

To: Harmony Township Committee
From: Katrina Campbell
Re: November 2021 Meeting Report
October 28, 2021

Redevelopment/SGS Recovery: Angela reported that she spoke with SGS Recovery about their proposed project, and she determined that it is in the South District of the River Road Redevelopment Plan. She needs to get some more specifics about the technical details, but it sounds like the use may be permitted under the Redevelopment Plan. I will follow up with Angela about the next steps.

Witco: I received a response back that I mailed to everyone. Basically, they said that the soil remediation is complete, and they are working on groundwater monitoring and collecting soil samples to make sure that the soil is in fact clean. This year and next they are working on submitting their Remedial action report to the NJDEP. They expect to move into the long-term monitoring stage in 2023/2024.

In their memo they mentioned that they were planning on making fence repairs in 2020. Do we know if anyone can confirm that they did or at least that there are no fence repairs presently necessary?

Signs: There was some discussions last meeting about signs around town. The general rule has always been as long as your sign regulations doesn't judge the content of the speech but instead the "time place and manner" of the sign then its ok. However, recently cases have come out that have given extra protection to political signs and it has given a wide definition of what is considered political signs. For example, I believe under these new cases the "no solar" and "stop the warehouses" signs would be considered political and get extra protection. I have an associate in my office working on researching the most up to date sign rules. Since Trump's elections, new case law has been coming out everyday about signs and political speech. I will get the most up to date info and provide a memo to all of you.

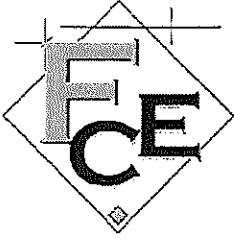
Air B & B: At the last meeting Kelley raised the question about whether the Township wants to regulate short term rentals (aka Air B&Bs). Several of my towns have debated it but so far none have enacted anything. Most of felt that they only have one or two rentals and its not worth regulating at this time. Kelley provided a copy of Frelinghuysen's ordinance, but they do not regulate short term rentals they just tax them. I have also attached a copy of Howell's ordinance which bans rentals for less than 90 days. The Committee should discuss if they want to regulate short terms rentals and if you do then we can discuss what regulations you would like.



TO: Mayor Brian Tipton and Township Committee Members **VIA EMAIL ONLY**
FROM: Michael S. Finelli, P.E., P.P., C.M.E.
DATE: October 28, 2021
RE: **Harmony Township Engineer's Report for the November 2, 2021 Committee Meeting**
FCE No. HAWM245R11

HARMONY SAND AND GRAVEL QUARRY PERMIT

- Please refer to prior Engineering reports for 2017, 2018 & 2019 permit application summaries.
- HS&G has requested that the hearing on their 2020 application be carried until the May 5, 2020 Committee meeting based upon issues with the Haul Road. The application which was received is proposing mining of the material within the existing Haul Road and has proposed a new Haul Road to Roxburg Station Road. Based upon some research we have determined based upon a previous Board of Adjustment decision and further based upon the lands on which the new Haul Road would be located (Block 7, Lot 1) being agriculturally preserved that a Haul Road to Roxburg Station Road is not possible. Attorney Wilhelm has indicated that HS&G is investigating other options – potentially connecting to the existing Rotondi driveway on Block 7, Lot 14.02. An announcement should be made at the April 7, 2020 meeting that the matter is being carried to the May meeting. Note that FCE does not intend to provide a technical review of the application until we have received revised plans clearly documenting the applicant's intentions for 2020.
- The plans which are currently in the Township's possession reflect a relocation of the Haul Road to connect with Roxburg Station Road which is not possible. Based upon that issue, Attorney Wilhelm asked that the matter be carried to the May 5, 2020 Committee meeting. Since new plans for the 2020 HSG permit have not been received, we presume that the application will need to be carried to a future meeting.
- The 2020 mining application was found to be incomplete at the May 5, 2020 Committee meeting for lack of design details of the new Haul Road which is proposed to be constructed around the perimeter of the Front Pit. New plans were received on May 22, 2020 for the 2020 licensing application including separate plans for construction of the new Haul Road. FCE will provide a separate review report to the Committee for the June 2, 2020 meeting.
- HS&G's 2020 quarrying permit was approved at the June 2, 2020 Committee meeting. We will be providing the Committee with an approval resolution for adoption at the July 7, 2020 Committee meeting. The restoration of Pit 2 (Star D Farms) is continuing under the supervision of Earth Efficient who has been retained by HS&G for the restoration work. The work is being inspected by FCE personnel as needed to ensure compliance with the approved plans and with the Material Acceptance Plan (MAP) which was submitted by Earth Efficient in February 2020 and approved by the Committee. The Committee is aware that there have been some concerns with debris contained within the imported fill. We have discussed this matter with Earth Efficient and have been advised that their test results confirm that the fill meets the requirements



for clean fill as defined by NJDEP. The problem is that a de minimis amount (< 1%) of “debris” such as wood, metals, plastic, wire, wallboard, roofing material, insulation, carpeting, trash etc. which materials are classified as solid waste is acceptable as “clean” fill. This becomes more of an issue when the fill materials are being placed in the water. We are coordinating with Earth Efficient to institute provisions addressing the issue including providing a revised MAP for review and approval. On June 24, 2020 we did receive a revised MAP. We will be providing a report on the revised MAP to the Committee under separate cover.

