Ms. McKane stated that the National Wildlife Refuge (NWR) has requested that the Township and Police Chief draft letters of support for the planned access road for the Great Swamp Visitor Center. She reviewed the planned access road and added that because of a small area of wetlands that has developed, the NWR is seeking approval from the DEP. Mr. Ward questioned whether there would be any push back from neighbors across the street. Mr. Murray pointed out that in the past, the push back came from residents of Pleasant Plains Road.

Mr. Bartlett and Mr. Murray stated that they have no objection to the letter of support being sent to the NWR. Ms. McKane indicated that she would forward the letter to the NWR.

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

Ms. McKane stated that she has asked the Township Planner, Susan Kimball, to revise Harding Township's current developer fees. Ms. McKane added that once Ms. Nergaard has had an opportunity to review the revisions, the proposed ordinance will be distributed to the Township Committee for discussion at its next meeting. A discussion ensued among the Township Committee and Ms. Nergaard regarding the increase in COAH development fees and recent COAH regulation.

Ms. McKane reviewed the resurfacing and milling of Long Hill Road, which is a County road. She indicated that originally the County was going to have alternating lanes for traffic, but now all lanes will be closed from 9:00 A.M. to 4:00 P.M. Ms. McKane briefly reviewed the detour. Mr. Murray suggested widening the road. Ms. McKane stated that the County is ardently requesting a letter from the Township in support of closing the road beginning June 12<sup>th</sup> through the end of the month. She noted the County decided against working through the night due to local noise ordinances. Ms. McKane asked the Township Committee how she should respond to the County.

Mr. Bartlett stated that he is in favor, but the County needs to accommodate Harding Township residents who reside in that area. Ms. McKane stated the contractor will need to keep the road accessible to emergency vehicles. Mr. Bartlett agreed and indicated that the Township Committee is in favor of the road being closed, as long as the County keeps in mind the possible need for emergency vehicles and also the special needs for residents who live in the area.

Vern Condon, resident of Young's Road, reviewed a possible alternate detour for the construction and added that perhaps the County could also fix the bridge. Mr. Murray indicated that he would speak to Bill Koch from the Great Swamp in regards to Mr. Condon's comments.

**CORRESPONDENCE**

Ms. McKane reviewed various items of correspondence. She stated that a letter has been received thanking Sgt. Fortunato for going beyond to help a stranded motorist. Ms. McKane also pointed out the deadline for senior and disabled homeowners to file their 2007 homestead rebate has been extended. She reviewed current legislation and reminded the Township Committee that there will be a Ten Towns Swamp Watershed Meeting held at the Frelinghuysen Arboretum on June 18<sup>th</sup>. Ms. McKane indicated that she has a conflict and would not be able to attend.

Mr. Murray commented that he and Mr. Ward had put a lot of time in expressing Harding Township's concerns regarding the Route 202 detour; and he is very happy on how the State has responded. He suggested a letter be forwarded to the DOT, not only did they listened to the Township's concerns, but has also done a great job moving the project along..

**HEARING PERSONS PRESENT**

Mr. Bartlett assured Barbara Brennan, resident of Sand Spring Road, the Township Committee will follow up on the deed restrictions of the 25-acre piece adjacent property to the recently proposed Mt. Kemble Sports Complex.

Ms. Brennan thanked the Township Committee.

**EXECUTIVE SESSION – Resolution TC ES – 08-133:**

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

There being no discussion, the roll was called. Resolution TC 08-133 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.

MINUTES HARDING TOWNSHIP COMMITTEE  
AGENDA MEETING – June 4, 2008

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 4<sup>th</sup> day of June, 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 -- Specify
  - Personnel Matter -- Specify
  - Contract Negotiation – Potential Property Acquisition
  - Attorney-Client Privilege -- Specify
  - Collective Bargaining Agreement -- Specify
  - Other – as authorized by N.J.S.A. 10:4-12 -- Specify
3. Minutes reflecting the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, shall be promptly available to the public when the matters discussed are resolved, to the extent that making such matters public shall not be inconsistent with section N.J.S.A. 10:4-12.
4. The Township Committee may come back into open session and take further action.
5. This Resolution shall take effect immediately.

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

**ADJOURNMENT:**

There being no further business, a motion was made 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