

**HARDING TOWNSHIP COMMITTEE**  
**MONDAY, SEPTEMBER 14, 2020**  
**EXECUTIVE SESSION at 5:30 PM**  
**REGULAR MEETING AGENDA AT 6:30 PM**  
**VIA GoToMeeting/In Person– Registration Form on Township Website**  
**Kirby Hall, Blue Mill Road, New Vernon, New Jersey**  
**MEETING MINUTES**

---

**CALL MEETING TO ORDER – Mayor Yates**

*Mayor Yates called the meeting to order at 5:30 pm.*

---

**ADEQUATE NOTICE** of this Executive Session meeting of the Harding Township Committee was sent to the Observer Tribune on August 25, 2020 and published in the Observer Tribune on August 27, 2020.

*Mayor Yates announced adequate notice of the September 14, 2020 meeting of the Harding Township Committee was published in accordance with the Open Public Meetings Act.*

---

**ROLL CALL – Municipal Clerk**

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

*Mrs. Sharp called the roll. All Township Committee members were present.*

---

**RESOLUTION TC 20-130 – Executive Session**

**RESOLUTION TO RECESS INTO EXECUTIVE SESSION**

*Mayor Yates asked for a motion to recess into Executive Session. Upon a motion made by Mr. Jones, seconded by Mr. Platt, and with a roll call vote of all ayes, none opposed, the meeting recessed into executive session at 5:30 pm.*

**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. Property Acquisitions – T. Jones / M. Roselli
2. PBA – R. Falzarano
3. The Farm – M. Roselli

**Attorney Client Privilege:**

1. Ravenswood Water Line – M. Roselli

**Vote on Resolution:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

**RECONVENE INTO PUBLIC SESSION – Mayor Yates**

*Mayor Yates reported to the members of the public and to those members of the public on the GoToMeeting that the Township Committee will reconvene into regular session, take the roll call, say the pledge of allegiance, then the Township Committee will go outside for the hiring of the new police officer, and then return inside to continue the regular meeting. Mayor Yates asked for a motion to reconvene into public session. A motion was made by Mrs. DiTosto, seconded by Mr. Platt, and with a roll call vote of all ayes, none opposed, the Township Committee meeting reconvened at 6:31 pm.*

**ROLL CALL – Municipal Clerk**

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

*Mrs. Sharp called the roll all members of the Township Committee are present in person.*

**PLEDGE OF ALLEGIANCE – Mayor Yates**

*Mayor Yates led members of the Township Committee and members of the public in the Pledge of Allegiance.*

**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 August 24, 2020, and published in the *OBSERVER TRIBUNE* on August 27, 2020; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on August 24, 2020, and Notice was filed with the Municipal Clerk on August 24, 2020.

*Mayor Yates announced that adequate notice of this in person and GoToMeeting was published in accordance with the Open Public Meetings Act.*

**NON-CONSENT RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION):**

**RESOLUTION TC – 20-131 – RESOLUTION TO AUTHORIZE THE APPOINTMENT OF RACHAEL KUNZ AS A HARDING TOWNSHIP POLICE OFFICER**

*Mrs. DiTosto welcomed everyone and read Resolution TC-20-131 into the record.*

**WHEREAS**, there exists a vacancy in the position of Police Officer in the Harding Township Police Department; and

**WHEREAS**, Chief Erik Heller has conducted a detailed evaluation process and background check; and

**WHEREAS**, the Township Committee, Township Administrator, Robert Falzarano, and Chief Erik Heller, have determined the need for appointing a Police Officer; and

**WHEREAS**, Rachael Kunz graduated from the Cape May County Police Academy for Basic Police Officers on July 2, 2020; and

**WHEREAS**, Chief Erik Heller recommends that Rachael Kunz be appointed as a full-time Police Officer, commencing with a one-year probationary period with the Harding Township Police Department that is effective on September 16, 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 recommendation of Chief Erik Heller and the Township Administrator, Robert Falzarano be approved and hereby appoint Rachael Kunz as a full-time Police Officer of the Harding Township Police Department at the annual salary of \$45,219.00.

**Mayor Yates** asked Committee Member DiTosto to proceed with Resolution TC 20-131 listed on the Non-Consent agenda.

*Committee Member DiTosto made 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 Modi.*

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

***Chief Erik Heller made the following comments:***

*"Good Evening...Thank you to the Township Committee for allowing us to have this outside tonight. Thank you everyone for being here.*

*Tonight, I present to you our newest police officer to be sworn in. This candidate comes highly recommended, as an alternate route program graduate of the Cape May County Police Academy. Out of a large pool of candidates, through numerous interviews and tests, including a rigorous background check... this candidate clearly emerged as the top choice to join us here in the Harding Township Police Department.*

*Since the first part time patrol officer position was created in 1933, Harding Township has never had a female police officer.*

*Our first Chief of Police was in 1936.*



*The Police Department was established by ordinance in 1947.*

*Finally, in 2020... 87 years since the first officer... on behalf of the Harding Township Police, I am pleased to recommend Harding Township Police Department's first ever female police officer. I know she will be a great addition to our Police Department... Rachael Kunz."*

*Mrs. Sharp conducted the swearing in of Rachael Kunz as the first female police officer to the Harding Township Police Department. Mrs. Sharp commented that it was her honor to be able to swear Ms. Kunz in as Harding Township's first female officer. All members of the Township Committee personally welcomed Ms. Kunz. Rachael Kunz received a standing ovation from all members the Township Committee and members of the public attending outside.*

---

## RESOLUTION TC 20-132 -- 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: **August 10, 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: **August 10, 2020.**

*Mayor Yates asked for a motion to accept the Township Committee meeting minutes for August 10, 2020. Mr. Jones made a motion to accept the August 10, 2020 meeting minutes, seconded by Township Committee Member DiTosto.*

**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	2 <sup>nd</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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	<input type="checkbox"/>	<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"/>

---

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

*There were no announcements, presentations, reports or correspondence to report.*

---

## DISCUSSION ITEMS:

### 1. 2019 Audit Report – Bob Swisher



**Mayor Yates** reported that Mr. Swisher from Suplee, Clooney, & Company auditors will discuss the 2019 audit report.

**Mr. Swisher** thanked the Township Committee for having him. The audit that is conducted is a financial and compliance audit to ensure that the financial statements are fairly stated and that the Township is in compliance with the rules and regulations of the State of New Jersey. The opinion in the report is an unmodified opinion, which is a clean opinion. Mr. Swisher reported that there were no compliance concerns to report, therefore, a corrected action plan is not required. There was an exit interview with the Township Administration and the Finance Department to go over other items that were found in conducting the audit. There were a few items that came up but they were suggestions.