- The resolution memorializing the approval of HS&G’s 2020 quarrying license was adopted at the July 7, 2020 Committee meeting. A revised Material Acceptance Plan for the restoration of Pit 2 was received in our office on July 21, 2020 in response to our July 2, 2020 review letter. We have attached a copy. We will be providing our review of the revised MAP under separate cover. Slope restoration work by Earth Efficient is continuing in Pit 2 with inspection by our office, as necessary. Control and removal of debris is improving.
- We have provided our August 31, 2020 review of the revised Material Acceptance Plan under separate cover which found the revised plan to be acceptable. Enhanced provisions in the plan for control of debris are being implemented by Earth Efficient. Progress continues on the Pit 2 slope restoration.
- Restoration of Pit 2 is continuing. Significant progress is being made.
- HS&G’s 2021 Quarrying License Application has been received by this office and the Township via email dated January 26, 2021 from LAN Associates. As of the date of this report we have not had the opportunity to perform a Site Inspection of the Front Pit or complete the review of the application. Based upon a conversation with K. Campbell, Esq. the applicant has noticed for the hearing to commence at the February 2, 2021 Committee meeting. We have no objection to the applicant beginning their testimony with the hearing to be continued at the March 2, 2021 meeting.
- Our office has reviewed the 2021 Quarry License Application and has provided our report under separate cover to the Committee.
- The Committee approved HS&G’s 2021 Quarry License at their March 2, 2021 meeting. The memorializing Resolution should be scheduled for adoption at the April 6, 2021 Committee meeting.
- The memorializing Resolution approving the 2021 Quarry License is scheduled for adoption at the May 4, 2021 Committee meeting.
- We have received a September 21, 2021 email from R. Panicucci seeking permission to begin construction of the proposed relocated Haul Road. Plans for the new Haul Road were submitted in 2020 in conjunction with their annual mining application. A preliminary review of these plans was provided in our May 29, 2020 letter to the Committee. There are two (2) issues which we wish to discuss with the Committee prior to this work commencing. The first is whether the Committee has the authority to approve the plans for the relocated Haul Road as part of the Quarry License process without any other Township approvals. The second is whether there are

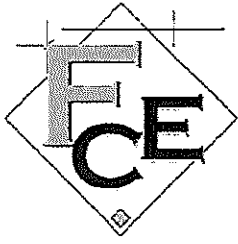


any legal issues with the construction of the proposed new Haul Road as it will result in the removal of the existing Haul Road. The Committee will recall that there was litigation between HS&G and Star D Farm over the ownership of the existing Haul Road and rights to the sand and gravel beneath the Haul Road. Our office will be conducting a final review of the plans and required other agency permits prior to permitting the construction to begin.

- **Based on a October 26, 2021 conversation with K. Campbell, we are in agreement that the Committee can authorize the construction of the new Haul Road and removal of a portion of the old Haul Road without any input from the Land Use Board. It was also noted in our conversation that it will be incumbent upon HS&G to abide by all provisions of the settlement of the Haul Road litigation. We anticipate scheduling a pre-construction meeting with HS&G and R. Panicucci and the Upper Delaware SCD prior to the start of the work.**

SHANDOR'S USED AUTO PARTS/ 2020 & 2021 JUNKYARD LICENSES
(no change since last month's report)

- Our office has received a copy of the 2020 Junkyard application on March 16, 2020. Under separate cover, our review of the application will be provided to the Committee for consideration at the April 7, 2020 Committee meeting. It is noted that the application does not clearly identify who is the applicant and the names of the owners along with the consent of all owner's (both lots). We believe these matters need to be clarified prior to proceeding. The advice of Attorney Campbell should be sought.
- The Committee took no action on the 2020 permit at its April 7, 2020 meeting. The matter was carried to the May 5, 2020 meeting. A copy of our April 3, 2020 review of the 2020 license application has been submitted to the Committee for consideration. It is noted that the Committee did ask K. Campbell to contact NJDEP to obtain information on outstanding NJDEP violations on these properties.
- Action on the 2020 license was tabled at the June 2, 2020 TC meeting based upon the recent passing of Mr. & Mrs. Shandor.
- Refer to K. Campbell's July 25, 2020 memo to the Committee. The applicant has been advised that the Shandor estate needs to be probated to clarify ownership of the junkyard prior to the Committee approving the 2020 license.
- A 3rd Zoning Violation was issued by Joe Rossi on October 22, 2020 for operation of the junkyard without a license. The junkyard's license was revoked by the Committee last year for failure of the junkyard to provide correct information on the owner of the land and owners of the entity operating the junkyard. The matter is scheduled for Municipal Court hearing on February 4, 2021. In addition, we received from K. Campbell a copy of a January 15, 2021 Consent Order and Settlement Agreement requiring the owners to bring the site into compliance with applicable NJDEP rules.
- March 4, 2021 was the most recent court appearance on the zoning complaint. During the hearing, the applicant's attorney, William Mandry, Esq, stated that the applicant would be submitting a

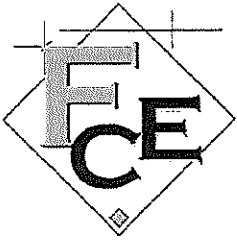


new application for the 2021 Junkyard Permit. A Junkyard License application was received at the Township on March 8, 2021. It appears that the Junkyard has been conveyed through the Estate of Joseph Shandor to Jeffery Riddle. I will be discussing the review of this "new" application with Attorney Campbell.

