

**HARDING TOWNSHIP COMMITTEE
MONDAY, OCTOBER 21, 2019
EXECUTIVE SESSION at 5:30 PM
REGULAR MEETING at 7:30 PM
Kirby Hall, Blue Mill Road, New Vernon, New Jersey
AGENDA**

CALL MEETING TO ORDER – Mayor Yates

ADEQUATE NOTICE of this Executive Session meeting of the Harding Township Committee was sent to the Observer Tribune on October 4, 2019 and published in the Observer Tribune on October 10, 2019.

ROLL CALL – Municipal Clerk

Ms. DiTosto, Mr. Jones, Mr. Modi, Mr. Platt, Mr. Yates

RESOLUTION TC 19-195– Executive Session

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

BE IT RESOLVED, by the Harding Township Committee that it shall adjourn into executive session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b; and

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Harding provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Township Committee will return to public session after this executive session.

Litigation:

1. Tax Appeals – Fred Semrau – DorseySemrau and Anthony DiRado, Tax Accessor

Contracts:

- 1. Farm at Harding – Andy Fiore**
- 2. Glen Alpin Diversion – John Hague**
- 3. Redevelopment Agreement – John Hague**
- 4. Property Acquisitions – Tim Jones**
- 5. Property Easement – Mark Roselli**
- 6. Telecommunications Request – Bob Falzarano**

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECONVENE INTO PUBLIC SESSION – Mayor Yates

ROLL CALL – Municipal Clerk

Ms. DiTosto, Mr. Jones, Mr. Modi, Mr. Platt, Mr. Yates

PLEDGE OF ALLEGIANCE – Mayor Yates

ADEQUATE NOTICE of this meeting of the Harding Township Committee was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE* on January 7 2019, and published in the *OBSERVER TRIBUNE* on January 10, 2019; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on January 7, 2019, and Notice was posted on the website and filed with the Municipal Clerk on January 7, 2019.

RESOLUTION TC 19-196 -- RESOLUTION TO ADOPT TOWNSHIP COMMITTEE MEETING MINUTES

BE IT RESOLVED, by the Township Committee of the Township of Harding that the minutes from the following meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: September 9, 2019; September 12, 2019; September 24, 2019; September 27, 2019; and September 30, 2019.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Harding that the minutes from the following Executive Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's Office: September 9, 2019; September 12, 2019; September 24, 2019; September 27, 2019; and September 30, 2019.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Resolution TC 19-197 – Resolution Commending Alison Maxwell on the Kemmerer Library's Recycling Efforts

WHEREAS, the Township Committee of the Township of Harding would like to commend Alison Maxwell, Director of the Kemmerer Library on her outstanding efforts with regards to recycling plastic bags; and

WHEREAS, 500 pounds of plastic bags have been collected; and

WHEREAS, her commitment to excellence in recycling has been noticed by the Morris County Municipal Utilities Authority.

BE IT RESOLVED, on behalf of the Township Committee of the Township of Harding, County of Morris, State of New Jersey, we extend our deepest appreciation for the efforts being made by Alison Maxwell and her recycling program.

NON-CONSENT AGENDA VOTE:

Mayor Yates asks Committee Member _____ to proceed with Resolution TC 19-197 listed on the Non-Consent agenda.

Committee Member _____: I would like to make a motion to approve the resolution placed on this evening's Non-Consent Agenda by consent of the Township Committee.

Seconded by Township Committee Member _____.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Yates

Announcements:

1. Commuter Parking – Nic Platt

DISCUSSION ITEMS

- 1. Farm at Harding – Andy Fiore**
 - 2. Third Quarter 2019 Revenue-Expense Review – Andy Fiore**
 - 3. Best Practices – Andy Fiore**
-

MEETING OPEN TO THE PUBLIC FOR PUBLIC COMMENT

NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

ORDINANCES FOR SECOND READING: NONE

ADD-ON RESOLUTIONS

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

CONSENT AGENDA

The following items are considered to be routine by the Harding Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a Township Committee Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

RESOLUTIONS TC 19-198 THROUGH RESOLUTION TC 19-206 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Yates asks Committee Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 19-198 through TC 19-206.

Committee Member _____: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Township Committee.

