

**HARDING TOWNSHIP COMMITTEE**  
**MONDAY, JULY 13, 2020**  
**REGULAR MEETING AGENDA at 9:00 AM**  
**VIA TELEPHONE CALL IN**  
**Kirby Hall, Blue Mill Road, New Vernon, New Jersey**  
**Call in number: [\(973\) 821-8321](tel:9738218321)**  
**Conference Code: 641083**  
**No Attendee Pin Needed**  
**(5\* will allow you to raise your hand during the Q & A portion)**

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**CALL MEETING TO ORDER – Mayor Yates**

*Mayor Yates called the meeting to order at 9:00 a.m.*

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**ROLL CALL – Municipal Clerk**

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

*Mrs. Sharp called the roll. Let the record show that Mrs. DiTosto was absent, Mr. Modi, and Mr. Platt were in attendance via conference call and Mayor Yates and Mr. Jones attended in person.*

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**PLEDGE OF ALLEGIANCE – Mayor Yates**

*Mayor Yates opened the regular meeting, via conference call, of the Township Committee to the public at 9:05am and asked that all join in the saying of the Pledge of Allegiance.*

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**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 June 18, 2020, and published in the *OBSERVER TRIBUNE* on June 25, 2020; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on June 25, 2020, and Notice was filed with the Municipal Clerk on June 25, 2020.

*Mayor Yates announced that adequate notice of the July 9, 2020 Township Committee meeting was published in accordance with the Open Public Meetings Act.*

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**RESOLUTION TC 20-112 -- RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES**

*Mayor Yates asked if there were any comments or changes regarding the minutes of June 8, 2020. There were no comments regarding the June 8, 2020 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: **June 8, 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: **June 8, 2020.**

**Mayor Yates** asked for a motion to accept the Township Committee meeting minutes. *A motion was made by Township Committee Member Platt and seconded by Township Committee Member Jones.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

**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 checked="" type="checkbox"/>
Mr. Jones	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Yates**

*Mayor Yates announced with sadness the passing of Mr. Bob Lewis on July 9, 2020 at the age of 90. The Township Committee has sent their condolences to Mr. Lewis' family. Mr. Lewis was Mayor of Harding Township from 1993 through 1996.*

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**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.

*Mayor Yates opened the meeting for public comment. With no public comments, Mayor Yates closed the open public meeting session at 9:05 am.*

*Mayor Yates opened the meeting up at 9:20 am as members of the public could not get in at the time asked.*

**Mr. Allyn, resident** – commented that he has heard lots of rumors regarding how the tax amounts were determined and asked; 1) who made the decision on the Harding estimated tax amounts and 2) how were the amounts determined. Mr. Fiore, Finance Department, responded that the estimated rate was determined by the CFO and Tax Collector at a 2 percent increase for the unknown portions of the tax. Mr. Allyn commented if there was a 2 percent increase on all the components, how did the tax rate go up 20 percent. Mr. Fiore responded that every individual parcel, the calculation will be based on the assessed value and each parcel has a new assessed value starting in 2020. This is the first calculation based off of the new assessed value. Mr. Allyn commented that he looked at his assessed value and estimated bill and commented that something is not right. Mr. Fiore responded that the calculation is based off of the State regulations. The new assessed value for 2020 divided by 100 to get per \$100 of assessed value, multiply this by the estimated rate (1.175), and this will give you an estimated annualized tax amount. The first two quarters of 2020 were based on the previous assessment. Mr. Allyn commented that the bottom line is that the Township applied the statutory maximum to all of the components and that was the total amount to be collected by taxes in 2020. Mr. Fiore commented that

*is not correct. Mr. Fiore reported that the estimated rate could go up to 10 percent, the Township used 2 percent. Mr. Allyn commented he understand and said thank you.*

*Mayor Yates asked if there were any further questions. With no further questions, Mayor Yates proceed to the Consent Agenda at 9:24 am.*

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**ORDINANCES FOR SECOND READING:**

**ORDINANCE #05-2020—“AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING EXCHANGE OF INTEREST IN LANDS JOINTLY OWNED BY THE TOWNSHIP OF HARDING FOR INTEREST IN LANDS JOINTLY OWNED BY THE HARDING LAND TRUST”**