- The judge granted a continuation for the hearing to April 15, 2021.
- The Junkyard License was conditionally approved by the Committee at its April 6, 2021 meeting. Based upon our inspection on April 28, 2021 the condition requiring that abandoned vehicles be removed from the adjoining field has not been satisfied. The Riddle's should be notified by the Clerk of the issue. The 2021 License should be withheld until the condition is satisfied. The most recent court hearing on this matter was held on April 15, 2021. No action was taken as Attorney Mandry did not appear before the court with no explanation to the court. The municipal court hearing for operating the junkyard without a license since 2020 has been continued to May 6, 2021.
- Abandoned vehicles in the adjoining field have been removed by the applicant so the 2021 Junkyard License should be provided to the applicant by the Clerk if not already released. The Municipal Court action for operating a junkyard without a license has been adjudicated with the Court finding the owner guilty with the issuance of a fine.

NEW STORMWATER MANAGEMENT RULES
(no change since last month's report)

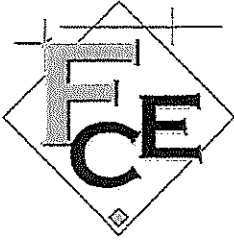
- The NJDEP on March 2, 2020 adopted new rules replacing the current SWM rules at N.J.A.C. 7:8. Municipalities, as part of their MS4 permits, are required to update their SWM Ordinance and SWM Plan (if necessary) within one year. A model ordinance has been provided. We anticipate providing information to the Committee in the next few months to proceed with the required updates.
- FCE is preparing revisions to Township Ordinance Chapter 142- Stormwater Management to conform with the newly adopted NJDEP SWM rules. Remaining funds in the Township's \$15,000 Highlands SWM Grant can be utilized for this work.
- FCE has prepared a revised Chapter 142 Stormwater Management ordinance updated to conform with new 2020 Highlands and 2020 NJDEP rules. The ordinance was electronically submitted to the Township and the Highlands Council on September 29, 2020 for review and approval by the Highlands Council prior to its adoption by the Township. The ordinance could be scheduled for first reading and discussion after approval by the Highlands Council.
- Revised Chapter 142 SWM Ordinance has been approved by the Highlands Council and should be scheduled for discussion and first reading in early 2021.
- Revisions to Chapter 142 SWM Ordinance and the SWM Plan are being reviewed by the Land Use Board at their February 3, 2021 meeting. The Ordinance should be scheduled for second reading by the Committee at their March 2, 2021 Committee meeting. The SWM Plan is required to be adopted by the LU Board as a component of the Master Plan.



- Chapter 142 (Stormwater Management) revisions were adopted by Ordinance No. 21-2 at the March 2, 2021 Committee meeting.
- FCE is currently preparing minor revisions to Chapter 142 to satisfy April 12, 2021 comments by Dave Dech, PP, Warren County Planning Department.
- A draft amendment to Chapter 142 has been sent to D. Dech via email on August 16, 2021 to address the County's April 12, 2021 review comments.
- The amendment to Chapter 142 was approved by Dave Dech, PP, via August 26, 2021 email. We have provided a copy of the ordinance amendment to Kelley Smith to schedule it for 1st reading.
- **First Reading of Ordinance No. 21-10 was approved at the October 5, 2021 Township Committee Meeting. We anticipate that this Ordinance will be on for Second Reading and adoption at the November 2, 2021 Committee Meeting.**

FOX FARM ROAD, SECTION 2 (2021 NJDOT Grant Project)

- The Township was notified by the State that they received a grant in the amount of \$136,700 for the resurfacing of Fox Farm Road Section 2.
- A Budget Memo was sent to the Township which showed a significant shortfall for this work. FCE is presently evaluating a modification to the scope of the work (shorten the length roadway to be resurfaced) and will provide a revised budget amount to the Township.
- The snow covering the existing Guide Rail has forced a delay in the modification to the Initial Budget Memo, but we are hoping to provide the Committee a revised Budget memo in advance of the 3/2/21 TC Meeting under separate cover.
- FCE has scheduled the field survey work and will begin to develop the initial documents for submission to DOT.
- The Field survey work has been completed and we are now proceeding with the design phase of the project. Per prior discussions and the subsequent approval from the Twp. Committee, this section of Fox Farm Rd. is longer(almost 1.5 Miles) than "conventional" DOT Grant projects. This will obviously have a direct impact on the total costs of the project(as outlined in our Jan. Memo to the Committee).
- Plans, Specifications and Engineers estimate was submitted to NJDOT on August 4, 2021. NJDOT has reviewed our submittal and we may proceed with award to Morris County Cooperative Pricing council.
- **The Morris County Cooperative Pricing Council paving contractor is not able to schedule the resurfacing of Fox Farm Road for this year. The NJDOT approvals are in place and we will be in position to have this project completed first thing in the Spring of 2022.**



2022 NJDOT Grant Applications (no change since last month's report)

- The Township has picked Ridge Road Section 2 as the number one application and Roxburg Hill Road as the Number 2 application. The applications are due on July 1, 2021.
- The grant applications were submitted to NJDOT on June 29, 2021.