Seconded by Township Committee Member _____.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPOINTMENTS: NONE

CONTRACTS:

Resolution TC 19-198 – Resolution Awarding Contract for Solid Waste and Recyclable Collection Service for Municipally Owned Properties and Annual Bulk Pick-up

WHEREAS, the Township of Harding solicited public bids pursuant to its public advertisement for purposes of solid waste and recyclable collection at municipally owned properties and for the Township's annual bulk pick up for a three year term commencing January 1, 2020 and terminating December 31, 2022 in accordance with the prescribed "Bid Specifications for Collection and Disposal of Solid Waste Type 13 and Collection and Disposal of Solid Waste and Recyclable Materials Type 10"; and

WHEREAS, the following bid was received in response to public advertisement and opened on September 10, 2019:

CONTRACTOR	2020 Total Bid	2021 Total Bid	2022 Total Bid
Peter Rubinetti Private Disposal LLC	\$65,000.00	\$65,000.00	\$65,000.00

TOTAL THREE (3) YEAR CONTRACT: \$195,000.00

WHEREAS, the Township Attorney 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 Municipal Clerk, as required by the Local Budget Law.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris and State of New Jersey, as follows:

1. The bid submitted by Peter Rubinetti Private Disposal LLC having an address at 16 Chelsea Drive, Randolph, New Jersey 07869 in the total amount of \$195,000.00 to provide for solid waste and recyclable collection for Township owned properties and for Harding Township's annual bulk pick up from properties within the Township in accordance with the prescribed "Bid Specifications for Collection and Disposal of Solid Waste Type 13 and Collection and Disposal of Solid Waste and Recyclable Materials Type 10" for a three-year term is hereby accepted.
2. The Mayor and Municipal Clerk are authorized and directed to execute and deliver a 3-year contract for \$195,000.00 between Peter Rubinetti Private Disposal LLC and the Township of Harding for solid waste collection and disposal as per the above specified bid specifications.

Resolution TC 19-199 -- Resolution to Go Out To Bid For Lawn Care and Landscaping Services for 2020

WHEREAS, The Township of Harding is desirous of receiving bids for Lawn Care and Landscaping Services for the 2020 season for The Farm @ Harding; Memorial Park, Bayne Park, Barrett Field, Showgrounds, the Municipal Building, and the Gatehouse property; and

WHEREAS, the annual cost of the contract is anticipated to be higher than the bid threshold.

BE IT RESOLVED, the Township Committee of the Township of Harding does hereby authorize the Municipal Clerk to advertise Notice of Bid in the Daily Record, Observer Tribune, and the Harding Township Web Page; and

BE IT FURTHER RESOLVED, a copy of this resolution is given to the Chief Financial Officer, the Purchasing Agent, and the Department of Public Works Director.

FINANCE:

Resolution TC 19-200 Bill List

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

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

Resolution TC 19 – 201 -- Resolution for Approval of Best Practice Inventory

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 Committee, having reviewed the contents in a public meeting, hereby approves of the completed CY 2019 Best Practice Inventory as prepared and certified by the Municipal Clerk, Lisa A. Sharp and the Chief Financial Officer.

Resolution TC 19-202 – Resolution to Authorize Final Payment to Goksu Construction for Improvement to the DPW Administration Building

WHEREAS, the Township of Harding project Architect, D.A. Denson Architects by Dave Denson has reviewed Goksu Construction, LLC Payment Certificate No. 11 (Final) representing the final payment in the total amount of \$7,196.54 for the Addition to the Harding Township DPW Administrative Building located at 8 Millbrook Road, Harding, New Jersey; and

WHEREAS, the Township's Architect has determined that the condition of the improvement is satisfactory and that the contractor is entitled to payment of the amount certified; and

WHEREAS, it is the recommendation of the Township's Architect that the Township of Harding authorize the release of final payment in the total amount of \$7,196.54 to Goksu Construction, LLC; and

WHEREAS, it is the intention of the Township Committee to approve the release of final payment in the amount referenced herein and in accordance with the Township Architect's recommendations.

BE IT RESOLVED, by the Township Committee of the Township of Harding that the Township Committee hereby authorizes the release final payment in the total amount of \$7,196.54 to Goksu Construction, LLC on the basis of the recommendation of Dave Denson, D.A. Denson Architects; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Finance Director and the Township Architect for their information and attention.

Resolution TC 19-203 – Resolution to Authorize the Cancellation of Taxes

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the following taxes be cancelled hereinafter set forth:

BLOCK	LOT	NAME AND ADDRESS	CANCELLED	AMOUNT
8	8.01 qfarm	164 Blue Mill Road	2019 Taxes	\$ 28.78

REASON

This property was deeded to the Township on August 24, 2018.

