



HARDING TOWNSHIP COMMITTEE
AUGUST 14, 2023
IN-PERSON
EXECUTIVE SESSION at 5:30 PM
REGULAR MEETING AGENDA at 7:00 PM
Kirby Hall, Blue Mill Road, New Vernon, New Jersey

CALL MEETING TO ORDER – Mayor

ADEQUATE NOTICE of this August 14, 2023, meeting of the Harding Township Committee was sent to the Observer Tribune on January 6, 2023, and published in the Observer Tribune on January 12, 2023.

ROLL CALL – Municipal Clerk

Ms. Chipperson, Dr. Lacz, Mr. Platt, Mr. Yates, Mr. Jones

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Resolution TC 23-143– Resolution to Recess into Executive Session

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

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

Contracts:

1. Redevelopment – R. Goldsmith/M. Hanley
2. Generator – V. DeNave
3. Property Acquisitions – M. Edwards

Attorney Client Privilege:

1. Affordable Housing – M. Edwards

Personnel:

1. CFO Replacement – R. Falzarano

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"/>
Dr. Lacz	<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"/>

RECONVENE INTO PUBLIC SESSION – Mayor

ROLL CALL – Municipal Clerk

Ms. Chipperson, Dr. Lacz, Mr. Platt, Mr. Yates, Mr. Jones

PLEDGE OF ALLEGIANCE – Mayor

ADEQUATE NOTICE of this meeting of the Harding Township Committee was given as follows: Notice was sent to the *DAILY RECORD* and the *OBSERVER TRIBUNE* on January 6, 2023, and published in the *OBSERVER TRIBUNE* on January 12, 2023; Notice was posted on the Bulletin Board in the Township Municipal Building on Blue Mill Road in Harding, NJ on January 6, 2023, and Notice was filed with the Municipal Clerk on January 6, 2023.

RESOLUTIONS – (NON-CONSENT – REQUIRING SEPARATE ACTION): NONE

RESOLUTION TC 23-144 -- RESOLUTION TO ACCEPT TOWNSHIP COMMITTEE MEETING MINUTES

Mayor Jones asks Township Committee Member _____ to proceed with Resolution TC 23-144

BE IT RESOLVED, by the Township Committee of the Township of Harding that the minute(s) from the following meeting(s) are approved as prepared and shall be filed as a permanent record in the Municipal Clerk's office: **July 10, 2023; and**

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: **July 10, 2023.**

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

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"/>
Dr. Lacz	<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"/>

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE – Mayor Jones

DISCUSSION ITEMS: NONE

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.

ORDINANCES FOR SECOND READING:

Mayor Jones asks Township Committee Member Yates to read Ordinance TC #09-2023.

Township Committee Member Yates reads Ordinance TC #09-2023 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #09-2023**

**“CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC
IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND
APPROPRIATING THEREFORE THE SUM OF \$8,000”**

Which said Ordinance was introduced and passed on first reading at a regular Township Committee Meeting held on July 10, 2023.

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 July 10, 2023, to the Observer Tribune indicating that Ordinance #09-2023 was introduced and passed on first reading at the July 10, 2023 meeting and indicated that the second reading and public hearing were to be held on August 14, 2023 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 Yates: I offer Ordinance #09-2023 and move its adoption.

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"/>
Dr. Lacz	<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"/>

ADD-ON RESOLUTIONS: NONE

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

CONSENT AGENDA

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

RESOLUTIONS TC 23-145 THROUGH RESOLUTION TC 23-151 HAVE BEEN PLACED ON THE CONSENT AGENDA

CONSENT AGENDA VOTE:

Mayor Jones asks Township Committee Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 23-145 through TC 23-151.

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"/>
Dr. Lacz	<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"/>

APPOINTMENTS:

Resolution TC 23-145 – Resolution to Authorize the Re-Appointment of Patrick Meade as a Class II Special Law Enforcement Officer

WHEREAS, the Township of Harding appointed Patrick Meade as a Class II Special Law Enforcement Police Officer for a one year term on September 16, 2022, in accordance with N.J.S.A. 40A:146.14 (a); and

WHEREAS, Chief, Michael Gromek has recommended Mr. Meade be reappointed as a Class II Special Law Enforcement Police Officer for an additional one-year term with the Harding Township Police Department commencing September 16, 2023; and

WHEREAS, Patrick Meade continues to meet the requirements for a Class II Special Law Enforcement Police Officer in accordance with N.J.S.A. 40A:14-146.10; and

WHEREAS, the Township Committee believes that it is in the best interests of the Township to re-appoint Officer Meade for an additional one-year term.