**2021 LOCAL RECREATION IMPROVEMENT GRANT
(no change since last month's report)**

- After discussions with Kelley Smith, the Township is moving forward with an application through this grant program for the construction of a walking path at the recreation site. Donna Becker, PE (our office) will use all of the information that was prepared for the TA-Set Aside Grant (Refer to prior item listed in this report) and will prepare all necessary supporting documents to submit the application. There are a number of forms that need to be signed by the Township which have been previously forwarded to Kelley Smith. Applications are due through NJDCA SAGE by May 24, 2021.
- This application was submitted on May 19, 2021.

c: Kelley Smith, Clerk, via email only
Katrina Campbell, Esq., via email only
Kathleen Reinalda, CFO, via email only
Randy Hoffman, DPW, via email only



FINELLI CONSULTING ENGINEERS, INC.
 HARMONY TOWNSHIP
 ZONING OFFICER LOG
 January 1, 2021 – October 27, 2021

DATE	NAME	LOCATION	DESCRIPTION
1.26.21	Brian Tipton	3075 Hutchinson River Road Block 6, Lot 7	Issued Zoning Permit for 40' x 76' residential pole building
2.12.21	John Garrison	252 Garrison Road Block 38, Lot 25.01	Issued Zoning Permit for in-ground swimming pool.
3.2.21	Christine Collaluce	760 Harmony Brass Castle Road Block 21, Lot 33.01	Issued Highlands Exemption for proposed garage.
3.4.21	Pedro Bessa	2766 River Road Block 38, Lot 2.01	Issued Zoning Permit for 40' x 60' residential pole building
3.13.21	Matthew Matarazzo	1340 Ridge Road Block 11, Lot 13	Issued Zoning Permit denial for dwelling addition. Variances are required.
3.16.21	Bruce Deemer	821 Ridge Road Block 9, Lot 48	Issued Zoning Permit for 13' x 18' residential shed.
3.22.21	Jackies Tillou	Hutchinson River Road Block 6, Lot 19	Issued zoning opinion relating to dwelling addition within the flood hazard area.
3.22.21	Paul Sandhu	Harmony Station Road Block 34, Lot 21.01	Issued opinion on SWM requirements for construction of a new dwelling.
3.26.21	Kellen Graham	381 Brainards Road Block 35, L. 1.02	Issued Zoning Permit for 2 nd floor addition over garage.
3.30.21	Joseph Macho	231 Fiddler's Elbow Road Block 12, Lot 13.01	Issued Zoning Permit for residential deck.
4.5.21	Harmony Spirits & Grocery	2330 Belvidere Road Block 28, Lot 4	Issued Zoning Permit for propane tank storage cabinet.
4.19.21	Tiago Monteiro	2907 Belvidere Road Block 38, Lot 17	Issued Zoning Permit for 6' high fence.
4.19.21	Mark Thompson	2939 Belvidere Road Block 38, Lot 12 & 13	Issued Zoning Permit for 12' x 20' residential shed.



FINELLI CONSULTING ENGINEERS, INC.
 HARMONY TOWNSHIP
 ZONING OFFICER LOG
 January 1, 2021 – October 27, 2021

4.19.21	Tesla Energy Operations	690 Harmony Brass Castle Road Block 21, Lot 30.03	Issue Zoning Permit for residential rooftop solar.
4.26.21	Robert Sloboda	426 Marble Hill Road Block 33, Lot 9	Issued Zoning Permit for front porch.
4.26.21	Annette Tajalma	2816 River Road Block 38, Lot 5.01	Issued Zoning Permit for 26' x 30' residential pole building
5.3.21	Pure Power Energy	2789 Belvidere Road Block 36, Lot 3.01	Issued Zoning Permit for residential rooftop solar
5.12.21	Distinctive Builders	247 Fiddler's Elbow Block 12, Lot 13.02	Issued Zoning Permit for new single family dwelling
5.24.21	Sunrun Solar	3 Unami Lane Block 47.01, Lot 27.13	Issued Zoning Permit for residential rooftop solar
5.24.21	Richard Kookogey	3169 Belvidere Road Block 7, Lot 4	Issued NOV for high grass/weeds
5.24.21	Christopher Valdes	2325 Belvidere Road Block 33, Lot 37	Issued NOV for high grass/weeds.
6.9.21	Escaireira Solar	2783 River Road Block 39, Lot 31.01	Issued Zoning Permit for residential rooftop solar.
6.16.21	Green Power Energy	241 Marble Hill Road Block 46, Lot 7	Issued Zoning Permit for residential rooftop solar.
6.21.21	Ashlee Campbell	2701 River Road Block 35, Lot 9	Issued zoning opinion for construction of proposed garage.
6.22.21	Laurie Willard	1266 Ridge Road Block 11, Lot 20	Issued zoning opinion for reconstruction of burned dwelling
7.2.21	Adam Randall	536 Harmony Brass Castle Road Block 21, Lot 17	Issued Zoning Permit for 32' x 40' residential storage barn.