**Mayor Yates** asked Township Committee Member Jones to read Ordinance TC #05-2020.

**Township Committee Member Jones** read Ordinance TC 05-2020 by title as follows

**HARDING TOWNSHIP  
ORDINANCE #05-2020**

**“AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING EXCHANGE OF INTEREST IN LANDS JOINTLY OWNED BY THE TOWNSHIP OF HARDING FOR INTEREST IN LANDS JOINTLY OWNED BY THE HARDING LAND TRUST”**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on June 8, 2020.

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

**The Municipal Clerk Stated:** *Mrs. Sharp commented that a legal notice was sent for publication on June 11, 2020 to the Observer Tribune indicating that Ordinance #05-2020 was introduced and passed on first reading at the June 8, 2020 meeting and indicated that the second reading and public hearing were to be held on July 13, 2020 at 9:00 am 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 opened the meeting for public hearing on the Ordinance and any member of the public may be heard.**

**Mr. Jones** -- *commented that this ordinance exchanges Harding Land Trust's interest in Glen Alpin for Harding Township's interest at the Gatehouse. Harding Township along with Harding Land Trust purchased the Gatehouse in 2004 and entered a management and maintenance agreement for that property which lasts twenty (20) years. The agreement began in 2005 and expires in 2025. Harding Township will honor this agreement to pay 70 percent of approved expenses for the maintenance of the Gatehouse. However, this ordinance authorizes and permits the Township to exchange these properties. Harding Land Trust will own the Gatehouse in its entirety. The Gatehouse will remain on*

*the Rosi, remain publicly accessed open space, and Harding Land Trust will no longer have an interest in the Glen Alpin property.*

**Mr. Modi** – *commented that he believes there was an email from a member of the public. Was that email circulated? Mayor Yates reported that is what Mr. Jones just addressed regarding the continuation of the maintenance agreement.*

**Mr. Platt** – *commented that this is a very good agreement which benefits both parties and benefits the residents of Harding Township. Mr. Platt supports this whole heartedly.*

**Mr. Dietz, resident** – *commented he had a question regarding the agreement between the Harding Land Trust and Harding Township regarding the operation of the Gatehouse on an ongoing basis. Mr. Dietz asked if the new agreement has been agreed to and signed by the parties.*

**Mr. Roselli, Township Attorney** – *commented that the purpose of the ordinance is to authorize the transfer of the two interests in the parcels. Mr. Roselli commented that the transfer agreement has not been executed yet due to this ordinance has to be adopted then become effective. What will happen and what was agreed to by both the Township and Harding Land Trust is that the interest will be transferred so that the Township will no longer have an ownership interest in the Gatehouse and Harding Land Trust will no longer have an interest in Glen Alpin. The Township has agreed what would have been the remainder of the tenants in common agreement, which has approximately five years remaining, that the Township will continue to honor its maintenance responsibility and any related financial contributions, if any, until March 2025. Mr. Dietz commented that the Township is agreeing to continue that tenants agreement until March 2025 in it's entirety, is that what is being said. Mr. Roselli responded not in its entirety. The tenant's agreement is scheduled to terminate in March 2025 and what the Township has agreed to is that they will continue to honor their maintenance responsibility at the Gatehouse, and the Township may, if necessary, make financial contributions. A discussion regarding one paragraph of the ordinance ensued. Mr. Roselli reported that that paragraph deals with the maintenance due to the co-tenants agreement will no longer exist. Mr. Dietz commented in the Harding Land Trust has agreed to this agreement. Mr. Roselli explained that both parties have agreed to the provisions, both parties agreed the tenancy agreement will terminate, you can no longer have a tenancy agreement when there is no longer a joint ownership. The Harding Land Trust has not signed the agreement due to the ordinance must be adopted and approved.*

**Mr. Modi** – *commented to clarify, other than maintenance, anything beyond lawn care, will require a resolution by the Township Committee at that time. Mr. Roselli explained that is correct. A discussion ensued.*

***With no further comments, Mayor Yates closed the public hearing at 9:19 a.m.***

*Township Committee Member Jones offered Ordinance #05-2020 and moved its adoption. Township Committee Member Platt seconded the motion.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows:*

**Vote on Adoption:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Jones	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 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 20-113 THROUGH RESOLUTION TC 20-118 HAVE BEEN PLACED ON THE CONSENT AGENDA

### CONSENT AGENDA VOTE:

**Mayor Yates** asked Committee Member Jones to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 20-113 through TC 20-118, with the exception of TC 20-115.

