

**HARDING TOWNSHIP COMMITTEE**  
**MONDAY, DECEMBER 13, 2021**  
**REGULAR MEETING AGENDA**  
**at 7:00 pm / IN-PERSON ONLY**  
**Kirby Hall, Blue Mill Road, New Vernon, New Jersey**

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**CALL MEETING TO ORDER – Mayor Jones**

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**ADEQUATE NOTICE** of this December 13, 2021 meeting of the Harding Township Committee was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE* on September 14, 2021, and published in the *OBSERVER TRIBUNE* on September 16, 2021; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on September 14, 2021, and Notice was filed with the Municipal Clerk on September 14, 2021.

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**ROLL CALL – Municipal Clerk**

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

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**PLEDGE OF ALLEGIANCE – Mayor Jones**

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

**Resolution TC 21-189 – Resolution Recognizing Township Committee Member Nanette DiTosto for her Exemplary Service to the Township of Harding**

**Mayor Jones asks Township Committee Member \_\_\_\_\_** to proceed with Resolution TC 21-189 listed on the Non-Consent agenda.

**WHEREAS**, on November 6, 2012 Nanette DiTosto was elected by the voters of the Township of Harding to serve a 3-year term on the Harding Township Committee; she was re-elected to a second 3-year term by the voters on November 3, 2015, and re-elected to a third 3-year term on November 6, 2018; and

**WHEREAS**, Nanette served as Deputy Mayor in 2017 and 2018; and

**WHEREAS**, during her nine years in elected office, Township Committee Member Nanette DiTosto continually sought to improve the quality of life for Harding Township residents and expertly demonstrated foresight, leadership, and fiscal responsibility in policy decisions and operations of Township government; and

**WHEREAS**, Nanette helped to improve the municipal operations through insisting the development and implementation of policy and procedures is essential for good government; and

**WHEREAS**, as an elected official over the past nine years, Township Committee Member DiTosto further served as Finance and Insurance Standing Committee Chair, Personnel Standing Committee Vice Chair, Healthcare and Insurance Standing Committee Chair, Planning and Zoning Standing Committee Chair, Technology Standing Committee Vice Chair, Recreational Standing Committee Chair, Public Health Standing Committee Vice Chair, Cell Tower Standing Committee Chair, Affordable Housing Standing Committee Vice Chair, and served as a Member of the Board of Health; and

**WHEREAS**, Nanette carried out her duties as an elected official and as a citizen of Harding Township with enthusiasm and in a conscientious, thoughtful and caring manner, and always dedicated herself to advancing the spirit of volunteerism that has helped make Harding Township the town we love; and

**WHEREAS**, Nanette will always be remembered for her kindness, camaraderie, and fairness when dealing with residents, businesses, and the Township's workforce.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that they hereby recognize and commend Nanette for her leadership, dedication, and enthusiasm for our community as demonstrated throughout her tenure on the Township Committee; and

**BE IT FURTHER RESOLVED**, by the Township of Harding, on behalf of the entire Harding Township community, that they hereby extend their grateful appreciation to Nanette DiTosto for her nine remarkable years of service on the Harding Township Committee and commend her for all she has achieved during her tenure on the Township. We wish Nanette and her family happiness and good health in the years to come. Nanette, you will be missed!

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

Seconded by Township Committee Member \_\_\_\_\_.

**Mayor Jones** asks the Municipal Clerk for a Roll Call:

**Vote on Resolution:**

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

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**RESOLUTION TC 21-190 – RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES**

**Mayor Jones** asks Township Committee Member \_\_\_\_\_ to proceed with Resolution TC 21-190 listed on the Non-Consent agenda.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding that the minutes from the following meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: **November 8, 2021**

**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: **November 8, 2021**

**Township Committee Member \_\_\_\_\_**: I would like to make a motion to approve resolution TC 21-190 placed on this evening's Non-Consent Agenda by consent of the Township Committee.

Seconded by Township Committee Member \_\_\_\_\_.