FINELLI CONSULTING ENGINEERS, INC.
 HARMONY TOWNSHIP
 ZONING OFFICER LOG
 January 1, 2021 – October 27, 2021

7.14.21	Franciszek Piwowarczyk	1199 Marble Hill Road Block 34, Lot 6.01	Issued NOV for operating business within a residential zone.
7.19.21	George Stevens	3165 Belvidere Road Block 7, Lot 6	Issued zoning opinion regarding construction of a fence.
7.20.21	Signature Estates Dr. Farouk Barakat	Signature Estates Subdivision	Issued NOV for high grass/weeds.
7.28.21	Mt. Salem Electric	244 Ridge Road Block 26, Lot 43.04	Issued Zoning Permit for residential emergency generator.
8.18.21	John Mccauley	Alpha Street Block 42, Lot 14	Issued NOV for high grass/weeds.
8.18.21	Shelly Ackerman	4 Grist Mill Road Block 9, Lot 2.01	Issued NOV for accumulation of trash/debris.
8.18.21	Deborah Osifchin	1003 Third Avenue Block 43, Lot 7	Issued NOV for keeping of chickens on a residential property.
8.24.21	Mike Buchser	2969 Hutchinson River Road Block 5, Lot 33	Issued zoning opinion that variances are required to reconstruct and raise dwelling above the flood hazard elevation.
9.09.21	Brandon McGregor	219 Garrison Road Block 37, Lot 6	Issued Zoning Permit for expansion of existing residential dwelling.
9.09.21	Sarah Grotenhuis & James Minorics	2934 River Road Block 6, Lot 38 & 39	Issued Notice of Violation for high grass & trash/debris.
9.09.21	EMT Renewables	362 Brainards Road Block 34, Lot 6.03	Issued Zoning Permit for rooftop solar
9.14.21	Michael Novis	2789 Belvidere Road Block 36, Lot 3.01	Issued Zoning Permit for residential fence.
9.20.21	Shelly Ackerman	4 Grist Mill Road Block 9, Lot 2.01	Poste Notice of Violation on door of premises for accumulation of trash & debris.



FINELLI CONSULTING ENGINEERS, INC.
HARMONY TOWNSHIP
ZONING OFFICER LOG
January 1, 2021 – October 27, 2021

9.29.21	Andrew Holland	730 Ridge Road Block 26, Lot 58.01	Issued Zoning Permit for 30' by 40' pole barn for residential storage.
9.29.21	Allen Wilson (Wilson Drilling)	500 Allen's Mill Road Block 20, Lot 2.01	Emailed July 13, 2021 Notice of Violation to B. Edleston (Wilson's Attorney)
10.11.21	Mary Jane Grotenhuis & James Minorics	2934 River Road Block 6, Lot 38 & 39	Issued 2 nd Notice of Violation for high grass & trash/debris & posted property.
10.19.21	Joseph Bradford	7 South River Terrace Block 48, Lot 17	Issued Notice of Violation for nuisance – plastic tents & debris
10.13.21	Allen Wilson (Wilson Drilling)	500 Allen's Mill Road Block 20, Lot 2.01	Received confirmation email from B. Edleston that Wilson will return to the LU Board to proceed with the required use variance.

Municipal Building, Harmony, NJ
Regular Committee Meeting
October 5, 2021
6:00 pm

Regular The Regular Meeting of the Harmony Township Committee was called to order by the Mayor. The Mayor made the following announcement: "Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to the Express-Times and Star Ledger posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk." The Pledge of Allegiance to the American Flag was led by the Mayor.

Roll Call Tipton, Yamrock, Cornely

Appointment Mayor Tipton appointed Kelley Smith to the Open Space/Farmland Preservation Committee

Consent Agenda Motion by Yamrock, seconded by Cornely and unanimously carried by all in favor to approve the consent agenda which included the following items:

-Attorney Report (written)

-Engineer/Zoning Report (written)

Mr. Finelli indicated that Harmony Sand and Gravel asked him if there was anything they needed to do to proceed to build the new haul road. Mr. Finelli was not sure if it had to come before the Committee or back before the Land Use Board. Mr. Finelli and Ms. Campbell will research and determine what needs to be done.

-Minutes : July 16, 2021, July 26, 2021 and August 19, 2021

Resolutions: **R:21-38**

**RESOLUTION OF THE TOWNSHIP OF HARMONY,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO REFUND OVERPAYMENTS FOR BLOCK 13 LOT 12.**

WHEREAS, the Township of Harmony has received the final county tax appeal judgment and has determined that due to an over assessment Block 13 Lot 12 has an overpayment; and

WHEREAS, the overpayments totaling \$1,175.65 due to an overpayment made for 1st & 2nd Quarter 2021:

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Harmony hereby authorizes the refund of \$1,175.65 to:

RUSSELL A & DONNA M BERGER
416 BUCKHORN DRIVE
BELVIDERE, NJ 07823

CERTIFICATION:

I, Kelley Smith, RMC of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify this resolution was adopted at a Regular Meeting of the Township Committee at a meeting held on October 5, 2021.

