

**HARDING TOWNSHIP COMMITTEE
MONDAY, OCTOBER 19, 2020
EXECUTIVE SESSION at 5:30 PM
REGULAR MEETING AGENDA AT 7:30 PM**

In-Person / GoToMeeting – Registration Form is on Township Website

If you cannot attend in person, please join the meeting from your computer, tablet, or smartphone.

<https://global.gotomeeting.com/join/666689757>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

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Access Code: 666-689-757

Kirby Hall, Blue Mill Road, New Vernon, New Jersey

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 7, 2020 and published in the Observer Tribune on October 15, 2020.

ROLL CALL – Municipal Clerk

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

RESOLUTION TC 20-142 – 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.

Contracts:

1. Glen Alpin – D. Modi / J. Hague
2. Property Acquisitions – T. Jones / M. Roselli
3. Use of Facilities/Buildings Contracts – C. Yates/N. Platt/R. Falzarano
4. PBA Negotiations – R. Falzarano

Attorney Client Privilege:

1. Potential Litigation – M. Roselli

Personnel:

1. 2021 Employee Salaries – R. Falzarano

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>				
Mr. Jones	<input type="checkbox"/>				
Mr. Modi	<input type="checkbox"/>				
Mr. Platt	<input type="checkbox"/>				
Mr. Yates	<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: Due to the State of Emergence, Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE* on September 29, 2020, and published in the *OBSERVER TRIBUNE* on October 8, 2020; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on October 8, 2020, and Notice was filed with the Municipal Clerk on October 8, 2020.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION)

Resolution TC 20-143 – Resolution of the Township Committee of the Township of Harding, County of Morris, State of New Jersey, Honoring and Recognizing the Dedication and Accomplishment of Sergeant Michael Gromek

Mayor Yates asks Committee Member Modi to proceed with Resolution TC 20-143 listed on the Non-Consent agenda.

WHEREAS, Harding Township Police Sergeant Michael Gromek graduated Cum Laude from Kean University in 2003 with a Bachelor’s Degree in Criminal Justice; and

WHEREAS, Sergeant Gromek was inducted into the National Criminal Justice Honor Society, Alpha Phi Sigma; and

WHEREAS, Sergeant Gromek has been a police officer with the Harding Township Police Department since 2004 and attained the rank of Sergeant in 2018; and

WHEREAS, Sergeant Gromek took initiative to further his education; and

WHEREAS, Sergeant Gromek graduated from Seton Hall University in 2019 with a Master’s Degree in Police Graduate Studies with a GPA of 3.97; and

WHEREAS, Sergeant Gromek was inducted into the International Honor Society in Education, Kappa Delta Pi.

BE IT RESOLVED, that the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey honors and recognizes the dedication and accomplishment of Sergeant Michael Gromek in

obtaining his Master’s Degree for the betterment of himself and the Harding Township Police Department.

BE IT FURTHER RESOLVED, the Township Committee extends their congratulations and appreciation for Sergeant Gromek’s dedicated service to Harding Township.

NON-CONSENT AGENDA VOTE:

Mayor Yates asks **Committee Member** _____ to proceed with Resolution TC 20-xxx 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"/>				
Mr. Jones	<input type="checkbox"/>				
Mr. Modi	<input type="checkbox"/>				
Mr. Platt	<input type="checkbox"/>				
Mr. Yates	<input type="checkbox"/>				

DISCUSSION ITEMS:

1. 112 Kitchell Road – Mr. D’Urso
2. Best Practice Inventory – A. Fiore
3. Holiday Displays – N. DiTosto
4. Sand Spring Road Speed – D. Modi
5. Dickson’s Mill Bridge – N. Platt

RESOLUTION TC 20-144 -- RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES

BE IT RESOLVED, by the Township Committee of the Township of Harding that the minutes from the following meetings are approved as prepared and shall be filed as a permanent record in the Municipal Clerk’s office: **September 14, 2020.**

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 14, 2020.**

Mayor Yates asks for a motion to accept the Township Committee meeting minutes.