1. One item was internal controls. Currently, with checks, there are three signatures on the check which are all stamped. A suggestion was to have a live person sign the checks. This would ensure someone is checking each check that goes out.
2. Another suggestion was with regards to inactive balances on the Township's capital fund and current fund. The Finance Department was asked to review these balances to see if they can be cancelled and moved to surplus.
3. The third item discussed was that the Township has 32 bank accounts, which is a lot for the size of this town. It was suggested to consolidate some of the accounts so there is not so many reconciliations that need to be made on a monthly basis.

Overall, the Township again did very good financially this year. The surplus went up slightly for this year. As far as the debt, the State law allows a certain percentage. Harding could issue \$78 million in debt. Harding has only issued \$5 million so there is \$72 million available if they chose to. Harding has a very low debt limit for the Township. Overall the Township is in very good financial shape. Mr. Swisher asked if anyone had any questions.

**Mr. Modi** commented with one question; Mr. Swisher you mentioned closing out accounts, is that what you reference in the inter-fund balance comment. Mr. Swisher responded no. Inter-funds are monies that are loaned back and forth between funds. A discussion ensued.

**Mayor Yates** asked if there were any further comments. Mayor Yates thanked Mr. Swisher that the exceptionally clean audit report is a reflection with the tight way he runs the Town. Mr. Swisher commented that the Township Administrator, Mr. Falzarano, Administration, and Mr. Shah and the Finance Department do a very good job. Mr. Swisher reported that Harding is blessed to have very good people. Mayor Yates agreed.

*Let the record show that Mr. Swisher left the GoToMeeting at 6:48 p.m.*

## **2. Generators – Mayor Yates**

**Mayor Yates** commented that this item was placed on the agenda due to the Township has seen in the most recent storm and storms before that, Harding has a very large number of residential generators and this count grows throughout the year. One of the issues is, there are generators and transfer switches that have been installed without permits. While doing things without permits is a tried and true practice in most towns, these transfer switches are actually very dangerous. An improperly installed transfer switch feed power to the lines and so where the utility linemen believe they have de-energized the line discover that there is still a current flowing because it is back flowing from a generator. It can also flow from one residence to another residence if improperly installed, causing all types of electrical damage. Generators improperly placed can vent carbon monoxide into a residence. Mayor Yates commented that he would like for the Township Committee to review

a process where resident can apply for a permit for those generators and transfer switches that have been installed without permits, possibly without a fine, and allow the Building Department to inspect the installation to ensure that it has been installed correctly. Then as part of the Township's ordinance consider a hefty fine after this correction period is completed. This is really a safety issue, it slows down the restoration of power in town. The utility linemen have to ensure the line is clear of energy before they can go to work. Mayor Yates mentioned that he believes the Township Committee needs to take their time with this to figure out the right way to conduct this.

**Mr. Jones, Township Committee Member** commented that he totally supports this. Is it a three to six month period. Should this be discussed with the Building Inspector and his team to see the timing, inspection process, can it be don, etc. The Township is not waiving the application fee, the penalty may be waived. This is a way to bring all residents up to date and ensure that things are safe.

**Mr. Falzarano, Township Administrator** commented that the recommendation would be four months from when the ordinance is adopted. This would be ample time to advertise and have residents apply for a permit.

**Mrs. DiTosto, Township Committee Member** commented that she would probably go for six months from the adoption of an ordinance as it takes residents in Harding extra time to realize that an ordinance has been published.

**Mayor Yates** commented if there is consensus from the Township Committee, he will ask Mr. Falzarano to put together the ordinance and whatever is needed to accomplish this. Once the ordinance is adopted maybe it gets mailed to everyone in town. It is not meant to be punitive, it is really a safety issue.

**Mr. Weppler, Lee's Hill Road** commented that placement of the generator is very important. Mr. Falzarano mentioned that it is mentioned in the OEM booklet that was sent out but should be restated again. Mrs. DiTosto commented the same with the temporary generators.

The Township Committee was in consensus with Mayor Yates recommendation with regards to generators and transfer switches.

### **3. Dickson's Mill Bridge Update – N. Platt**

**Mr. Platt** provided the Township Committee and members of the public an update on the replacement of the Dickson's Mill Bridge and the efforts being made to keep it at its current width of 20'. A copy of Mr. Platt's presentation is appended to these minutes.

*Mr. Platt opened the meeting for public comment regarding the Dickson's Mill Bridge at 7:04 pm. Mrs. Sharp informed the members of the public who are participating by phone that anyone interested in making a comment that they should unmute themselves, state their name and address, and make their comment one at a time.*

**1. Mr. Hatfield, 2 Dickson's Mill Road** – thanked the Township Committee for giving him the opportunity to share his views and comments. Mr. Hatfield commented that all of the residents, particularly in the Dickson's Mill Bridge area, are stewards of the property that we are lucky enough to live on. We put a lot of time and resources in making this part of the world look great. The bridge is an essential part of the look and feel of this part of Harding. Dickson's Mill is a slow quiet by-way that is at risk by the actions being discussed with expanding the bridge. This looks like the start of a slippery slope of unintended consequences. There is a concern of safety as it relates to traffic, people who walk their children, their dogs, and people who bike ride. An increase in speed is not a good thing anywhere in Harding and this road is certainly not the place to do it. It is an environmentally beautiful place. It is quiet, clean, and protected and increasing traffic can only be an



environmental hazard. Mr. Hatfield commented that what is the goal of having a wider bridge, a faster road, whose interest does this serve. Mr. Hatfield commented that we should be much more committed in solving the problem with the new ASHTO standards and focus on keeping the bridge that is there viable or build one that is a replica that is viable without changing this area. Does not want to see a traffic light somewhere along this Thoroughfare and hopes that the elected officials will think about the neighbors in this area.