Kelley Smith, RMC
Township Clerk

R:20-39

**RESOLUTION OF THE TOWNSHIP OF HARMONY,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO REMOVE BLOCK 1 LOT 4 FROM THE 2021 TAX SALE LIST**

WHEREAS, the Township of Harmony is still in the process of performing a forensic accounting of its tax collector's office after discovering fraudulent entries were made by its former tax collector; and

WHEREAS, there is one account that is still being investigated to determine whether the delinquent balances are proper; and

WHEREAS, Block 1 Lot 4 is still being investigated and is on the 2021 Tax Sale List; and

WHEREAS, the Township of Harmony wishes to remove this property from the 2021 Tax Sale so that it may be investigated fully to confirm what is actually owed before a lien is placed on the properties.

NOW THEREFORE, BE IT RESOLVED, that the Township of Harmony hereby authorizes the Township Tax Collector to remove Block 1 Lot 4 Christison, Vaugh & Christina from the 2021 Tax Sale List:

DATED: October 5, 2021

Attest:

Approved:

Kelley Smith, Clerk

Brian Tipton, Mayor

I, Kelley Smith, Clerk of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Harmony Township Committee at a meeting held on October 5, 2021.

Kelley Smith, Clerk

R:21-40

**RESOLUTION OF THE TOWNSHIP OF HARMONY,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO AUTHORIZE ELECTRONIC TAX SALES FOR 2021**

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and,

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales; and,

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

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Harmony hereby authorizes to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

DATED: October 5, 2021

Attest:

Approved:

Kelley Smith, Clerk

Brian Tipton, Mayor

I, Kelley Smith, Clerk of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Harmony Township Committee at a meeting held on October 5, 2021.

Kelley Smith, Clerk

**R:21-41
RESOLUTION OF THE TOWNSHIP OF HARMONY,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO REMOVE BLOCK 16 LOT 16.01 FROM THE TAX ROLLS**

WHEREAS, the Township of Harmony created Block 16 Lot 16.01 however that property is already included in Block 6 Lot 25; and

WHEREAS, the Township of Harmony wishes to remove this property from the Tax Rolls and cancel any taxes that have been billed.

NOW THEREFORE, BE IT RESOLVED, that the Township of Harmony hereby authorizes the Township Tax Collector to remove Block 16 Lot 16.01 from the Tax Rolls and cancel any taxes that have been billed:

DATED: October 5, 2021

Attest:

Approved:

Kelley Smith, Clerk

Brian Tipton, Mayor

I, Kelley Smith, Clerk of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Harmony Township Committee at a meeting held on October 5, 2021.

Kelley Smith, Clerk

HARMONY TOWNSHIP
WARREN COUNTY/STATE OF NEW JERSEY
R:21-42

A RESOLUTION OF AWARD, RESURFACING OF FOX FARM ROAD SECTION 2

Be it resolved, that on October 5, 2021 the Township Committee of the Township of Harmony adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Resurfacing of Fox Farm Road Section 2, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$136,700.

Be it further resolved, that the Township Committee of the Township of Harmony does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$113,322.00. The award is made to the Morris County Cooperative Pricing Council vendor, Road Safety System, LLC, which included the following items and unit prices:

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL EXTENSION
1	Beam Guiderail		2041 LF	\$35.00	\$71,435.00
2	Tangent Guiderail Terminal		8 EA	\$3,100.00	\$24,800.00

3 Removal of Beam Guiderail 2441 LF \$7.00 \$17,087.00

TOTAL \$113,322.00

Be it further resolved, that the Township Committee of the Township of Harmony does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$175,616.00. The award is made to the Morris County Cooperative Pricing Council vendor, South State Inc., which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
4	2" Hot Mix Asphalt (HMA) 12.5M64	2651	TN	\$66.25	\$175,628.00
TOTAL					\$175,628.00

Be it further resolved, that the Township Committee of the Township of Harmony does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$4,214.28. The award is made to the Morris County Cooperative Pricing Council vendor, Denville Line Painting, Inc, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
5	Traffic Stripes, 4" EPOXY method	14,532	LF	\$0.29	\$4,214.28
TOTAL					\$4,214.28

ATTEST:

Kelley Smith
Municipal Clerk

Brian Tipton
Mayor

I, Kelley Smith, Municipal Clerk of the Township of Harmony, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Harmony on October 5, 2021.

Kelley Smith

Harmony Township
Warren County, New Jersey
R:21-43

**RESOLUTION OF THE HARMONY TOWNSHIP COMMITTEE
RECOMMENDING THE APPOINTMENT OF ALTERNATE PROSECUTOR
AND ALTERNATE PUBLIC DEFENDER OF THE MUNICIPAL COURT OF
HARMONY TOWNSHIP**

WHEREAS, the Town of Belvidere, is the "host" municipality of the Harmony Township Municipal Court; and

NOW THEREFORE BE IT RESOLVED, that the Harmony Township Committee respectfully recommends the appointment of John Caleca, to fill the

position of Municipal Court Alternate Prosecutor of the Harmony Township Municipal Court to a term effective January 1, 2021 with expiration of December 31, 2021.