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"/>				
Mr. Jones	<input type="checkbox"/>				
Mr. Modi	<input type="checkbox"/>				
Mr. Platt	<input type="checkbox"/>				
Mr. Yates	<input type="checkbox"/>				

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Yates

ADD-ON RESOLUTIONS: NONE

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 and 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:

ORDINANCE #10-2020 – AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7 OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY §7-31 ENTITLED “POLICE DEPARTMENT”

Mayor Yates asks Township Committee Member Jones to read Ordinance TC #10-2020.

Township Committee Member Jones reads Ordinance TC 10-2020 by title as follows

**TOWNSHIP OF HARDING
 ORDINANCE #10-2020**

AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 7 OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY §7-31 ENTITLED “POLICE DEPARTMENT”

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on September 14, 2020.

Mayor Yates asks the Municipal Clerk to give a summary of the legal notice.

The Municipal Clerk States: A legal notice was sent for publication on September 14, 2020 to the Observer Tribune indicating that Ordinance #10-2020 was introduced and passed on first reading at the September 14, 2020 meeting and indicated that the second reading and public hearing were to be held on October 19, 2020 at 7:30 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.

Mayor Yates: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Yates: closes the public hearing.

Township Committee Member Jones: I offer Ordinance #10-2020 and move its adoption.

BE IT RESOLVED, that this Ordinance was read by title on second reading, after the public hearing at this meeting, be adopted and finally passed.

Township Committee member _____ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

ORDINANCE #11-2020 – AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PROPERTY AT 163 LEE’S HILL ROAD

Mayor Yates asks Township Committee Member Jones to read Ordinance TC #11-2020.

Township Committee Member Jones reads Ordinance TC #11-2020 by title as follows

**TOWNSHIP OF HARDING
 ORDINANCE #11-2020**

AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PROPERTY AT 163 LEE’S HILL ROAD

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on September 14, 2020.

Mayor Yates asks the Municipal Clerk to give a summary of the legal notice.

The Municipal Clerk States: A legal notice was sent for publication on September 14, 2020 to the Observer Tribune indicating that Ordinance #11-2020 was introduced and passed on first reading at the September 14, 2020 meeting and indicated that the second reading and public hearing were to be held on October 19, 2020 at 7:30 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.

Mayor Yates: The meeting is now open for public hearing on the Ordinance and any member of the public may be heard.

Mayor Yates: closes the public hearing.

Township Committee Member Jones: I offer Ordinance #11-2020 and move its adoption.

BE IT RESOLVED, that this Ordinance was read by title on second reading, after the public hearing at this meeting, be adopted and finally passed.

Township Committee member _____ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Adoption:

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

**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE:
 NONE**

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 20-145 THROUGH RESOLUTION TC 20-151 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 20-145 through TC 20-151.

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"/>				
Mr. Jones	<input type="checkbox"/>				
Mr. Modi	<input type="checkbox"/>				
Mr. Platt	<input type="checkbox"/>				
Mr. Yates	<input type="checkbox"/>				

CONTRACTS:

Resolution TC 20-145 – Resolution to Award A Contract for Animal Control Services Between Animal Control Solutions LLC and The Township of Harding

WHEREAS, the Township of Harding has a need to award a contract for Animal Control Services commencing on January 1, 2021, and ending on January 1, 2024; and

WHEREAS, the Township is permitted to acquire such services through a “non-fair and open” process (as defined by N.J.S.A. 19:44A-20.4), meaning that the award is made by the Township Committee in its judgment of which provider will best serve the interests of the citizens of Harding, and not by a “fair and open” process (as defined by N.J.S.A. 19:44A-20.4) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is not anticipated to exceed \$17,500.00, as certified in writing by the Township Purchasing Agent; and