**2. Mr. Cassa, For Highlands Coalition** – commented he is a former resident of Harding Township and mentioned he has great affection for the bridges and roads in Harding. Mr. Cassa commented he is calling this evening on behalf of the Highlands Coalition where over the past year, they have been tracking some significant changes in the bridge design standards (which Mr. Platt eluded to in his discussion earlier), which could have a profane impact on the bridge that is finally installed with a relatively little resistance from the engineering side if this information is presented to them and if they agree with it. In 2018, the NJDOT abandoned the use of the term functionally obsolete as a descriptor for bridge inspections. This reconciles the State's policy with the policy adopted by the federal highway administration. As of today, the only justification for replacing a bridge in New Jersey State roadway system is whether or not it is structurally deficient. There is no question against repairing the bridge that might be subject to collapse. However, ASHTO in 2019 did determine that a bridge on a narrow road that does not carry more than 2,000 vehicles per day is allowed to remain at its present width as is the roadway itself. Mr. Cassa asked the Township Committee to address this with the Township professionals; both engineering and legal, to ensure the Township takes advantage of all the opportunities that it offers, not just for Dickson's Mill but for other roads and bridges that are subject to what Mr. Cassa calls width creep.

Mr. Cassa commented on guidance from NJDOT that states any project that is funded by the NJ Municipal Aid Grant program must comply with current design standards as incorporated by reference NJOT including the applicable ASHTO publications. In this case, the current ASHTO design guidance for low volume roads and bridges, published in 2019, establishes the upper graphic count for low volume roads at 2,000. Previously, it was 400. Mr. Cassa commented that it is his understanding that the traffic count on Dickson's Mill is well below 2,000.

Mr. Cassa commented, if the bridge project is funded under the Municipal Assistance Grant (MAG) project, (question--is this the same thing as being funded by the gas tax) and the average daily vehicle count is confirmed to be less than 2,000, then the applicable current ASHTO design document that must be used to comply with the MAG program funding requirements is the 2019 guidance ASHTO revision for low volume roads. This is an opportunity, not for just this bridge, but for Harding and all the other bridges and narrow roads.

**3. Mr. Koven, Dickson's Mill Road** -- commented that he has lived in Harding for 77 years and mentioned that his parents purchased land along both sides of Dickson's Mill Road along the Brook into Green Village and on Village Road to protect it. It was farmed from the late 1930's. Mr. Koven commented his parents purchased the land over the years to protect it. In the 1990's his family decided to donate the land for preservation to the Harding Land Trust and that Dickson's Mill Road would maintain as best as it could the country quality that it currently still is. Mr. Koven commented he is a big advocate for not changing anything. If the bridge and road are widened, Dickson's Mill Road will become a speed way and a short cut. Mr. Koven commented it is really difficult to make a left hand turn on at the intersection of Dickson's Mill Road onto Blue Mill Road where there have been accidents. If you look at the history, there have been no accidents on Dickson's Mill Road at the bridge. Mr. Koven mentioned if we believe in rural Harding and the reason you are elected is because we believe you believe in rural Harding. If the road is widened, it is an insult rural Harding, the community, and his family.

**Mr. Modi, Township Committee Member** – commented if anyone knew why the bridge was put in place to begin with. Mr. Koven commented no he does not know why, but has pictures from the early 1900's. A discussion ensued. Mr. Platt handed Mr. Modi a picture of the bridge from 1869.



**4. Mr. Dinsmore, resident** -- commented on the functional obsolescence of the bridge and asked why the County is so abstinent. Mr. Platt commented that he does not know the answer to this. A brief discussion ensued. Mr. Dinsmore commented that he supports your efforts with the bridge.

**5. Mr. Bjorkedal, Cherry Lane** -- commented that the Township Committee put together fantastic amount of time into trying to maintain Harding with unrelenting pressure of the greater state, to put change upon Harding. There has been years of work on affordable housing, tons of effort into the diversion, and trying to do the right thing with regard to preserving certain properties and mitigate the impact on the town, yet meeting the requirements of what the state is requesting. Mr. Bjorkedal finds an inconsistency with regard to the effort of this bridge. Mr. Bjorkedal believes this bridge is just as important, it is in the heart of town, it affects a lot more acreage, it could have a larger impact, but is not sure what is the best process to achieve the outcome the town would like. It is an unnecessary change. Mr. Bjorkedal would like to see as much effort in saving this corridor of Harding as the Township has tried to save everything else.

**6. Mr. Friedman, Dickson's Mill Road** -- commented he has lived in Harding for 35 years. If the bridge is widened, they will get rid of the curve that runs north of Blue Mill just before the bridge. This is an approach that slows drivers up. This road will then become a run way. Dickson's Mill Road has bikers, walkers, residents who walk their dogs. The State is making a big mistake and they should be told.

