

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

MEETING MINUTES

CALL MEETING TO ORDER - Mayor

Mayor Jones called the meeting of the Township Committee to order at 5:30 pm.

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.

Mayor Jones announced that adequate notice of this August 14, 2023, meeting of the Township Committee was called in accordance with the Open Public Meetings Act.

ROLL CALL – Municipal Clerk

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

Jones

Mrs. Sharp called the roll as follows:

Present: Ms. Chipperson, Dr. Lacz, Mr. Yates, Mr. Jones

Absent: Mr. Platt

Also Present: Mr. Falzarano, Township Administrator; Mr.

Edwards, Township Attorney, Mr. DeNave, Assistant Township Administrator; Mr. Goldsmith, Special

Counsel; and Mr. Hanley, Financial Professional

RESOLUTION TO RECESS INTO EXECUTIVE SESSION

Mayor Jones asked for a motion to recess into Executive Session. A motion was made by Township Committee Member Yates and seconded by Township Committee Member Lacz.

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
- 2. Verizon M. Edwards

Personnel:

1. CFO Replacement – R. Falzarano

Vote on Resolution:

| | MOTION | FOR | AGAINST | ABSTAIN | ABSENT |
|----------------|-----------------|-------------|----------------|----------------|---------------|
| | | APPROVAL | APPROVAL | | |
| Ms. Chipperson | | \boxtimes | | | |
| Dr. Lacz | 2^{nd} | \boxtimes | | | |
| Mr. Platt | | | | | \boxtimes |
| Mr. Yates | 1 st | \boxtimes | | | |
| Mr. Jones | | \boxtimes | | | |

A discussion ensued pertaining to the financials for Hurstmont, redevelopment, Glen Alpin, and the generator for the Municipal Building. As there was not enough time to complete the items on the Executive Session, the Township Committee will reconvene into Executive Session after the regular meeting.

RECONVENE INTO PUBLIC SESSION – Mayor

Mayor Jones called for a motion to reconvene into Public Session. Upon a motion made by Township Committee Member Yates, seconded by Township Committee Member Chipperson, and with a vote of all ayes, none opposed, the meeting reconvened at 7:01 pm.

ROLL CALL - Municipal Clerk

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

Harding Township Committee Agenda August 14, 2023 Regular Meeting

Mrs. Sharp called the roll as follows:

Present:

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

Absent:

Mr. Platt

Also Present:

Mr. Falzarano, Township Administrator; Mr.

Edwards, Township Attorney, Mr. DeNave, Assistant

Township Administrator

Members of the Public:

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PLEDGE OF ALLEGIANCE - Mayor

Mayor Jones 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 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.

Mayor Jones announced that adequate notice of this August 14, 2023, meeting of the Township Committee was called in accordance with the Open Public Meetings Act.

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

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

Mayor Jones asked Township Committee Member Lacz to proceed with Resolution TC 23-144.

Township Committee Member Lacz read Resolution TC 23-144 as follows:

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.**

Township Committee Member Lacz made a motion to accept the Township Committee meeting minutes, seconded by Township Committee Member Yates.

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

Vote on Resolution:

| | MOTION | FOR | AGAINST | ABSTAIN | ABSENT |
|---|---------------------------------|----------|----------|---------|--------|
| Ms. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones | 2 nd 1 st | APPROVAL | APPROVAL | | |

ANNOUNCEMENTS/PRESENTATIONS/REPORTS/CORRESPONDENCE - Mayor Jones

Mayor Jones announced that Mr. George Boyan, a member of the Board of Adjustment and a past Board of Health Member wife, Meredith passed away on August 10, 2023. There is a wake on Wednesday, August 16, 2023 and a Funeral mass at Church of Christ the King on August 17, 2023. Please show your support for George and his two young children by attending either the wake or funeral mass.

Township Committee Member Chipperson announced that the Centennial Celebration at Margetts field is scheduled for October 14, 2023 from 2 pm to 7 pm, with fireworks at the end of the celebration.

| 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.

Mayor Jones opened the public comment section of the meeting and asked if any member of the public would like to be heard at 7:07 pm. With no members of the public wishing to be heard, Mayor Jones closed the public comment portion of the meeting at 7:07 pm.

ORDINANCES FOR SECOND READING:

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

Township Committee Member Yates read 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 asked the Municipal Clerk to give a summary of the legal notice.

The Municipal Clerk reported that 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 opened the public hearing at 7:10 pm on the Ordinance and mentioned any member of the public may be heard.