BLOCK	LOT	NAME AND ADDRESS	CANCELLED	AMOUNT
32	6.01	26 Arborview Way LLC 26 Arborview Way	2019 Taxes	\$ 6,588.25

REASON

This property was deeded to the Township on December 27, 2018.

Resolution TC 19-204 – Resolution To Increase Not To Exceed Amounts for Co-Operative Contract Vendors

WHEREAS, the Township of Harding, pursuant to N.J.S.A. 40 A: 11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program, the Morris County Cooperative Pricing Council, Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO to purchase goods or services, the Somerset County Cooperative Pricing System and the Middlesex Regional Educational Services Commission Cooperative Pricing System for any State or County contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury, the Morris County Cooperative Pricing Council, the Somerset County Cooperative Pricing System and the Middlesex Regional Educational Services Commission Cooperative Pricing System as approved by TC 19-049; and

WHEREAS, the Township of Harding has the need to increase not to exceed amounts for certain vendors approved contract vendors, and

Office Concepts – Morris County Cooperative – Not to Exceed \$20,000.00

Weldon Quarry – Union County Cooperative – Not to Exceed \$42,000.00

Atlantic Tactical – State Contract – Not to Exceed \$38,000.00

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 authorizes the Purchasing Agent to purchase certain goods or services from Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO pursuant to all conditions of the individual State, Morris County, Somerset County and Middlesex Regional Educational Services Commission Cooperative Pricing System Cooperative contracts; and

BE IT FURTHER RESOLVED, that the Governing Body of the Township of Harding pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Township of Harding and the Union County Cooperative Purchasing and the National Cooperative – WSCA-NASPO Contract Vendors shall be from January 1, 2019 to December 31, 2019.

Resolution TC 19-205 – Resolution Approving Change Order #1 (FINAL) for Woodland Avenue Resurfacing Contract

WHEREAS, the Township Harding, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(d) did by Resolution TC18-114 agree to purchase certain goods or services, without advertising for bids, utilizing the Morris County Co-Operative; and

WHEREAS, in connection therewith, the Township of Harding did authorize the purchase of services from Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054, specifically for the resurfacing of Woodland Avenue; and

WHEREAS, Tilcon New York, Inc. and the Township Engineer have requested Change Order Number 1 (Final) to decrease the final amount of the contract by \$8,921.83, thereby decreasing the amount of the contract by 9.8%, as set forth in Change Order Number 1, as submitted by the Township Engineer; and

WHEREAS, regulations governing local public contracts, specifically N.J.A.C. 5:30-11.3(a) (1), allows a governing body to authorize change orders that do not increase the original contract amount by more than 20%.

BE IT RESOLVED, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the Change Order Number 1 for the Contract with Tilcon New York, Inc. be and is hereby authorized, as set forth in the Change Order Number 1 (Final) dated September 30, 2019 and signed by Paul D. Fox, P.E., Township Engineer; and

BE IT FURTHER RESOLVED, that the Township Administrator is hereby authorized to sign Changer Order Number 1 on behalf of the Township of Harding; and

BE IF FURTHER RESOLVED that the modified cost of services after this Change Order Number 1 is as follows:

Original Contract		\$91,000.00
Total Change Order #1	-	<u>\$ 8,921.83</u>
ADJUSTED CONTRACT AMOUNT		\$82,078.17

Resolution TC 19-206 – Resolution to Increase the Contract Amount for Lawn Care and Landscaping Services with High Valley Farms

WHEREAS, The Township of Harding has a Contract for Lawn Care and Landscaping Services with High Valley Farms ending on December 31, 2019; and

WHEREAS, there is a need to increase the current contract \$5,465.00 or 14.09% for services provided, based on the quoted number of cuts; and

WHEREAS, this will increase the overall value of services above the bid threshold.

BE IT RESOLVED, the Township Committee of the Township of Harding in the County of Morris and State of New Jersey does hereby authorize the increase in contract for Lawn Care and Landscaping Services.

PERSONNEL: NONE

ORDINANCES FOR FIRST READING: NONE

RESOLUTION TC 19-207– Executive Session

RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION

BE IT RESOLVED, by the Harding Township Committee that it shall adjourn into executive session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b; and

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Harding provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Township Committee will not return to public session after this executive session.

Contracts:

1. Redevelopment Agreement – Mayor Yates
2. Property Acquisitions – Tim Jones
3. Property Easement – Mark Roselli
4. Telecommunications Request – Bob Falzarano

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADJOURNMENT – Mr. Yates