**Mayor Jones** asks the Municipal Clerk for a Roll Call:

**Vote on Resolution:**

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

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**ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE**

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**MEETING OPEN TO THE PUBLIC**

**NOTICE OF PUBLIC COMMENT TIME LIMIT**

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

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**DISCUSSION ITEMS:**

1. Trapping in North America & NJ – Andrew Burnett – NJ Division of Fish/Wildlife
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**ORDINANCES FOR SECOND READING:**

**ORDINANCE #13-2021 – “AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 90, ARTICLE V OF THE CODE OF THE TOWNSHIP OF HARDING ENTITLED “TRAPPING OF FOXES AND COYOTES”**

**Mayor Jones** asks Township Committee Member Platt to read Ordinance TC #13-2021.

**Township Committee Member Platt** reads Ordinance TC #13-2021 by title as follows

**HARDING TOWNSHIP  
ORDINANCE #13-2021**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 90,  
ARTICLE V OF THE CODE OF THE TOWNSHIP OF HARDING ENTITLED “TRAPPING  
OF FOXES AND COYOTES”**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on November 8, 2021.

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

**The Municipal Clerk States:** A legal notice was sent for publication on November 9, 2021 to the Observer Tribune indicating that Ordinance #13-2021 was introduced and passed on first reading at the November 8, 2021 meeting and indicated that the second reading and public hearing would be held on December 13, 2021 at 7:00 pm on or at any time thereafter for consideration of final adoption. Copies of this Ordinance were made available to the general public, posted on the Township website, and posted in accordance with the law.

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

**Mayor Jones:** closes the public hearing.

Township Committee Member Platt: I offer Ordinance #13-2021 and move its adoption.

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

Township Committee Member \_\_\_\_\_ seconds the motion.

**Mayor Jones** asks the Municipal Clerk for a Roll Call:

**Vote on Adoption:**

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

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**NON-CONSENT RESOLUTIONS: NONE**

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**ADD-ON RESOLUTIONS: NONE**

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

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## 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 21-191 THROUGH RESOLUTION TC 21-203 HAVE BEEN PLACED ON THE CONSENT AGENDA

### CONSENT AGENDA VOTE:

**Mayor Jones** asks Committee Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 21-191 through TC 21-203.

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

Seconded by Township Committee Member \_\_\_\_\_.

**Mayor Jones** asks the Municipal Clerk for a Roll Call:

### Vote on Resolution:

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

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## APPOINTMENTS:

### **Resolution TC 21-191 – Resolution to Appoint Francis Edward Masterson as a Full-Time Public Works Laborer/Driver/Equipment Operator with the Department of Public Works**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding in the County of Morris and State of New Jersey that effective December 15, 2021, Francis Edward Masterson, is hereby appointed as a full time Public Works Laborer/Driver/Equipment Operator for the Department of Public Works at a salary of \$42,000 to be prorated for the remainder of 2021.

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## CONTRACTS:

### **Resolution TC 21-192 – Resolution to Authorize an Increase to the Professional Services Contract for Plosia Cohen, LLC**

**WHEREAS**, at the October 18, 2021, Township Committee meeting, the Township Committee authorized Resolution TC 21-177 in the amount of \$10,000.00 for the services of Plosia Cohen, LLC under their professional services contract; and

**WHEREAS**, at the September 13, 2021, Township Committee meeting, the Township Committee authorized Resolution TC 21-159 in the amount of \$5,000.00 for the services of Plosia Cohen, LLC under their professional services contract; and

**WHEREAS**, it is necessary to increase the authorization for the services of Plosia Cohen LLC, under their professional services contract in the field of labor matters; and

**WHEREAS**, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$5,000.00 from account number #01-2021-1155-0155-2-00000; and

**WHEREAS**, the total amount shall not exceed \$20,000.00.

**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 the remainder of 2021:

Special Labor Counsel	Plosia Cohen, LLC	9/13/2021 to 12/31/2021
	Chester Woods Complex	Not to Exceed \$20,000.00
	385 Route 24, Suite 3G	01-2021-1155-0155-2-00000
	Chester, NJ 07930	

**BE IT FURTHER RESOLVED**, that all Township employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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**Resolution TC 21-193 – Resolution to Authorize an Increase for the Professional Services For Cleary Giacobbe Alfieri Jacobs, LLC**

**WHEREAS**, at the January 3, 2021 Township Committee meeting, the Township Committee authorized \$15,000.00 for the services of Cleary Giacobbe Alfieri Jacobs, LLC, 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 labor council tasks; and

**WHEREAS**, the Chief Financial Officer for the Township of Harding has certified that additional monies are available in the amount of \$12,000.00 from account number # 01-2021-1155-0155-2-00000; and