- S. Balog questioned what the additional money is for. Township Administrator, Robert Falzarano, explained that the price of the additional items for the cars increased since purchasing the vehicles.
- L. Weppler questioned how many Police vehicles the Township currently has. Chief Gromek responded with 9. L. Weppler questioned if the new vehicle for the Chief a command vehicle is. Mr. Falzarano responded with no.

With no further comments, Mayor Jones closed the public hearing at 7:15 pm.

Township Committee Member Yates offered Ordinance #09-2023 and moved its adoption. Township Committee Member Lacz seconded the motion.

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

Vote on Adoption:

| | MOTION | FOR | AGAINST | ABSTAIN | ABSENT | |
|--|------------------------------------|-------------------------|---------------------|---------------|--------------|--|
| Ms. Chipperson Dr. Lacz Mr. Platt | 2 nd | APPROVAL ⊠ ⊠ □ | APPROVAL | | | |
| Mr. Yates Mr. Jones | 1 st | \boxtimes | | | | |
| ADD-ON RESOI | LUTIONS: | NONE | | | | |
| RESOLUTIONS | REMOVED | FROM THE CONS | SENT AGENDA FO | R DISCUSSION | AND VOTE | |
| CONSENT AG | ENDA | | | | | |
| 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. | | | | | | |
| RESOLUTION THE CONSEN | | THROUGH RES | SOLUTION TC 23 | -151 HAVE BEI | EN PLACED ON | |
| CONSENT AGENDA VOTE: | | | | | | |
| Mayor Jones asked Township Committee Member Chipperson to proceed with the Resolutions listed on the Consent agenda. Resolutions TC 23-145 through TC 23-151. | | | | | | |
| Township Committee Member Chipperson 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 Lacz. | | | | | | |
| Mayor Jones 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. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones | 1 st 2 nd | | | | | |

A discussion ensued pertaining to Resolution TC 23-147 regarding stormwater management. All Municipalities that were Tier B are now Tier A. Mr. DeNave, Assistant Administrator reported that there is a meeting this week to discuss the report and the Township will negotiate all items that are not needed.

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 L 08-14-2023

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 | | |

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 asked Township Committee Member Yates to introduce Ordinance #10-2023.

Township Committee Member Yates introduced 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 explained the purpose of the Ordinance and moved for introduction on first reading. Mr. Falzarano explained that the Township just cancelled certain capital ordinance balances from the revaluation of taxes so that those monies can be used to start digitizing the Township records by utilizing Foveonics. Foveonics is an approved DCA vendor for New Jersey. Foveonics will commence with the Constructions, Health, Planning Board, Board of Adjustment and Tax Assessor files. Foveonics will handle the destruction of the records once they have been all scanner and approved by Records Destruction. There will be three separate storages for the records that the State requires, on-site, Foveonics, and icloud. A discussion ensued pertaining to digitizing the Township records.

Township Committee Member Yates read:

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 offered Ordinance #10-2023 and moved its introduction. **Township Committee Member Lacz** seconded the motion.

Mayor Jones 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. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones | 2 nd 1 st | APPROVAL S S S S S S S S S S S S S S S S S S | | | |

ORDINANCES FOR FIRST READING:

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

Township Committee Member Chipperson introduceed 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 explained the purpose of the Ordinance and moved for introduction on first reading.

Township Committee Member Chipperson reported that there is currently no ordinance on the books for monuments and memorials. Mr. Falzarano believed that a policy and procedure should be put in place so the Township knows the location of all the monuments and memorials. Mr. Falzarano mentioned that the Centennial process started this as there was no process in place to install a monument for the Centennial. Mr. James Miller, DPW, and Mr. Tracy Toribio, DPW Superintendent did all the indexing of every monument and memorial in town. Mr. Falzarano showed the binder to Members of the Public and the Township Committee that has over 200 monuments and memorials. This ordinance will create a policy and procedure for residents who are interested.

Township Committee Member Chipperson read:

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

Harding Township Committee Agenda August 14, 2023 Regular Meeting

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 offered Ordinance #11-2023 and moved its introduction.

Township Committee Member Yates seconded the motion.

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Mayor Jones 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. Chipperson Dr. Lacz Mr. Platt Mr. Yates Mr. Jones | 1 st | | | | |

ADJOURNMENT - Mr. Jones

Mr. Edwards, Township Attorney reported that the Township Committee will reconvene into Executive Session and no action will be taken and the Township Committee will not return into public session.

Mayor Jones asked for a motion to return to Executive Session. Upon a motion made by Township Committee Member Yates, seconded by Township Committee Member Lacz, and with a vote of all ayes, none opposed the meeting adjourned into Executive Session at 7:45 pm

Respectfully submitted,

Lisa A. Sharp

Municipal Clerk