**7. Mrs. Somers, Spring Valley Road** -- commented that the Dickson's Mill Bridge is an extremely important part of this side of Harding. It is an extremely important part of the historic history. It is an extremely important part of the Great Swamp Watershed. If the bridge is widened, we are saying to google maps that this is a quicker way through Harding, a traffic hazard is being created on a narrow 18 foot road, creating a disaster at Mr. Hatfield's end of the road, and creating a financial problem for the town. While either State or Federal funds can pay for the bridge replacement, less expensive for the narrower. Since the County can build a narrower bridge, Mrs. Somers commented why they would want to widen the bridge. The Town would have to widen the road most certainly. Mrs. Somers commented how will the town stop residents from driving off the road. Will barriers be used, this would be a disaster. Cannot think of anyone who lives on the road or drives on the road, walks, or bicycles on the road, who would want the road or the bridge to be widened. To suggest it is a safety issue, the record does not support this. Mrs. Somers commented that we now know that Federal guidelines will allow it to remain a narrower road, it seems that the only obstacle is the County. Harding Township needs to insist to the County that this remain a 20 foot wide bridge. A fancy stone covered bridge is not needed. The simple bridge that is there is what the residents want. Mrs. Somers really hopes that the Town informs the County that the Township knows this can be kept a narrow bridge. The County should be doing the least expensive, most conservative thing available.

**8. Mrs. Kovacs, Village Road** -- commented that she is in full support of what has been discussed by everyone this evening.

**9. Mrs. VanAllen, 48 Dickson's Mill Road** -- commented that she is in full support of what has been said this evening in keeping the bridge at 20 feet.

**10. Mr. & Mrs. Walker, corner of Dickson's Mill Road** -- fully support not expanding the size of the bridge.

**11. Mrs. Koven, Dickson's Mill Road** -- commented she is an artist, photographer, and nature lover and gardener. This road is a very pleasant, happy, and relaxing road. It would be a terrible shame to take this pleasure away. Mrs. Koven is in full support of what has been mentioned this evening.

**12. Mr. Daniel Somers, Spring Valley Road** -- commented that twenty-five years ago we were fighting the fight, baffled that we have to have this discussion again. Mr. Somers thought it was made quite clear the



importance of this bridge to our community and our way of life here in Harding. Mr. Somers commented it is a question of maintaining the character of this part the world, a question of making it habitable for other than people who have a 200 horse power under the hood with four wheels. This is more than just a question of safety standards, it is a question of calling it right. Mr. Somers encourages, exhorts, the Township Committee to do what it can to forestall this process.

**13. Mr. Dev Modi, Township Committee Member** – commented, in speaking for himself, Mr. Modi concurs with everything that has been said and with how you feel. Procedurally, the resolution that the Township Committee adopted speaks to everything that has been said this evening. Mr. Modi commented that there were lots of different objectives that have been communicated this evening, and believes the resolution addresses these objectives, but at some point, if the Township does not have procedural power to stop the County, do you have a sense if the community would prefer if there were no bridge versus a 26 foot bridge? Listening to the comments this evening, it is not clear if people would prefer to have no bridge versus having a 26 foot bridge. Do you have a sense of this?

**Mr. Platt, Township Committee Member** – commented in 2013 where the County said the bridge was structurally deficient was a term called functionally obsolete. This is the part that does not make sense here as Mr. Cassa took off the table because they adopted a national highway safety standards and functional obsolete went away. Mr. Platt mentioned what we were following was what happened to the Anderson Bridge in Chester Township. They were in the same situation as Harding Township, they had indicated to Mr. Vitz and the County that they wanted to keep this bridge narrow. A discussion ensued.

Mr. Platt commented to Mr. Modi that you mention the resolution that was passed, the resolution was passed on the assurances from the County Engineer that he would work with the Township. The next day, Mr. Platt started conversations and in February, we learned that the Freeholders had awarded the RFP from a bridge designer and when the bridge designer reached out to the Township for surveys. Mr. Platt mentioned that the bridge designer was asked what size bridge is being designed and he mentioned a 26 foot bridge. Mr. Vitz and the County did not work with Mr. Platt at all. Mr. Platt is saying to the Township Committee, that we passed a resolution that was based on the County Engineer was going to work with the Township. Mr. Platt mentioned when he asked Mr. Vitz if he would not only work with the Township but would he abide by the State's decision if the Township was able to receive funding. Mr. Vitz responded of course but he did not. Mr. Platt recommends that the Township Committee take control over this process again and the only way to do this is to deem the resolution that was passed was not based on the assurances that the Township received and rescind the resolution. The Township should go back to the State and get meetings with SHIPPO.

Mr. Modi commented rather than rescinding it, why wouldn't you enforce it. Mr. Platt mentioned that all the County knows is that Harding Township passed a resolution on July 14, 2019, giving them permission to put an RFP out to design a bridge at 26 feet. Mr. Platt commented that we as the Municipality are responsible to giving them a resolution so they can go to the State to get the funding for the bridge. It is the Township's responsibility to see that the community receives a bridge they deserve. Mr. Modi commented if you rescind the resolution, you lose the document that shows the Township Committee fighting for the 20 foot bridge. Mr. Platt stated that this resolution is where the County can muzzle their way to a 26 foot bridge. A discussion ensued regarding the resolution and going to SHIPPO.

**Mayor Yates** – commented that he believes some of this discussion this evening is premature and built on some misunderstanding. Mayor Yates mentioned that an email was just received late this evening (6:45 pm) from the County which states "that they are not ready to come to Harding in October. Sufficient work on the survey and field work has not been completed. They are not far enough along on the design process to present anything to the Township. The required size of the opening under the structure has not yet been determined and the alignment and width of the structure is still under review. The email goes on to say; additionally the type of structure to construct needs to be chosen by the Township i.e.; ark bridge, stone facing, a typical concrete



structure, etc., that is pending on the size of the opening required to pass the brook. The email concludes by saying; they would come sometime after October which will allow the consultant to complete preliminary design work. The applications will be made to NJDEP, NJDOT, and SHIPPO, including any design labor on the bridge width.”