**WHEREAS**, the total amount shall not exceed \$27,000.00.

**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 the remainder of 2021:

Labor Council	1/1/21 to 12/31/21
	Not to exceed \$27,000.00
	01-2021-1155-0155-2-00000

**BE IT FURTHER RESOLVED**, that all Township employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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**FINANCE:**

**Resolution TC 21-194 – 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 21-195 – Resolution to Authorize the Cancellation of Outstanding Checks**

**WHEREAS**, there are certain checks that have been outstanding in excess of one (1) year, lost, or otherwise need to be cancelled; and

**WHEREAS**, it is necessary to formally cancel the outstanding or lost checks listed below:

**OUTSTANDING CHECKS**

Date	Vendor	Fund	Amount
3/10/2020	Wigder Chevrolet	Current	\$ 130.95
10/20/2020	Erik Heller	Current	\$ 50.71
11/10/2020	Treasurer, State of NJ	Current	\$ 54.00
5/11/2021	Erik Heller	Current	\$ 35.73
6/15/2021	Erik Heller	Current	\$ 112.39
6/15/2021	Katbysun LLC	Current	\$ 200.00
7/14/2020	Northeast Products of NJ LLC	Grant	\$ 340.00
3/9/2021	General Metal Manufacturing Company	Capital	\$ 1,267.00

**BE IT RESOLVED** that the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby authorizes the cancellation of the above listed outstanding checks totaling \$340.00 from the Grant Fund, \$1,267.00 from the Capital Fund, and \$583.78 from the Current Fund.

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**Resolution TC 21-196 – Transfer of Funds**

**WHEREAS**, there appears to be insufficient funds in certain accounts listed below to meet the demands thereon for the balance of the Current Year; and

**WHEREAS**, there appears to be a surplus in certain accounts listed below over and above the demand deemed to be necessary for the balance of the Current Year.

**BE IT RESOLVED**, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A 40A:4-58, part of the surplus in the accounts listed below be and the same are hereby transferred to the accounts listed below to meet the current demands; and

**BE IT FURTHER RESOLVED**, that the Treasurer be is hereby authorized and directed to make the following transfers:

**Current Fund Budget**

<b>FROM:</b>		<b>TO:</b>	
Group Insurance – Other Expenses	\$27,000	Reserve for Tax Appeal – Other Expenses	\$15,000
		Legal Services – Other Expenses	\$12,000

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**Resolution TC 21-197 – Local Budget & Fiscal Affairs Law – Special Items of Revenue and Appropriation**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**BE IT RESOLVED**, that the Township of Harding of the County of Morris hereby requests the Director of Local Government Services to approve the insertion of an additional unanticipated item of revenue in the budget of the year 2021 in the sum of \$48,912.00, which item, Body Worn Camera Grant has been awarded from the New Jersey Department of Law and Public Safety; and

**BE IT FURTHER RESOLVED**, that the like sum of \$48,912.00 is hereby appropriated under the caption of “Body Worn Camera Grant”.

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**Resolution TC 21-198 – Local Budget & Fiscal Affairs Law – Special Items of Revenue and Appropriation**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**BE IT RESOLVED**, that the Township of Harding of the County of Morris hereby requests the Director of Local Government Services to approve the insertion of an additional unanticipated item of revenue in the budget of the year 2021 in the sum of \$196,776.88, which item, American Rescue Plan Grant has been awarded from the 2021 Coronavirus State and Local Fiscal Recovery Funds Grant; and

**BE IT FURTHER RESOLVED**, that the like sum of \$196,776.88 is hereby appropriated under the caption of “American Rescue Plan Grant”.



**Resolution TC 21-199 – Resolution to Waive ACH Fees For Online Payments Through December 31, 2022**

**WHEREAS**, Coronavirus disease 2019 (“COVID-19) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

**WHEREAS**, as of March 9, 2020, there were 11 presumed positive cases of COVID-19 in New Jersey, with 24 additional “Persons Under Investigation” spread across the counties of Bergen, Camden, Cumberland, Essex, Hunterdon, Middlesex, Monmouth, Passaic, Union, and Sussex; and

**WHEREAS**, on March 9, 2020, the Governor of the State of New Jersey declared and a proclaimed that a public health emergency and state emergency does exist in the State of New Jersey; and

**WHEREAS**, in order to promote the safety and welfare of the residents of the Township of Harding by reducing the need to make municipal payments in person, the