BE IT ALSO RESOLVED, that the Harmony Township Committee respectfully recommends the appointment of Gregory Gianforcaro, to fill the position of Municipal Court Alternate Public Defender of the Harmony Township Municipal Court to a term effective January 1, 2021 with expiration of December 21, 2021.

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Harmony Township Committee at a meeting held on October 5, 2021.

Kelley D. Smith
Municipal Clerk

**TOWNSHIP OF HARMONY
WARREN COUNTY
AUDIT REPORT YEAR: 2020
CORRECTIVE ACTION PLAN
R:21-44**

Whereas, the Township Committee of Harmony has received and reviewed the Annual Audit Report for the Year 2020 and;

Whereas, the Chief Financial Officer has prepared the following corrective action plan in accordance with the reports findings as follows;

Recommendation #1:

Description: An adequate segregation of duties be maintained with respect to the recording and treasury functions.

Analysis: The Township is a part of a shared service agreement with White Township for one (1) CFO/QPA part-time position. Harmony does not employ additional staff as it is unnecessary for the workload.

Corrective Action: The Governing Body is aware of the lack of segregation of duties. The governing body will review its employment practices to determine if additional personnel are necessary.

Expected Date: No additional hiring is anticipated at this time.

Recommendation #2:

Description: The purchase orders are authorized and follow the proper procedure before making a purchase, that when goods are received, the goods are signed off on the related purchase order by the appropriate person and that the township keep a compiled list of bills to be approved at Township Committee meetings.

Analysis: Due to the COVID-19 Pandemic, the committee was conducting virtual meetings in order to limit the people inside the Municipal Building. A bills list was prepared prior to each meeting and approved at the meeting. The purchase orders were signed at a later date.

Corrective Action: Normal operations have resumed and this is not expected to be an issue in the future.

Expected Date: Immediately.

Recommendation #3:

Description: The Township discontinue usage of the credit card.

Analysis: The DPW purchases gasoline with a community bank card as it does not have a tank at the DPW yard.

Corrective Action: The credit card will be discontinued when a tank is able to be installed at the DPW yard.

The Township is in the process of securing Procurement Cards from a new banking institution that will take place of any credit cards used.

Expected Date: 12/31/2021.

Recommendation #4:

Description: Township receipts are deposited within forty-eight hours of being collected.

Analysis: Funds were not being deposited within forty-eight hours of receipt as required by law.

Corrective Action: The CFO will deposit funds within forty-eight hours of receipt.

Expected Date: Immediately

Recommendation #5:

Description: Deposits for the dog fund include detailed backup of dog tags sold and amount collected to support amount deposited.

Analysis: The dog licensing official did not supply the CFO with detailed back up for the bank reconciliations.

Corrective Action: The dog licensing official will provide the CFO with detailed back up for the bank reconciliations.

Expected Date: January 1, 2021

Prepared by: _____

Kathleen R. Reinalda, CFO
Cert. # N-0631

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Harmony Township Committee at a meeting held on October 5, 2021.

Kelley D. Smith
Municipal Clerk

Raffles R:21-7; Warren County Habitat for Humanity 50/50 October 8, 2021

Correspondence

1. Letter from WC Board of Commissioners regarding roadway solicitation
2. Resolution from WC Board of Commissioners; R:401-21; amend the Warren County Solid Waste Management Plan to remove the resource recovery facility

located at 218 Mt. Pisgah Avenue on B26 L88, 88.01, 89 in Oxford Township and remove a class C recycling facility located at 40 Foul Rift Road on B21 L11 in White Township and revise the short and long term disposal strategy for the disposal of solid waste generated within the County of Warren and to clarify language regarding the reconfiguration and consolidation of lots for the Warren County District Landfill

New Business

1. The consensus of the committee was to set time and date for Halloween as Saturday, October 30th, 5pm-7pm.
2. Letter from Warren County Department of Land Preservation re County Annual PIG Submission; requests any comments.
3. Motion by Yamrock, seconded by Cornely and carried by roll call to introduce by title only O:21-10
Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: none

**ORDINANCE NO. 21 – 10
HARMONY TOWNSHIP
WARREN COUNTY, NEW JERSEY**

**ORDINANCE OF THE TOWNSHIP OF HARMOHY, COUNTY OF
WARREN, STATE OF NEW JERSEY TO AMEND CHAPTER 142
“STORMWATER MANAGEMENT” TO REFLECT WARREN COUNTY
PLANNING DEPARTMENT COMMENTS.**

WHEREAS, the Township of Harmony has a Stormwater Management Ordinance pursuant to the requirements in N.J.A.C. 7:8, and its Municipal Stormwater Permit; and

WHEREAS, the Stormwater Management Ordinance is subject to change when the State amends N.J.A.C. 7:8; and

WHEREAS, the State of New Jersey amended its Stormwater Management Rules at N.J.A.C. 7:8 on March 2, 2020; and

WHEREAS, the municipalities in the State of New Jersey are required to amend their Stormwater Control Ordinances to align with the updated Stormwater Management Rules at N.J.A.C. 7:8 on or before March 2, 2021; and

WHEREAS, on March 2, 2021 the Township Committee adopted revisions to Chapter 142 Stormwater Management (Ordinance 21-2) pursuant to the aforementioned New Jersey Department of Environmental Protection rules; and