Mayor Yates explained he does not believe it is accurate that they already have designed a 26 foot wide bridge or they are ignoring the resolution, because they specifically reference the design waiver for the bridge width. Mayor Yates commented that he believes the Township is better served to see what they come up with and there is no indication that the bridge will be 26 feet. Mr. Platt disagrees. Mr. Platt explained that the Bridge Designer informed us that his instruction from the County was to design a 26 foot bridge. Mr. Platt was not aware of a memo that came today as he is the liaison to the Dickson’s Mill Bridge. Mayor Yates responded, the email came very late today. A discussion on the County correspondence ensued. Mr. Platt commented that it sounds like the County is reacting which is quite different from the email received from Mr. Vitz.

**Mr. Falzarano** -- commented that Mr. Platt has covered the topic and the 26 foot bridge. The number has not been removed and was stated by Mr. Vitz. What has to be done, is the direction has to be provided clearly to the County on what the Township would like to see. A further discussion ensued. Mr. Platt commented that maybe we rescind the resolution.

**Mayor Yates** – commented that we can see what the County ultimately comes to the Township with and then we can rescind the resolution at that point. Several residents strongly encourage that this not be done.

*Mayor Yates asked if there were any further comments.*

**Mr. Bjorkedal, Cherry Lane** – commented what was the playbook for affordable housing. Weren’t they asking for 700 units and the Township went to about 280. This was a pretty successful endeavor. The Township started with a 40 foot bridge, it’s now 26 feet, and there is 6 feet to go.

**Mayor Yates** explained you get to these results by staying engaged in the process and as Mr. Modi mentioned, this resolution puts squarely on the table what Harding’s requirements for the bridge are and to take this away then there is nothing out there that states what bridge Harding wants. Mayor Yates believes it is a mistake to rescind this resolution. The resolution gives Harding the ability in front of SHIPPO, NJDOT, and any State agencies involved, it gives us the ability to say this is what Harding has said from the beginning when this process started. Ultimately, the Township Committee will need to make a decision. If the County does not yield, then the Township Committee will need to decide do we accept a bridge wider than 20 feet. The County does not want to widen the road bed at the end of the bridge, there is some constraint on the size of the bridge. Ultimately, whatever the County comes back to the Township with, the Township Committee will have to make a decision, accept the bridge or an option is that the Township decides to close the bridge. Mr. Platt commented that the County works for the Township, it is our tax payer dollars that is going to the County. The County has to work with Harding. They will be responsible for this bridge but they are also responsible for the 35 Municipalities within their district. It is not take it or leave it. Mr. Platt has a letter from the DOT Commissioner who is saying go to SHIPPO which is your first stop.

**Mr. Cassa** – commented that Harding has a very strong case to make for the Dickson’s Mill Bridge and for many other bridges and roads in town. At some point, the County Freeholders and their engineering department need to accept that the rules are no longer what they were two years ago.

**Mrs. DiTosto, Township Committee Member** – commented since the Mayor received an email two hours ago, lets take all the players that are listed in the email and Mr. Platt and Mr. Falzarano can contact them one by one and plead the case to keep the bridge as narrow as possible. There is movement going on at the County, so now is the time to seize on that and start communicating with them until they listen. Keeping the resolution intact,



for now, is a very important thing to do. It sets the record straight. Mr. Platt commented with using the idea that we have the option of rescinding the resolution if we do not get to where the Township wants to go. The Township does own the right-of-way. Mrs. DiTosto commented that this is something the Township will consider at that time.

**Mr. Jones, Township Committee Member** – commented that the memo does reference a meeting at the end of September. When Mr. Falzarano has further information, Mr. Platt and Mr. Falzarano should meet at that time. Mr. Platt commented that we must demand a meeting with SHIPPO. Mr. Cassa commented that SHIPPO has been helpful in the past to the degree that they are able to influence the design which is, the aesthetic of the super structure (the deck itself). Mr. Vitz is very aware of the new policies.

**Mayor Yates** commented as Mrs. DiTosto mentioned, the objective is to get to these people that were copied on the email. They want to speak to Township personnel the week of September 28<sup>th</sup>, which is Mr. Platt and Mr. Falzarano. A discussion ensued. Mr. Modi recommended an Ad-hoc Subcommittee that deals with this issue that Mr. Platt, Mr. Falzarano, and whoever else would like to be on can do the subcommittee work that the Township Committee normally has. This will address Mr. Platt's concern in the interest of governance. Mayor Yates commented that the Township Committee has an infrastructure committee which he believes is Mr. Jones and Mr. Platt.

**Mr. Mark Roselli, Township Attorney** – explained that the Township Committee meeting must maintain order. Residents who are on the line, cannot just open up and speak. Please wait and ask permission. Please identify yourself each time so the record is clear.

Mr. Roselli – commented on the road standard. New Jersey looks at the NJDOT which has standards which governs construction of roads and bridges. They make a distinction between roads and bridges. What NJDOT does is refer to a green book for ASHTO standards. There is an ASHTO standard for bridges and roadways. Mr. Roselli explained that you have to ensure that the bridge refers to the low volume roadway and its companion. Make sure the procedure is applicable.

**Mr. Fox, Township Engineer** – commented on what Mr. Roselli mentioned. The guideline that was issued last year by ASHTO is applicable to bridges. It specifically states that where an existing bridge needs replacement for structural reasons, the replacement bridge can be constructed with the same width as the existing bridge. It is very clear and in black and white. Mr. Platt commented if Mr. Vitz is aware of what Mr. Fox just mentioned on bridges and replacement bridges. Mr. Fox explained, Mr. Vitz is aware. Mr. Fox sent material to Mr. Vitz on June 24<sup>th</sup> and Mr. Vitz responded back on June 30<sup>th</sup>. Mr. Fox has not heard back from Mr. Vitz since June 30<sup>th</sup>. A discussion ensued.

Mr. Platt's recommendation is to rescind the resolution and start fresh. In short of this, Mr. Falzarano, Mr. Jones, and I can meet with the officials the week of September 28, 2020 to see if they have a change in heart.