**WHEREAS**, the Township Committee recognizes that the need exists for to promote online payments for tax and sewer utility billing; and ACH (Automatic Clearing House) transaction convenience fees collected should be waived during this emergency period; and

**WHEREAS**, the Township Committee passed TC 20-089 on April 13, 2020 waiving the fees for 60 days; and

**WHEREAS**, the Township Committee passed TC 20-107 on June 8, 2020 waiving the fees through December 31, 2020; and

**WHEREAS**, the Township Committee passed TC 20-181 on December 14, 2020 waiving fees through June 30, 2021; and

**WHEREAS**, the Township Committee passed TC 21-113 on May 10, 2021 waiving fees through December 31, 2021; and

**BE IT RESOLVED**, the convenience fees for ACH online payments is hereby waived through December 31, 2022.

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**Resolution TC 21-200 - Resolution Authorizing Ann Naylor, Municipal Court Administrator of Shared Municipal Court, to Open Harding Township Shard Court Bank Accounts and Act as Signatory for Same**

**WHEREAS**, the Township of Harding and Township of Long Hill have entered into a shared services agreement for a shared municipal court; and

**WHEREAS**, in accordance with the terms of that agreement, Long Hill has agreed to furnish its municipal court facilities and personnel, including the Municipal Court Administrator, for use by Harding Township as the Harding Township Municipal Court; and

**WHEREAS**, in accordance with the shared services agreement, the Municipal Court Administrator is required to maintain separate records for each municipality, including bank accounts and therefore it is necessary for the Township of Harding to authorize Ann Naylor, Municipal Court Administrator, to open the necessary bank

accounts for operation of the Harding Township Municipal Court and to be an authorized signatory on said accounts.

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that in accordance with the terms and conditions of the Shared Services Agreement for Shared Municipal Court Between Long Hill Township and Harding Township, that it does hereby authorize Ann Naylor, Municipal Court Administrator for the shared municipal court to open two bank accounts (Bail and Magistrate) on behalf of the Township of Harding and as part of the shared municipal court; and

**BE IT FURTHER RESOLVED**, that the Township Committee of Harding Township further authorizes Ann Naylor, Municipal Court Administrator, to be the signatory on the two bank accounts for the Township of Harding in connection with the shared municipal court.

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**Resolution TC 21-201 – RESOLUTION CONSENTING TO APPLICATION OF L&T AFFORDABLE HOUSING URBAN RENEWAL CORPORATON TO MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**WHEREAS** the Township of Harding previously owned certain real property located at the intersection of Woodland Avenue and Kitchell Road in the Township, comprised of approximately 8.3 acres, and designated on the Harding Township Tax Maps as Lot 16 in Block 2 and having an address of 700 Woodland Avenue (the “Subject Property”); and

**WHEREAS**, the Township previously developed a housing plan to provide for its fair share of affordable housing for the period 1987-1999 consistent with then COAH rules and as part of that process, the Township obtained substantive certification of the housing plan from COAH; and

**WHEREAS**, the Township’s approved Housing Plan for the period of 1987-1999 designated the Subject Property for the construction of a 24-unit multifamily affordable housing development to be rented to low and moderate income households at affordable rates in compliance with COAH rules and regulations; and

**WHEREAS**, the Township arranged for and constructed a 24-unit multifamily affordable housing development which is now commonly referred to as “The Farm at Harding”; and

**WHEREAS**, pursuant to the Fair Housing Act and the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.), and N.J.S.A. 40A:20-1 et seq., the Township authorized a private sale of The Farm at Harding to L & T Affordable Housing Urban Renewal Corporation, a New Jersey not-for-profit and urban renewal corporation (hereinafter “L&T”) by Ordinance No. 15-2019 duly adopted at a public meeting held on December 9, 2019, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

**WHEREAS**, L&T is a duly incorporated nonprofit and urban renewal corporation that provides for the development, construction, operation, management, sale, rehabilitation, renovation, and disposition of low- and moderate-income residential housing units and other affordable housing communities; and

**WHEREAS**, L&T advised the Township that it is filing an application to the Morris County Community Development Block Grant (CBDG) Program for a \$150,000.00 grant to replace the HVAC system in apartments and to paint the apartments at The Farm at Harding and as part of that application, it is necessary to secure the Township’s consent for the application; and

**WHEREAS**, the Township of Harding desires to enhance its affordable housing program by providing consenting to the filing of application that will allow for the improvement to the units that will benefit the tenants and improve the overall aesthetics at The Farm at Harding.