*Mr. Modi asked if Resolution 20-115 could be removed from the Consent Agenda for further discussion.*

*Committee Member Jones made a motion to approve the resolutions, minus TC 20-115, placed on the Consent Agenda by consent of the Township Committee. Seconded by Township Committee Member Platt.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows.*

### 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 checked="" type="checkbox"/>
Mr. Jones	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## CONTRACTS:

### Resolution TC 20-113 – Authorizing Submittal of Grant Application and Execution of Grant Contract for Resurfacing of Pleasantville Road

**WHEREAS**, the Township Committee of the Township of Harding, County of Morris, State of New Jersey desires to apply for grant funds under the New Jersey Department of Transportation Municipal Aid FY2021 program.

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey formally approves the grant application for the stated project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Pleasantville Road Resurfacing-00643 to the New Jersey Department of Transportation on behalf of the Township of Harding, County of Morris, State of New Jersey; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Harding, County of Morris, State of New Jersey and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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**Resolution TC 20-114 – Resolution of the Township Committee Consenting to Assignment of Township of Harding’s Solid Waste Municipal Contract With Peter Rubinetti Private Disposal LLC to Interstate Waste Services of New Jersey, Inc.**

**WHEREAS**, by Resolution No. 19-198, the Township of Harding, after solicitation of public bids, awarded a contract to Peter Rubinetti Private Disposal LLC (hereinafter “Rubinetti”) for solid waste and recyclable collection at municipally owned properties for a three year term commencing January 1, 2020 and terminating December 31, 2022 at an annual rate of \$65,000.00 and a total three year amount of \$195,000.00; and

**WHEREAS**, in furtherance of the award of the contract, the Township and Rubinetti executed a Contract for a 3-year term for \$195,000.00 (hereinafter the “Contract”); and

**WHEREAS**, the Township of Harding has been notified by Joseph Ferrnate, Jr., Esq., as Counsel for Rubinetti that Rubinetti has petitioned the New Jersey Department of Environmental Protection (hereinafter “NJDEP”) for approval to assign it’s contract with the Township to Interstate Waste Services of New Jersey, Inc. (hereinafter “Interstate”) in connection with Rubinetti’s sale of its assets to Interstate; and

**WHEREAS**, in order to effectuate the assignment of the Township’s contract with Rubinetti to Interstate, the NJDEP requires pursuant to N.J.A.C. 7:26H-6, Appendix A, 3.7 the Township consent to the assignment, subject to NJDEP approval and effective upon the closing on the transfer of assets by between Rubinetti and Interstate; and

**WHEREAS**, the Township of Harding requires the services of a waste hauler for solid waste and recyclable collection at municipally owned properties and therefore desires to provide its consent to the assignment of the Contract from Rubinetti to Interstate, subject to NJDEP approval and effective upon the closing on the transfer of assets by between Rubinetti and Interstate and further subject to Interstate providing said services under the same terms and conditions of the Contract.

**BE IT RESOLVED**, by the Township Committee of Harding Township, Morris County, New Jersey that:

1. The recitals set forth above are incorporated herein and made a part hereof as set forth at length.
2. The Township Committee on behalf of the Township of Harding hereby consents to the assignment of the Contract by and between the Township of Harding and Peter Rubinetti Private Disposal LLC for solid waste and recyclable collection at municipally owned properties for a three year term commencing January 1, 2020

and terminating December 31, 2022 at an annual rate of \$65,000.00 and a total three year amount of \$195,000.00 and awarded pursuant to Resolution No. 19-198, subject to NJDEP approval and effective upon the closing on the transfer of assets by between Peter Rubinetti Private Disposal LLC and Interstate Waste Services of New Jersey Inc. and further subject to Interstate providing said services to the Township under the same terms and conditions of the Contract

3. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:26H-6, Appendix A, 3.7

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**FINANCE:**

**Resolution TC 20-116– 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.

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**Resolution TC 20-117 – Resolution to Amend the Application Fee for a First Variance pursuant to NJSA 40:50D-70c**

**WHEREAS**, the Township Committee of the Township of Harding, County of Morris, State of New Jersey sets the fees of the Township by resolution; and

**WHEREAS**, the application fee for a first variance pursuant to NJSA 40:50D-70c (Appendix A attached) is amended to \$644.00 in accordance with §171-16 of the Code of the Township of Harding.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that it does hereby approve of the amended fee for the Township for 2020 as reflected in Appendix A attached hereto shall become effective on July 14, 2020; and

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**Resolution TC 20-118 – Resolution to Cancel Capital Ordinance Balance**

**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	Funded	Unfunded
05-11	Design and construction of additional units at the Township's affordable housing complex including	\$25,625.00	-

acquisition of sewer capacity		
<b>TOTAL</b>	\$ 25,625.00	-

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey that the 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.

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE:**

**Resolution TC 20-115 – Resolution of the Township Committee Authorizing the Waiver of Township Planning Board Application Fees for L & T Affordable Housing Urban Renewal Corporation in Connection with the Application and Construction of Four-Unit Affordable Housing Residence and Other Related Improvements to be Constructed at the Farm**

**WHEREAS**, the Township of Harding and L & T Affordable Housing Urban Renewal Corporation (hereinafter “L & T”) entered into an Contract for Sale of Real Estate in connection with 700 Woodland Avenue, Block 2, Lot 16 on the tax map of the Township of Harding and otherwise known as “The Farm”: and

**WHEREAS**, currently The Farm includes 24 affordable housing apartment units and as part of the Township’s Court approved HEFSP, the Township agreed to construct at least two additional affordable housing apartment units at The Farm; and

**WHEREAS**, as part of the Township’s agreement to sell The Farm to L & T and in accordance with the Township’s Court approved HEFSP, L & T agreed to make application to the Township’s Planning Board for purposes of obtaining final site plan approval for the construction of at least 2 additional affordable housing apartment units at The Farm; and

**WHEREAS**, L & T filed an application with the Planning Board on or about July 8, 2020 for purposes of obtaining preliminary and final major site plan approval for the construction of 4 additional affordable housing apartment units, an onsite office and other related improvements; and

**WHEREAS**, in light of this being an affordable housing project that is being constructed on behalf of Harding Township pursuant to the Township’s agreement of sale with L & T, L & T has requested and the Township Committee has agreed to waive the requirement that L & T submit application fees that may otherwise be required by the Township’s Code for this application.

**BE IT RESOLVED**, by the Township Committee of Harding Township, Morris County, New Jersey, that the foregoing background recited above is incorporated herein by refence and the Township Committee does hereby waive all application fees that may be due pursuant to the Township Code for preliminary and final major site plan approval in connection with the application filed by L & T Affordable Housing Urban Renewal Corporation with the Township Planning Board for The Farm.

Mayor Yates asked if Mr. Modi had a comment regarding Resolution TC 20-115. Mr. Modi responded he wanted the vote separate.

Mayor Yates asked for a motion to adopt Resolution TC 20-115. *Committee Member Jones made a motion to approve Resolution TC 20-115, seconded by Township Committee Member Platt.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows.*

**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 checked="" type="checkbox"/>
Mr. Jones	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ORDINANCES FOR FIRST READING:**

*Mayor Yates reported that he is recusing himself from Ordinance #08-2020.*

**ORDINANCE #08-2020-- "CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$40,000 TO FUND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS AND THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP"**

*Township Committee Member Jones introduced Ordinance TC #08-2020 and read the ordinance by title as follows:*

**HARDING TOWNSHIP  
 ORDINANCE #08-2020**

**"CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$40,000 TO FUND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS AND THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP"**