Mayor Yates commented this has been a good discussion and we will see what happens the week of September 28, 2020. The Township Committee meets several weeks after this and the outcome of that meeting can be evaluated and determine the next steps.

---

**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.

*Mayor Yates asked if there was anyone who wished to make a public comment.*

**Mr. David Dietz, Lake Trail East** – *commented that the last couple meetings there has been some question about the Township Committee holding a session to explain re-evaluation process. Mr. Dietz just read the second letter Mayor Yates sent out and it raises more questions. Mr. Dietz mentioned that the Mayor did promise that the Township Committee would have a presentation and asks that it be done as soon as possible.*

*Mayor Yates explained with the shutdown of the building that conversation is difficult to hold over the phone. It could be done over the phone, but does not believe it will satisfy residents. Mr. Dietz commented as a suggestion, today the Township Committee held a session outside, maybe this can be held earlier outside where a presentation can be made. Mr. Dietz appreciates the tremendous improvement on the sound of the call, maybe next we can see the speakers.*

**Mrs. Julia Somers, Spring Valley Road** – *commented she supports seeing the members of the Township Committee.*

**Mr. Platt** – *reported that the Mayor and I had a conversation today regarding the tree ordinance and mentioned that it should be revisited. Mr. Platt also reported that Harding Township lacks a property management ordinance and there are some situations without a property maintenance ordinance, there are some things the Township cannot do. Mr. Platt mentioned that the Township needs something that can be relied on.*

---

## ORDINANCES FOR SECOND READING: NONE

---

## 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 20-133 THROUGH RESOLUTION TC 20-141 HAVE BEEN PLACED ON THE CONSENT AGENDA

## CONSENT AGENDA VOTE:



**Mayor Yates** asked Committee Member Platt to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 20-133 through TC 20-141.

*Committee Member Platt made a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Township Committee, seconded by Township Committee Member Jones.*

**Mayor Yates** asks 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

---

**CONTRACTS:**

**Resolution TC 20-133 Resolution of the Township Committee Increasing Bid Threshold Amount for Qualified Purchasing Agent to Negotiate and Award Contracts Pursuant to N.J.S.A. 40A:11-3**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, the State authorized an adjustment to the bid threshold, effective July 1, 2020, for contracting units subject to the Local Public Contracts Law, which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of \$44,000; and

**WHEREAS**, Lorene K. Wright serves as the Qualified Purchasing Agent for the Township of Harding pursuant to N.J.A.C. 5:32-4.1 et al.; and

**WHEREAS**, the Township desires to increase its bid threshold from \$40,000 to \$44,000.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, that the Township's bid threshold for award of public contracts is hereby increased from \$40,000 to \$44,000; and

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40A:11-6.1 (a) the informal quotation threshold shall be increased from \$6,000 to \$6,600, or 15% of the bid threshold; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk of the Township of Harding shall forward a certified true copy of this resolution to the Director of the Division of Local Government Service

---

**Resolution TC 20-134 – Resolution Authorizing Award of Non-Fair and Open Contracts for Certain Telephone Related Services to Monmouth Telecom**

**WHEREAS**, the Township of Harding has a need to acquire *Telephone Services – Equipment, Wiring, Installation and Training*, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and



**WHEREAS**, the Harding Township Qualified Purchasing Agent received three quotes from; Hunter Technologies, Monmouth Telecom, and Omni; and

**WHEREAS**, the Harding Township Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the term of this contract is *two (2)* year(s); and

**WHEREAS**, Monmouth Telecom, having an address at 10 Drs. James Parker Blvd., Suite 110, Rend Bank, New Jersey 07701, has submitted a written contract indicating it will provide *Telephone Services – Equipment, Wiring, Installation and Training*, for the total contract price of \$35,870.15, which is below the Qualified Purchasing Agent's bid threshold; and

**WHEREAS**, Monmouth Telecom has completed and submitted a Business Entity Disclosure Certification which certifies that Monmouth Telephone has not made any reportable Contributions to a political or candidate committee in the Township of Harding in the previous one year, and that the contract will prohibit the Monmouth Telephone from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer as per *N.J.A.C. 5:30-5.4* has certified the availability of funds for the first year of the contract as follows:

**YEAR ONE:**

\$17,030.15 – Telephone Equipment, Wiring and Installation	04-2018-201803-4005-4-04032
\$ 9,420.00 – Telephone Utility Services	01-2020-1440-0440-2-00000

**YEAR TWO:**

\$ 9,420.00 – Telephone Utility Services	01-2021-1440-0440-2-00000
------------------------------------------	---------------------------

**TOTAL TWO (2) YEAR CONTRACT COST: \$35,870.15**

**WHEREAS**, funding for the second year of the contract shall be subject to an appropriate budget appropriation in the 2021 municipal budget.

**BE IT RESOLVED**, that the Township Committee of the Township of Harding authorizes the Lorene K. Wright, as Township Qualified Purchasing Agent to enter into a contract with Monmouth Telecom, as described herein; and

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

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is directed to cause notice of this contract award and the adoption of this resolution to be published forthwith as required by law.

---

**Resolution TC 20-135 – Resolution of the Township Committee Authorizing Sale or Other Disposition of Township Property Not Otherwise Needed for Public Use**

**WHEREAS**, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-36, provides for the disposition of Township owned personal property not needed for public use; and

**WHEREAS**, the Township currently has various used books that are being stored in the Kirby Municipal Building, which is of negligible monetary value and not needed for public use; and

**WHEREAS**, the Local Public Contracts Law states that if the estimated fair value of the property to be sold or otherwise disposed does not exceed the applicable bid threshold in any one sale, it may be sold at private sale without advertising for bids; and

**WHEREAS**, the Township's applicable bid threshold is \$44,000.00 and the Qualified Purchasing Agent has advised that these books have no monetary value and would otherwise be disposed of as municipal waste and they are not needed for public use by the municipality; and

**WHEREAS**, in an effort to utilize these books, the Kemmerer Library has agreed to take the books and in order to do so, provided 4 volunteers and four hours each to back and box the books so that they can be taken to the Kemmerer Library.