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 Acting Police Chief, Michael Gromek be and hereby is accepted and that it does hereby re-appoint Patrick Meade as a Class II Special Law Enforcement Police Officer in the Township of Harding for an additional one-year term commencing on September 16, 2023 at the rate of \$34.64 per hour.

CONTRACTS: NONE

FINANCE:

Resolution TC 23-146 – Bill List

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

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

Resolution TC 23-147 – Acceptance of Special Revenue – Chapter 159 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 2023 in the sum of \$25,000.00, which item, Storm Water Management Grant has been awarded from the New Jersey Department of Environmental Protection; and

BE IT FURTHER RESOLVED, that the like sum of \$25,000.00 is hereby appropriated under the caption of “Storm Water Management Grant.”

Resolution TC 23-148 – Acceptance of Special Revenue – Chapter 159 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 2023 in the sum of \$20,000.00, which item, “Police Assessment, Report, and Recommendations” shared service is now available from the Township of Long Hill and to which agreement was approved at the July 10th, 2023 Township Committee meeting; and

BE IT FURTHER RESOLVED, that the like sum of \$20,000.00 is hereby appropriated under the caption of “Police Assessment, Report, and Recommendations”

Resolution TC 23-149 – Resolution of the Township Committee of the Township of Harding, County of Morris, State of New Jersey Extending the Grace Period for 2023 Third Quarter Tax Payments

WHEREAS, the certification of the tax rate for 2023 Third Quarter Tax Bills have been delayed; and

WHEREAS, the Tax Collector was unable to issue Tax Bills for the Third Quarter of 2023 due to this delay to certify the tax rate which delayed the processing of the Tax Bills.

BE IT RESOLVED, by the Township Committee of the Township of Harding that the Tax Collector is hereby authorized to extend the grace period for the Third Quarter Tax Bills from August 10, 2023 to August 25, 2023 or 25 days after the date of mailing whichever is later. After which time interest will be assessed at the rate already adopted by the Township from the due date of August 1, 2023; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be filed in the Office of the Municipal Clerk.

Resolution TC 23-150 – Cancellation of Certain Capital Ordinance Balances

WHEREAS, certain General Capital Ordinance balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended funded balances may be returned to the Capital Improvement Fund or credited to Capital Surplus, and unfunded debt authorizations may be cancelled; and

WHEREAS, Capital Ordinances with balances to be cancelled are as follows:

Capital Ordinance	Description	Balance
03-2018	Tax Revaluation	\$ 24,800.00
08-2019	Tax Revaluation	\$ 125,000.00
Total		\$ 149,800.00

BE IT RESOLVED, by the Township Committee of the Township of Harding, in the County of Morris and State of New Jersey that the unexpended and dedicated Capital Ordinance balances listed above be cancelled and funded balances returned to the Capital Improvement Fund or credited to Capital Surplus and unfunded debt authorizations cancelled.

Resolution TC 23-151 – Authorize Emergency Appropriation

WHEREAS, an emergency has arisen with respect to the cost of unforeseen legal services no adequate provision was made in the 2023 budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$80,000.00 and three percent of the total operating appropriations in the budget is \$221,593.59.

BE IT RESOLVED, THAT the Township of Harding, County of Morris, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) in accordance with the provisions set forth in N.J.S.A. 40A:4-48 that:

1. An emergency appropriation be and is hereby made in the amount of \$80,000.00.
2. That said emergency appropriation shall be provided for in full in the 2024 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two certified copies of this resolution be filed with the Director of Local Government Services.

ORDINANCES FOR FIRST READING:

Mayor Jones asks Township Committee Member Yates to introduce Ordinance #10-2023.

Township Committee Member Yates introduces Ordinance TC #10-2023 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #10-2023
“CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF
MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC
IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND
APPROPRIATING THEREFORE THE SUM OF \$149,800”**

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

Township Committee Member Yates reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on August 14, 2023.