WHEREAS, the Warren County Planning Department reviewed the recently adopted Stormwater Management Ordinance and issued an April 12, 2021 letter to the Township Clerk recommending modifications to the Stormwater Management Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMITTEE OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY, THAT CHAPTER 142 STORMWATER MANAGEMENT OF THE CODE OF THE TOWNSHIP OF HARMONY SHALL BE AMENDED, REVISED AND SUPPLEMENTED AS FOLLOWS:

Section One - Chapter 142 of the Code of the Township of Harmony entitled “Stormwater Management” is amended as follows:

Amend Section 142-2 Definitions as follows:

“**County review agency**” means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or

2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

Amend Section 142-4.D.4 as follows:

Revise the reference to IV.D.3 to 142-4.D.3

Amend Section 142-8.C.3.ii as follows:

Revise the reference to VIII.E. to 8.E.

Amend Section 142-10.B.7.iii as follows:

Revise the reference to 142-10s.B.6 to 142-10.B.6.

Replace Section 142-11.A with the following:

142-11.A. The municipal review agency may grant variances from the design and performance standards in §142-4.O, P, Q and R as set forth in this stormwater control ordinance provided that the mitigation standards provided in the Township's Stormwater Management Plan and the following conditions are met.

Section Two

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section Three

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

ATTEST:

Township of Harmony

Katrina L. Campbell,
Township Attorney

By: _____
Brian Tipton, Mayor

DATED:

I hereby certify that the above is a true copy of the Resolution adopted by the Harmony Township Committee at its meeting on XX, 2021.

Kelley Smith, Administrator/Clerk

Old Business None

Vouchers Motion by Cornely, seconded by Yamrock and carried by roll call to approve vouchers for payment as designated by the Finance Officer
Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: none

Other Municipal Clerk/Administrator Kelley Smith indicated she had received a few complaints about the small signs seen along the roads advertising miscellaneous things. She provided information provided by Franklin Township who has an ordinance in place regarding this similar item. She will provide the committee a copy to review if interested.

She also indicated receiving a few calls from concerned residents regarding Air B&B's popping up in the township. She noted that Frelinghuysen Township has an ordinance on record and she will also distribute to the committee for review if interested.

Kelley asked Mr. Cornely if he could give her an update on the catch basin situations on Buttonwood and River Road from residents concerned about sink hole and flooding issues she received. Mr. Cornely indicated he met with Randy at the River Road site and it was determined that the sink hole is too far off of our roadway to address and it is a private property issue that needs to be addressed by the homeowner. The Road Department will do some maintenance in the road area of the catch basin to hopefully help the problem. Attorney Campbell agreed that the township should not encroach that far on to the property. The Buttonwood Road property flooding issue appears to be from installation of solar panels on private property and also is the responsibility of the property owner.

Public

Comments

Bruce VanSeters, Belvidere Road – Spoke about property flooding issues. He indicated that his property is a victim of water runoff from a pipe that goes under Ridge Road and flows through the Brooks West property down the hill onto his property and out onto County Rt. 519. He was being blamed by the County for dumping water onto the roadway. He claims it is coming from Harmony Township Ridge Road above his property. Mayor Tipton acknowledged he worked through this problem with the County on Mr. VanSeters behalf in the past.

Julia Sudylo, Ridge Road – She address the sign issue along the roads. She would like to see the signs placed on “personal” property and just left up for a certain amount of time. She feels they are littering the roads and makes our township look “inner city”. Political signs are fine when it is election time. Small rural signs for things for sale like eggs, veggies are also acceptable. Signs that are just up randomly should require a permit and a time limit. Would like committee to look into cleaning up the signs.

Jane Nemeth, Brainards – Indicated to Mr. Cornely that the Harmony Lion’s Club sign on Belvidere Road was falling over and should be replaced. Mr. Cornely will look into it.

Theresa Chapman, Brainards Road – (via zoom) Stated that removing signs would hinder a lot of small businesses.

Adjourn

Motion by Yamrock, seconded by Cornely and unanimously carried by all in favor to adjourn meeting

Kelley D. Smith

**HARMONY TOWNSHIP
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
TOWN OF BELVIDERE
R:21-45**

WHEREAS, the Town of Belvidere provides shared court services to the Township of Harmony pursuant to a Shared Services Agreement expiring December 31, 2021; and

WHEREAS, for the purpose of effectuating further efficiency and cost savings, the Township Committee of the Township of Harmony have determined it to be in the best interests of the citizens of the Township to renew the Shared Services Agreement for municipal Court services with the Town of Belvidere.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Harmony, County of Warren, State of New Jersey, as follows:

1. The Mayor and Clerk be and hereby are authorized to date and execute a Shared Services Agreement for a shared Municipal Court with the Town of Belvidere, a true copy of which is attached hereto as **Exhibit A**, the terms and conditions of which are specifically incorporated herein by reference.

Certification

I, Kelley D. Smith, Municipal Clerk/Administrator, Township of Harmony do hereby certify that the foregoing resolution was duly adopted by the Harmony Township Committee at a regular meeting held on November 2, 2021.

Kelley D. Smith, RMC
Municipal Clerk/Administrator