**BE IT RESOLVED** by the Township Committee of the Township of Harding, in the County of Harding, State of New Jersey that it does hereby authorize the sale or otherwise dispose of the books referenced hereinabove as it is determined to be personal property not needed for public use, by way of private sale to the Kemmerer Library for the sum of one dollar (\$1.00) in accordance with N.J.S.A. 40A:11-36 (6).

---

**Resolution TC 20-136 – Resolution to Authorize an Increase to the Professional Services Contract for Greener By Design**

**WHEREAS**, at the January 4, 2020 Township Committee meeting, the Township Committee authorized \$15,000.00 for the services of Greener By Design LLP, under their professional services contract; and

**WHEREAS**, it is necessary to increase the authorization for the services of Greener By Design LLP, under their professional services contract to perform redevelopment tasks; and

**WHEREAS**, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$10,000.00 from account number #01-2020-1110-0100-2-00020; and

**WHEREAS**, the total amount shall not exceed \$25,000.00.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that the following contract is hereby awarded for a one year period:

Glen Alpin Disposal/Diversion Greener By Design	1/1/20 to 12/31/20
	\$175.00 per hour
	Not to exceed \$25,000.00
	01-2020-1110-0100-2-00020

---

**FINANCE:**

**Resolution TC 20-137 – Resolution to Approve the 2019 Audit Review**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and



**WHEREAS**, The Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52-27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "General Comments" and "Recommendations;" and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the annual Report of Audit, and specifically the sections of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB52 to wit:

R.S. 52:27BB52- "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

---

#### **Resolution TC 20-138– 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 20-139 – Resolution to Authorize the Township of Harding Tax Collector to Conduct An Online Tax Sale**

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and



**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales in the State of New Jersey along with participating Counties and Municipalities; and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, Harding Township wishes to participate in an electronic tax sale in 2020 and to award a contract for such services to RealAuction.com as a vendor which has been determined to have complied with the statutory provisions necessary to supply such services.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

---

**Resolution TC 20-140 – 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:**

<b><u>Applicant:</u></b>	<b><u>ADDRESS:</u></b>	<b><u>FEE:</u></b>
Dharma Bhaki 09, LLC	1098 Mount Kemble Avenue	\$2,500.00
T/A The Country Store	Morristown, NJ	
Plenary Retail Consumption License		
No. 1413-44-002-005		

---

**PERSONNEL:**

**Resolution TC 20-141 – Resolution to Accept the Resignation of C.W.**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding accepts the resignation of C.W. effective August 24, 2020.

---

**ORDINANCE FOR FIRST 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 asked Township Committee Member Jones to introduce Ordinance TC #10-2020.

Township Committee Member Jones introduced 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”**

Township Committee Member Jones explained the purpose of the Ordinance and moves for introduction on first reading. *Mr. Jones mentioned that this amendment corrects and updates the language in the Police Ordinance. It will remove Policemen to Police Officers, etc.*

**Mr. Falzarano, Township Administrator** *commented that this ordinance removes Section D which is Detective Bureau and eliminates this from the ordinance. The language in the ordinance overall is gender is male. It related to male throughout the ordinance, it was changed to reflect this is a profession now that has women as well as men and the Detective Bureau section, not only is it incorrect as far as organizational component it is not something that is put in an ordinance and make it mandatory that it is required. There is no Detective Bureau that is specified in the ordinance and will be removed. It also removes gender for the Police Chief as only male. Harding hired its first female officer this evening and there could be a female Police Chief for the future of Harding.*

Township Committee Member Jones read:

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on September 14, 2020.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on October 19, 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 Jones offered Ordinance #10-2020 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:*

**Vote on Introduction:**



	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

**ORDINANCE FOR FIRST READING:**

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

**Mayor Yates** asked Township Committee Member Jones to introduce Ordinance TC #11-2020.

**Township Committee Member Jones** introduced 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 REAL PROPERTY AT 163 LEE’S HILL ROAD**

**Township Committee Member Jones** explained the purpose of the Ordinance and moves for introduction on first reading.

*Mr. Jones commented that this property is 5+ acres and sits adjacent to the Wildlife Refuge. It is our intention to add this property to our Open Space portfolio. This has been on HOST’s wish list for about 1.5 years. There is an 88 acre parcel adjacent to this property that was purchased as part of mitigation for development that happened someplace else in NJ that Prudential did. The Great Swamp acquired the 88 acres in 2019 and the Township looks forward to working with the Wildlife Refuge in the future with regards to this property.*

*Township Committee Member Jones reads:*

**WHEREAS**, the above ordinance was introduced and read by title at this Township Committee meeting held on September 14, 2020.

**BE IT RESOLVED**, that at the Township Committee meeting to be held on October 19, 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.

*Mayor Yates asked if any member of the Township Committee had any comments with regard to this Ordinance. Mrs. DiTosto commented that she is voting yes, but will have questions at the public hearing.*

*Township Committee Member Jones offered Ordinance #11-2020 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:*

**Vote on Introduction:**

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. DiTosto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" 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"/>

---

**ADJOURNMENT – Mr. Yates**

*Mayor Yates commented that the Township should think about having a No Left Turn sign at Dickson's Mill Road and Blue Mill Road and asked what the process is for this. There has been some concern about traffic and speeding. Maybe this is something the Township Committee should be doing now.*

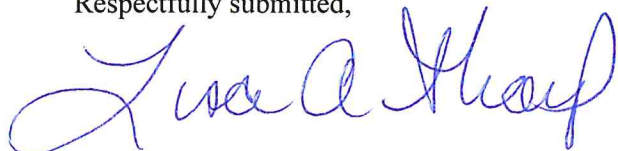
*Mr. Platt commented that he is not sure this is wise as there is no way for anyone that lives on Dickson's Mill to come to town. They would have to go out to Spring Valley Road. Mayor Yates commented that we heard a lot of comments on how dangerous this intersection is with the traffic coming up. Mr. Platt believes there are other intersections that have heavy traffic that would be something to visit before this one.*