BE IT RESOLVED, that at the Township Committee meeting to be held on September 11, 2023, at 7:00 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 Yates: I offer Ordinance #10-2023 and move its introduction.

Township Committee Member _____ seconds the motion.

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<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"/>

ORDINANCES FOR FIRST READING:

Mayor Jones asks Township Committee Member Chipperson to introduce Ordinance #11-2023.

Township Committee Member Chipperson introduces Ordinance TC #11-2023 by title as follows:

**HARDING TOWNSHIP
ORDINANCE #11-2023
“ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS,
STATE OF NEW JERSEY – MONUMENTS & MEMORIALS”**

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

Township Committee Member Chipperson reads:

WHEREAS, the above ordinance was introduced and read by title at this Township Committee meeting held on August 14, 2023.

BE IT RESOLVED, that at the Township Committee meeting to be held on September 11, 2023, at 7:00 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 Chipperson: I offer Ordinance #11-2023 and move its introduction.

Township Committee Member_____ seconds the motion.

Mayor Jones asks the Municipal Clerk for a Roll Call:

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Ms. Chipperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	<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"/>

ADJOURNMENT – Mr. Jones

ORDINANCES
PUBLIC HEARING & ADOPTION

1. HARDING TOWNSHIP – ORDINANCE #09-2023
“CAPITAL ORDINANCE OF THE TOWNSHIP OF
HARDING, COUNTY OF MORRIS, STATE OF NEW
JERSEY, AUTHORIZING THE MAKING OF VARIOUS
PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY
AND FOR THE TOWNSHIP AND APPROPRIATING
THEREFORE THE SUM OF \$8,000”

**HARDING TOWNSHIP
ORDINANCE NO. #09-2023**

**“CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS,
NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND
ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE
SUM OF \$8,000”**

BE IT ORDAINED, by the Township Committee of the Township of Harding, in the County of Morris, New Jersey, as follows:

Section 1. The Township of Harding, in the County of Morris, New Jersey (the “Township”), is hereby authorized to make the following public improvements and acquisitions in, by and for the Township, including all work, materials and appurtenances necessary and suitable therefore:

CAPITAL IMPROVEMENT FUND

Projects	Estimated Costs
a. Acquisition of two (2) vehicles for Police	\$ 8,000.00
Total from Capital Improvement Fund	\$ 8,000.00

Section 2. The aggregate sum of \$8,000.00 is hereby appropriated from Capital Surplus of the Township to the payment of the costs of the improvements and acquisitions authorized and described in Section 1 hereof.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, Municipal Clerk

Timothy D. Jones, Mayor

INTRODUCED: July 10, 2023
PUBLIC HEARING: August 14, 2023
ADOPTED: August 14, 2023

ADVERTISED: July 13, 2023
ADVERTISED: August 17, 2023

Vote on Adoption:	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. Chipperson		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. 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"/>

ORDINANCE – INTRODUCTION

1. ORDINANCE 10-2023 – “CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND APPROPRIATING THEREFORE THE SUM OF \$149,800”

2. ORDINANCE 11-2023 – ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY, CREATING CHAPTER 170, “PUBLIC GROUNDS, BUILDINGS, AND FACILITIES”

**HARDING TOWNSHIP
ORDINANCE NO. #10-2023
“CAPITAL ORDINANCE OF THE TOWNSHIP OF HARDING, IN THE COUNTY OF
MORRIS, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC
IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP AND
APPROPRIATING THEREFORE THE SUM OF \$149,800”**

BE IT ORDAINED, by the Township Committee of the Township of Harding, in the County of Morris, New Jersey, as follows:

Section 1. The Township of Harding, in the County of Morris, New Jersey (the “Township”), is hereby authorized to make the following public improvements and acquisitions in, by and for the Township, including all work, materials and appurtenances necessary and suitable therefore:

CAPITAL IMPROVEMENT FUND	
Projects	Estimated Costs
a. Electronic Document Management Services	\$ 149,800.00
Total from Capital Improvement Fund	\$ 149,800.00

Section 2. The aggregate sum of \$149,800.00 is hereby appropriated from Capital Improvement Fund of the Township to the payment of the costs of the improvements and acquisitions authorized and described in Section 1 hereof.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, Municipal Clerk