**Township Committee Member Jones** explained the purpose of the Ordinance and moved for introduction on first reading. *Mr. Jones reported this is an ordinance to appropriate money to purchase the NJDOT property. Mr. Roselli, Township Attorney reported it includes the purchase price provided by the State plus some additional anticipated soft costs (survey, closing costs). Mr. Roselli commented that he does not anticipate the full \$40,000 to be expended.*

**Township Committee Member Jones reads:**

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on July 13, 2020.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on August 10, 2020 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 Jones offered Ordinance #08-2020 and moved its introduction. Township Committee Member Platt seconded the motion.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows: Let the record show that Mr. Yates recused himself from this ordinance.*

**Vote on Introduction:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Jones	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**ORDINANCES FOR FIRST READING:**

*Mayor Yates reported that he is recusing himself from Ordinance #09-2020 due to the NJDOT property and Mr. Yates property share a very small common property line.*

**ORDINANCE #09-2020-- "AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY FROM NEW JERSEY DEPARTMENT OF TRANSPORTATION"**

**Township Committee Member Jones** introduced Ordinance TC #09-2020 and read the ordinance by title as follows:

**HARDING TOWNSHIP  
ORDINANCE #09-2020**

**"AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY FROM NEW JERSEY DEPARTMENT OF TRANSPORTATION"**

**Township Committee Member Jones** explained the purpose of the Ordinance and moved for introduction on first reading. *Mr. Jones explained that this ordinance will allow the Township to purchase the NJDOT property as mentioned in Ordinance #08-2020. The property is a little over 11 acres and will be used a replacement land for the disposal/diversion of Glen Alpin. The cost is about \$20,886.72.*

**Township Committee Member Jones** reads:

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on July 13, 2020.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on August 10, 2020 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 Jones offered Ordinance #09-2020 and moved its introduction. Township Committee Member Platt seconded the motion.*

**Mayor Yates** asked the Municipal Clerk for a Roll Call: *Mrs. Sharp called the roll as follows. Let the record show that Mr. Yates recused himself from this ordinance.*

**Vote on Introduction:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Jones	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Mayor Yates** asked if any of the Township Committee members had any further business to discuss.

**Mr. Jones** – *commented that last week on July 7, 2020, the Township had voting. About 92 people showed up and filed provisional ballots. No one used the handicap/assisted voting machines that were present. Mr. Jones commented that we should recognize or thank Mr. Falzarano, Mrs. Sharp, Mr. Fornaciari, and Mr. Toribio for setting the room up and making sure there were adequate spacing, distancing, partitions, and following all the guidelines that were and were not provided. The poll workers were not the usual workers from the Township and things worked out very well. Mayor Yates thanked everyone for making it work. Mayor Yates reported that we had done extensive planning for in person voting which the Governor did not permit. Mayor Yates reported that we have done extensive planning for the election in November and we will see what the Township is allowed to do at that point. Mayor Yates commented that Mr. Falzarano and Mrs. Sharp have spent an enormous amount of time working out all of the details on how to safely have an in-person election and we thank them for this as well.*

**Mr. Allyn** – *commented that this system is extremely difficult for people who are tying in from outside to understand. Mayor Yates commented that this is a brand new system that was just installed and is not sure what more can be done.*

**RESOLUTION TC 20-119 – Executive Session**

*With no further business, Mayor Yates asked for a motion to adjourn into 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. Property Acquisitions – T. Jones / M. Roselli

**Attorney Client Privilege:**

1. Personnel – Mayor Yates

**Vote on Resolution:**

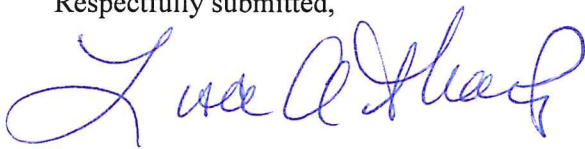
	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Jones	1 <sup>st</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Modi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**ADJOURNMENT – Mr. Yates**

The meeting adjourned into Executive Session at 9:35 am.

Respectfully submitted,



Lisa A. Sharp  
Municipal Clerk