WHEREAS, Animal Control Solutions, 2 Marshall Drive, Flemington, New Jersey 08822 has submitted a proposal and the Board of Health accepted this proposal at their September 10, 2020 regular meeting; and

WHEREAS, The Board of Health accepted the proposal for a two year period, plus one, one-year extension at the same price and terms and conditions as the original contract; and

WHEREAS, the annual contract amount is not to exceed \$9,600.00 in 2021, \$9,600.00 in 2022, and \$9,600.00 in 2023; and

WHEREAS, Animal Control Solutions, LLC has completed and submitted the required Business Entity Disclosure Certification; and

WHEREAS, funds are available for this purpose and a Certificate of Availability has been filed by the Chief Financial Officer with the Municipal Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2.

BE IT RESOLVED by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Animal Control Solutions, LLC, pursuant to the filed proposal; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this contract will be published as required by law within ten days of the passage of this Resolution.

FINANCE:

Resolution TC 20-146– 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 20-147 – Alcohol Beverage Control License

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.

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, 2020*, and to expire at midnight on *June 30, 2021* upon clearance of the fee to the Harding Township Treasurer’s Account.

PLENARY RETAIL DISTRIBUTION LICENSE:

Applicant:

KA LEE Enterprises LLC
T/A Market Tavern
P 10-19-2020

ADDRESS:

995 Mount Kemble Avenue
Morristown, NJ

FEE:

\$2,500.00

Plenary Retail Consumption License
No. 1413-33-001-010

Resolution TC 20-148 – Approval of Best Practice Inventory 2020

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 2020 Best Practice Inventory as prepared and certified by the Municipal Clerk, Lisa A. Sharp and the Chief Financial Officer.

MISCELLANEOUS:

Resolution TC 20-149 – Resolution to Adopt the 2020 Morris County Mitigation Plan

WHEREAS, all jurisdictions within Morris County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Morris County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Morris County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

BE IT RESOLVED that the Township of Harding:

- 1) Adopts in its entirety, the 2020 Morris County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.

7) Will provide an update of the Plan in conjunction with the County no less than every five years.

PERSONNEL:

Resolution TC 20-150 – Resolution to Accept the Resignation of D.G.

BE IT RESOLVED, by the Township Committee of the Township of Harding accepts the resignation of D.G. effective December 31, 2020.

Resolution TC 20-151 – Appointment of a Department of Public Works Laborer/Driver

BE IT RESOLVED, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective November 2, 2020, Nicholas Papa, is hereby appointed as a full time Public Works Laborer/Driver for the Department of Public Works. The probationary salary is \$38,000.00; and

BE IT FURTHER RESOLVED, upon completion of the probationary period of six months, the annual salary will be \$40,000.00.

ORDINANCE FOR FIRST READING:

ORDINANCE #12-2020 – “AN ORDINANCE FIXING SALARY RANGES OF CERTAIN EMPLOYEES OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY”

Mayor Yates asks Township Committee Member Modi to introduce Ordinance TC #12-2020.

Township Committee Member Modi introduces Ordinance TC #12-2020 by title as follows:

**TOWNSHIP OF HARDING
ORDINANCE 12-2020**

“AN ORDINANCE FIXING SALARY RANGES OF CERTAIN EMPLOYEES OF THE TOWNSHIP OF HARDING IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY”

Township Committee Member Modi explains the purpose of the Ordinance and moves for introduction on first reading.

Township Committee Member Modi reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on October 19, 2020.

BE IT RESOLVED, that at the Township Committee meeting to be held on November 9, 2020 at 7:30 p.m. prevailing time, at the Kirby Municipal Building, the Township Committee will further consider this ordinance for a second reading, public hearing, and final passage; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby requested to publish the proper notice thereof, including this ordinance, post the ordinance, and make copies available to members of the general public.

Township Committee Member Modi: I offer Ordinance #12-2020 and move its introduction.

Township Committee Member _____ seconds the motion.

Mayor Yates asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

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

ADJOURNMENT – Mr. Yates