*Mayor Yates commented he would still like to know what the Township would need to do. This could be discussed in October.*

*Mr. Jones commented that last month Mr. Toribio could not join the Township Committee and he is here in person today. The Township was on the tail end of the bout with the tropical storm and Mr. Jones would like to commend Mr. Toribio's team for all their hard work during that week. Mr. Jones commented that we would be remised to not thank Mr. Falzarano, Chief Heller, Chief Finkle, and the First Aid Squad for all their efforts in helping with this storm.*

*With no further comments, Mayor Yates adjourned the meeting at 8:48 p.m.*

Respectfully submitted,



Lisa A. Sharp  
Municipal Clerk



## DICKSON'S MILL BRIDGE

Thank you Chris.

I would like to give everyone an update on the replacement of the Dickson's Mill Bridge and the efforts being made to keep it at its current width of 20'. A very worthy and very doable task if we all pull on the same oar.

Here are a couple of facts.

- 1) The current bridge is not historical. It was replaced in 1980 and is now been placed on a list of being "structurally deficient" which requires it to be replaced.
- 2) Being on this list does not mean it is in immediate need of having to be replaced. We have memos going back and forth between the County and ourselves going from 2004. Over these last 16 years, the Township Committees refused to pass a Resolution because the County continued to build a bridge appropriate for this location.
- 3) The bridge is currently 20' wide. The State and the County has a "one size fits all" minimum that begins at 26'. and
- 4) The funding for the bridge comes from the State's gas tax not the County.
- 5) No future pressure on this road. There is no property available for development on or around this road that would add to future traffic problems.

Fortunately, the American Association of State Highway and Transportation Officials known as AASHTO (ASH-TOE) has a section in their Guidelines for Geometric Design of Low-Volume Roads for traffic under 2,000 cars not even close to the low traffic volume Dickson's Mill Road experiences on any given day. There are only a dozen homes located along this road. These new standards ASH-TOE provide for exception to the State's 26 minimum width. Width's of 18' to 20' are well within these new guidelines.

So here is some more good news. The Dickson's Mill Bridge is a perfect example of why the ASH-TOE standards were revised. We have already provided the County and the State all the reasons this particular bridge qualifies for an exception.

#### Recent History:

Chris Vitz, County Engineer and Roslyn Khurdan, the county bridge supervisor made a presentation in these chambers on June 14, 2019 asking for a Resolution from the Town allowing them to apply to the state for the funds to replace this bridge. **It is important to note that Harding owns the right of way. The County needs our approval to replace the bridge.** At that meeting and prior to the 5 of us drafting and voting on that Resolution, I asked Mr. Vitz if he and Ms. Khurdan's would support our efforts to get the state to fund a 20' bridge. Mr. Vitz responded "of course".

On this assurance of support, the Township Committee adopted a Resolution that references our desire to keep the bridge at it's existing width. Not once but 3 times within the Resolution itself. READ THE RESOLUTION.

The very next day, July 15<sup>th</sup>, I reached out to Diane Gutierrez Scac-cetti, the New Jersey Commissioner of the Department of Transportation and described the situation. This led to several conversations over the subsequent months. I followed up with a two page letter dated July 23<sup>rd</sup>. Commissioner Scac-cetti said that the very first thing we needed to do is meet with the New Jersey State Historic Preservation office known as SHPO. (SHIP-PO) She agreed with the bridge being located in a historic district that SHPO had a lot more discretion to make exceptions beyond the new ASH-TOE Guidelines for a low-volume road such as this one.

Our Administrator Bob Falzario has reached out to Mr. Vitz who was supposed to be scheduling the call with SHPO Officials several times and got no response. I myself reached out as well. Then a week ago, Mr. Vitz proposed putting the cart before the horse. He wanted to swing by with plans showing a pretty picture of the new bridge prior to meeting with SHPO saying that we would need to reference these plans during the SHPO meeting. Here is the problem. The pretty picture is of a bridge that is 26', not the 20' one we want.



Before we open this up to comment, I would like to suggest the following to my colleagues.

The Resolution we passed in July 2019 was based on a pledge to have the county's support. That promise was hollow and not followed through on. Therefore our resolution (which references keeping the bridge at its current width) was made on a false assurance. I feel that we should rescind our Resolution which will provide us additional time to work with SHPO and get the state's blessing. Right now the County is putting pressure on us to accept a wider bridge. We have worked far too hard to allow that to happen. After all, aren't we the town that traded an airport for a 7,000 acre national wildlife preserve.

Lastly, there are all sorts of considerations that the Town should concern themselves that are of little to no concern to the County. The 5 of us answer to our taxpayers, our friends and our neighbors. You trust us to do the right thing.

The Dickson's Mill Road is currently 18'. If the bridge we built to State standards, it would lead from both directions to a 26' span. That is going to increase speed on the bridge, speed that is now significantly dampened by the current 20' bridge. At some point in the future there will be pressure to widen the entire road to match the bridge.

Besides a wider bridge being out of scale within this bucolic historical setting there is another issue that cannot be ignored. The reality we live in a world where artificial intelligence routes us around traffic and find us the shortest routes. Driverless cars in the next 10 years is going to dominate our roadways. Once a new bridge is installed and traffic on this road picks up speed it will automatically trigger a change in the GPS algorithm that will direct traffic coming east on Blue Mill Road to Dickson's Mill Road as a shorter access for people wanting to go to Chatham, Madison, Rt 78 and New York and it will direct drivers coming from Green Village to use Dickson's Mill to get to Harding and Bernardsville and there is nothing we can do about it.

This town has always been careful how we spend taxpayer dollars and this is a case where we are building a more expensive bridge we don't need and we don't want.