**BE IT RESOLVED**, that the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby gives consent to the filing of the application by L& T Affordable Housing Urban Renewal Corporation to the Morris County Community Development Block Grant Program.

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**MISCELLANEOUS:**

**Resolution TC 21-202 – Resolution to Accept the Resignation of Alex Moise, Tax Collector**

**BE IT RESOLVED**, by the Township Committee of the Township of Harding, County of Morris, State of New Jersey hereby accepts the resignation of Alex Moise, Tax Collector effective December 31, 2021.

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**Resolution TC 21-203 – Resolution to Amend the Personnel Policies & Procedures Manual of the Township of Harding**

**WHEREAS**, a review of policies to be included in the Harding Township Personnel Policies and Procedures Manual to meet the requirements of the Township's Joint Insurance Fund and Municipal Excess Liability Insurance was recently conducted; and

**WHEREAS**, this review revealed the need to update language in said manual to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

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

1. That the revisions to the Harding Township Personnel Policies and Procedures Manual are hereby authorized and that the Harding Township Personnel Policies and Procedures Manual is hereby adopted as amended and available in the Municipal Clerk's Office.
2. These personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.
3. This manual is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.
4. To the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "employment at will."
5. The Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Special Labor Counsel and the Township Attorney shall assist the Township Administrator in the implementation of the policies and procedures in this manual.
6. The Township Administrator is to hereby furnish a copy of the revised and updated Township of Harding Personnel Policies and Procedures Manual to each employee, who shall each acknowledge receipt of same by way of written confirmation.

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**Resolution TC 21-204 – Resolution to Approve Acceptance of State Funds and Approve Participation in State Body Worn Camera Grant Program Administered by the State of New Jersey, Department of Law & Public Safety**

**WHEREAS**, the New Jersey State Attorney General issued Directive 2021-5, which mandates that all Police Officers in the State of New Jersey must wear Body Cameras; and

**WHEREAS**, the State of New Jersey has made funds available to provide eligible law enforcement agencies with State funding to aid in the purchase of body worn cameras, ancillary equipment, storage, and licensing; and

**WHEREAS**, the name of the program is “SFY2021 Body-Worn Camera Grant Program” (BWC Grant Program); and

**WHEREAS**, the Township of Harding Police Department has been awarded an amount through the BWC Grant Program from the State of New Jersey Department of Law & Public Safety Office of the Attorney General, State Account Number BFY21-100-066-1020-495, with the award period of January 1, 2021 through December 31, 2025 with a Grant award number of 21-BWC-184; and

**WHEREAS**, the Grant award totals \$48,912.00 where no matching funds are required; and

**WHEREAS**, the Grant award incorporates all conditions and representations contained or made in the application and notice of award.

**BE IT RESOLVED**, the Township Committee of the Township of Harding, approves acceptance of State funds under the BWC Grant Program and approves participation in the State BWC Grant Program for the purposes described in the BWC Grant Program application.

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**ORDINANCES FOR FIRST READING -- NONE**

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**ADJOURNMENT – Mr. Jones**

## **ORDINANCES – PUBLIC HEARING - ADOPTION**

- 1. ORDINANCE 13-2021 – An Ordinance of the Township of Harding, County of Morris, State of New Jersey, Amending Chapter 90, Article V of the Code of the Township of Harding Entitled “Trapping of Foxes and Coyotes”**

**HARDING TOWNSHIP  
ORDINANCE # 13-2021**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 90, ARTICLE  
V OF THE CODE OF THE TOWNSHIP OF HARDING ENTITLED “TRAPPING OF FOXES  
AND COYOTES”**

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**WHEREAS**, consistent with the objectives of its Master Plan, Harding Township is committed to promoting the health of its natural ecology as well as ensuring the safety of its residents; and

**WHEREAS**, certain studies have shown that so-called “keystone predators,” such as foxes and coyotes, play an essential, top-down role in maintaining a healthy balance in an ecology both by consuming herbivore or rodent prey and by altering prey behavior resulting in the beneficial control and distribution of large numbers of prey species; and

**WHEREAS**, ecologists from the Rutgers New Jersey Agricultural Experiment Station (“NJAES”) have determined that coyotes play an important ecological role in New Jersey by partially filling the niche created by the extirpation of gray wolves, formerly one of the keystone predators in New Jersey and that coyotes prey upon small mammals (i.e., rodents and rabbits), helping to suppress populations in both agricultural and residential settings;