Timothy D. Jones, Mayor

INTRODUCED: August 14, 2023

ADVERTISED: August 17, 2023

Vote on Introduction:	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. Chipperson		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. 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"/>

TOWNSHIP OF HARDING

ORDINANCE #11-2023

**ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
NEW JERSEY, CREATING CHAPTER 170, “PUBLIC GROUNDS, BUILDINGS, AND
FACILITIES”**

WHEREAS, pursuant to Resolution TC 21-130, Harding Township revised the Township’s Use of Facilities Policy and Procedures; and

WHEREAS, Harding Township wishes to codify the Township Facilities Policy; and

WHEREAS, pursuant to N.J.S.A. 28:2-1, et. seq., monuments and memorials shall be under the jurisdiction of the entity to whom the property is located; and

WHEREAS, Harding Township wishes to establish procedures for the approval, purpose, and long term care of monuments and memorials which may be on or placed on Township property; and

WHEREAS, Harding has prepared the below ordinance to address these issues; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Harding, County of Morris, State of New Jersey, as follows:

Purpose: The purpose of this ordinance is to codify the Township’s Use of Facilities as well as establish procedures for the approval, purpose and long-term care of monuments and memorials in the Township of Harding.

SECTION 1. The Municipal Code, Chapter 170, Section 1, “Facilities Use” is hereby created and shall read as follows:

I. AUTHORIZATION FOR USE OF TOWNSHIP FACILITIES

- A. Requests for the use of Township Facilities; including fields, parks and buildings, must be submitted to the Municipal Clerk, and approved by the Township Administrator.
- B. Unless authorized by permit in accordance with the Township Regulations, Consumption of an alcoholic beverage in or upon a Township Facilities is prohibited.

TOWNSHIP OF HARDING
ORDINANCE #11-2023
ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
NEW JERSEY, CREATING CHAPTER 170, "PUBLIC GROUNDS, BUILDINGS, AND
FACILITIES"

C. Constitutional Designation area.

1. Memorial Park is designated for public expressive activities.

- a. The Facility Use application must be completed and submitted in accordance with the Facilities Use Policy & Procedures.
- b. The placement of free speech displays shall be assigned by date order of receipt by the Municipal Clerk.
- c. The applicant shall list the display placement area in order of preference.
- d. The display shall be limited to fourteen (14) calendar days starting on the first day the display is placed and erected.
- e. The display shall comply with all State and local regulations, Statutes, and Ordinances.
 - (1) Fire
 - (2) Health
 - (3) Safety
 - (4) Police
- f. The display shall not exceed the following dimensions:
 - (1) Height not to exceed seven (7) feet.
 - (2) Width not to exceed eight (8) feet.
 - (3) Depth not to exceed eight (8) feet.
- g. Signage shall not exceed two (2) feet by two (2) feet. Only one sign for each display is authorized.
- h. The applicant shall provide and submit the completed Facilities Use application fourteen (14) days before the placement of the display including the diagram placement location and placement location selections.
- i. To ensure public safety, all displays shall be subject to inspection by the appropriate Harding Township official.

TOWNSHIP OF HARDING
ORDINANCE #11-2023
ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
NEW JERSEY, CREATING CHAPTER 170, "PUBLIC GROUNDS, BUILDINGS, AND
FACILITIES"

- j. Any display that will continue beyond 48 hours may be subject to appropriate zoning setback and other requirements to ensure public safety.
 - k. All displays shall be removed within 48 hours following the completion of their use. If the display is not removed within 48 hours, the display extension request form must be submitted to the municipal Clerk 24 hours before the 48 hour removal requirement.
 - l. No generators shall be permitted. All sound amplification and lighting devices shall have their own power sources.
 - m. Any damage or disturbance to the ground in Memorial Park shall be repaired by the applicant, at applicant's expense, within 96 hours following the termination of the activity and subject to approval by the Harding Township Construction Official. The applicant may request an extension due to weather conditions. The display extension request form must be submitted to the Municipal Clerk.
 - n. No lights, other than those required as part of the display, or amplified sound shall be permitted earlier than 8:00 am or later than 10:00 pm.
 - o. Ceremonies and other manifestations of constitutionally protected events shall be conducted at Memorial Park.
 - p. These requirements shall apply equally to all applications for use of Memorial Park for displays, ceremonies, and manifestations of constitutionally protected events.
- 2. No other parks, recreation areas, trails, fields, or other Municipal facilities are designated for public expressive activities.
 - 3. Any approval is not precedential for any future requests or for any requests made by any other entity or party and any future requests by any party shall be subject to any updated Harding Township Facilities Use Policies & Procedures that may be established by the Township of Harding from time to time.

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II. FACILITIES RESERVATION APPLICATION / PERMIT

- A. The applicant shall complete and sign the Facilities Request Form / Permit for Township owned fields, parks, and buildings.
- B. A certificate of insurance for use of Township Facilities is required as outlined on the application forms.
- C. The application / permit includes a section entitled "Facilities Use Questionnaire". This section shall be completed and submitted to the Municipal Clerk along with the application.
- D. The Hold Harmless Agreement shall also be completed and submitted to the Municipal Clerk along with the application.
- E. The completed Facilities Reservation Application / Permit shall be submitted to the Municipal Clerk.

III. MUNICIPAL CLERK REVIEW

- A. Upon receipt of the completed Township Facilities Reservation Application/Permit Application and supplemental documentation, the application shall be sent to the Municipal Clerk for review.
- B. The Municipal Clerk shall review the application and complete the Facilities Use Checklist.

IV. APPROVAL/DENIAL

- A. After the Municipal Clerk reviews the application for completeness, the Facilities Reservation Application/Permit shall then be sent to the Township Administrator for review and final approval or denial.
 - 1. If the application/permit is approved by the Township Administrator, the approved application/permit shall be sent to the Municipal Clerk and shall be filed in the Municipal Clerk's Office, and the Municipal Clerk shall notify the applicant of said approval in accordance with Section V of this policy.

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2. If the application/permit is denied by the Township Administrator, the Township Administrator shall send notice of the denial to the Municipal Clerk. The application/permit denial from the Township Administrator shall be filed in the Municipal Clerk's Office, and the Municipal Clerk shall notify the applicant of said denial in accordance with section V of this policy.

V. APPLICANT NOTIFICATION

- A. The Township Administrator shall send the approved application/permit to the Municipal Clerk. The Municipal Clerk shall send the applicant written notice of the approval along with the approved application/permit.
- B. If the Township Administrator denies the application/permit, the Municipal Clerk shall similarly notify the applicant in writing. The notification shall state the reason for the denial.
- C. The applicant may appeal the Administrator's decision to the Township Committee within five (5) calendar days of receipt of Administrator's denial.

VI. PERMIT POSSESSION AND PROCESSING

- A. The applicant, or an authorized representative, must be present to supervise the event during the entire time the Township facility is in use. In addition, the applicant, or an authorized representative, must have the original approved application/permit in his/her possession at all times during the event.
- B. The Municipal Clerk will send a copy of the approved application/permit to the department heads for notice and information.
- C. For sports events, the applicant shall provide all event participants and parents with the NJ Department of Health "Guidance For Sports Activities" guidelines.
- D. For all sports events, the applicant shall provide all event participants and parents with COVID-19 field use protocols.

VII. FILING

- A. A copy of the Township Facilities Use Application/Permit, Township Administrator's determination, applicant notification, application/permit, and all other documents

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relevant to the application/permit shall be filed with the Municipal Clerk in separate folders with the applicant's last name and address.

VIII. APPLICATION FORMS AND APPENDICES

- A. Any and all application forms and appendices which shall be required for the purpose of implementing this ordinance shall be created, amended, and maintained by the Township Administrator.

SECTION 2. The Municipal Code, Chapter 170, Section 2, “Monument and Memorials” is hereby created and shall read as follows:

I. Definitions

- A. Monument — A structure, statue or building erected to commemorate a person or notable event that has had an impact on the United States, State of New Jersey, County of Morris or the Township of Harding.
- B. Memorial — Serves to celebrate or honor the memory of a person or an event that has had an impact on the Township of Harding. Memorials may be a bench, plaque, tree, or other memorial approved by the Township Committee.