**WHEREAS**, NJAES ecologists have determined that foxes also play an important ecological role in New Jersey by being a dispersal agent for many plants, and hunting small mammals that have been considered pests in agricultural and residential settings, and aiding in ecological recycling due to the consumption of carrion; and

**WHEREAS**, NJAES ecologists have also identified foxes as helpful in regulating populations of rodents aiding in the reduction of Lyme disease as certain rodents such as mice can be carriers of the bacteria that causes Lyme disease; and

**WHEREAS**, it is equally important for the Township to ensure its coyote and fox populations continue to successfully and safely coexist with Harding residents by actions such as the following: through its boards and commissions; promoting education for residents about coyote and fox ecological value, life cycle, behavior, and safe methods of interaction, subject to cost feasibility; collect available statistics about coyote/fox interaction with residents and Township professionals; monitor relevant ecological best practices; promote policies and education that ensure coyotes and fox continue to avoid contact with humans and maintain their healthy fear of human interaction; discourage property owners from unsafe practices such as the feeding of coyotes or foxes; provide a reasonable procedure for a property owner to remove individual coyote or fox that: (i) exhibit behavior that threatens the safety of persons on their property, or (ii) prey on pets or livestock on their property; and

**WHEREAS**, the Township Committee of the Township of Harding finds it necessary and in the public interest to amend Chapter 90, Article V of the Code of the Township of Harding entitled “Trapping of Foxes and Coyotes” to limit the trapping of foxes and coyotes within the Township of Harding.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that Chapter 90, Article V of the Code of the Township of

Harding be and is hereby amended as follows (deletions have strike through; additions are bolded and underlined):

## SECTION 1. Article V: Trapping of Foxes and Coyotes

### **§ 90-19 Prohibited Conduct.**

**The use of any trap other than live cage traps is prohibited unless such trap is installed and maintained by the New Jersey Department of Fish and Wildlife, or a New Jersey Animal Control Officer as designated by the Township of Harding.**

- ~~A. Except as otherwise stated in paragraph B herein, the trapping of foxes is hereby strictly prohibited within the Township of Harding.~~
- ~~B. To the extent that it is determined that a situation arises such that a fox or coyote is a danger or nuisance or danger to any horse, cattle or other livestock owned, kept or sheltered within the Township of Harding or presents as a danger to persons or property within the Township including crops, poultry or domestic animals, belonging to any other person in the Township, the affected person shall notify the Township's Environmental Health Specialist, who shall in turn contact the Township's Animal Control Services, which shall be solely responsible for assessing and remedying the situation in accordance with the regulations/statutes governing the live trapping of foxes and coyotes as established by the State of New Jersey and/or Department of Environmental Protection Division of Fish, Game and Wildlife.~~
- ~~C. Any and all costs for the trapping and removal of any fox or coyote in accordance with Subsection B above shall be the responsibility of the person requesting the trapping and removal of such animal.~~

### **§ 90-20 Applicability of Title 23.**

New Jersey Statutes Annotated, Title 23, entitled "Fish and Game, Wild Birds and Animals," shall remain in full force and effect, and if any provision contained therein or regulations promulgated pursuant thereto are in conflict with this article, said statutes and regulations shall be given precedence. Further, any conditions contained in said Title 23 and any and all regulations promulgated pursuant thereto must be complied with whether set forth in this article or otherwise.

### **§ 90-21 Violations and penalties.**

Any person who violates or fails or refuses to comply with the provisions of this article shall be liable to a penalty as provided in § 1-3, General penalty, of the Code of the Township of Harding.

### **~~§ 90-22 Study and review.~~**

~~This Article V shall be reviewed after a period of three years from the date of adoption of this article to permit the Township to review the effectiveness of this article and to determine whether it should continue to be in full force and effect. Unless the Township acts to extend this article within three years of the adoption of same, the article shall be null and void and of no further effect.~~

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING

\_\_\_\_\_  
Lisa A. Sharp  
Municipal Clerk

\_\_\_\_\_  
Timothy D. Jones,  
Mayor

INTRODUCED: November 8, 2021

ADVERTISED: November 11, 2021

PUBLIC HEARING: December 13, 2021

ADOPTED: December 13, 2021

ADVERTISED: December 16, 2021

Vote on Adoption:

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