II. Monument

A. Application Process

- 1. The completed application for a monument must be submitted to the Municipal Clerk. The Municipal Clerk will review the application for completeness and send the application to the Township Administrator for review. The Township Administrator will review the application, request changes (if any) and approve or deny the request.
- 2. The request for a monument must describe in detail the life and community contributions of the individual or organization proposed to be recognized.
- 3. The request for a monument must detail the type, the proposed location and

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date for the installation.

B. Monument Approval Process

1. The Township Administrator will approve or deny an application after an evaluation of each monument application; decide civic appropriateness and the cost for the monument purchase and installation.
2. After review by the Township Administrator, the Township Committee may appoint a committee of residents to conduct appropriate studies and submit recommendations to the Township Administrator.
3. No individual shall be considered for monument recognition during his or her lifetime.
4. Authorization for a monument shall be by a resolution adopted by the Township Committee.

III. Memorial

A. Application Process

1. The application for a proposed memorial is to be submitted to the Municipal Clerk.
2. The Municipal Clerk will review the application for completeness and send the application to the Township Administrator for review.
3. The request should detail the type of memorial (i.e. plaque, tree, bench) and a brief explanation about the person who is to be memorialized and the reason.

B. Memorial Approval Process

1. The Township Administrator will approve or deny an application after an evaluation of each memorial application; decide civic appropriateness and the cost for the memorial purchase and installation.

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2. The cost for the purchase and installation of a memorial shall be the responsibility of the applicant. The cost shall include the cost of the memorial bench, tree, plaque, shipping fees, transportation to the site and installation.
3. Authorization of a memorial shall be by a resolution adopted by the Township Committee.

IV. Appeal Process

- A. The Township Committee will hear all appeals.
- B. An appeal of a request for a monument or memorial will be filed with the Municipal Clerk.
 1. An appeal must be filed within ten days of the denial notice.
 2. The Municipal Clerk shall send the receipt of notice of appeal to the Township Committee and Township Administrator.
- C. The Mayor will decide when the appeal will be scheduled for the Township Committee hearing.

V. Maintenance

- A. Before installation, the donor should provide a maintenance plan and provide funding for this plan unless the Township agrees to fund the maintenance plan for ten years. The Township of Harding is responsible for the general maintenance and replacement for all monuments and memorials for a period not to exceed 10 years from the date of installation. Maintenance shall include and be limited to cleaning, minor repairs, painting and re-staining.
- B. The Township shall not be held responsible for loss or damage to the monument or memorial including but not limited to theft, vandalism, or weather. If the donor is not able to be reached or does not want to pay for repair or replacement, the Township shall

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have the ability to repair the monument, not to exceed \$2,500, or remove the monument or memorial and returned to the donor.

C. The Township reserves the right to relocate any and all monuments or memorials at any time should such action be necessary, including but not limited to property development, vandalism, or interference with Township operations. The Township shall make a reasonable effort to contact the sponsor should relocation of a monument or memorial be required.

VI. Monument/Memorial Location Lists

A. The Municipal Clerk shall maintain an updated list of all monuments and memorials to include the following:

1. Location — plot plan and address.
2. Type — Monument/Memorial.
3. Name of the person or organization that donated the Monument/Memorial.
4. Landscaping materials (if applicable).
5. Color photo of each Monument/Memorial.
6. Color photo of each Monument/Memorial location.
7. Date the Monument/Memorial was installed.
8. Copy of approved Resolution.
9. The number and size of each Monument/Memorial is to be listed for each location.

B. The Municipal Clerk shall prepare a suggested future monument/memorial location list. The type of monument/memorial is to be listed for each location.

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- C. Periodically, the Township Committee will review the proposed future monument/memorial location list to decide if the locations are appropriate.

VII. APPLICATION FORMS AND APPENDICES

- A. Any and all application forms and appendices which shall be required for the purpose of implementing this ordinance shall be created, amended, and maintained by the Township Administrator.

SECTION 3. This ordinance may be renumbered for the purposes of codification.

SECTION 4. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

ATTEST

TOWNSHIP OF HARDING

Lisa A. Sharp, Municipal Clerk

Timothy D. Jones, Mayor

INTRODUCED: August 14, 2023

ADVERTISED: August 17, 2023

Vote on Introduction:	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. Chipperson		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. 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"/>