Feb report

TO: Mayor Brian Tipton and Township Committee Members **VIA EMAIL ONLY**

FROM: Michael S. Finelli, P.E., P.P., C.M.E.

DATE: February 1, 2022

RE: **Harmony Township Engineer's Report for the February 1, 2022 Committee Meeting**
FCE No. HAWM254R2

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.
- Construction of the new Haul Road has commenced. The work is being inspected by our inspection staff on an as needed basis. Good progress is being made by EarthEfficient on the restoration of the side slopes within Pit 2. Based upon our inspection on November 30, 2021 a significant portion of the slopes along the Buckhorn Creek side of the pit have been "flattened" to what appear to be 3:1 slopes and topsoil has been placed in certain areas. As-built plans will need to be provided by HS&G prior to our final acceptance of the restoration. It appears that the northern side of Pit 2 which parallels Roxburg Station Road still needs the slopes to be "flattened". It is also noted that that soundings and as-built cross sections will need to be provided for the underwater slopes prior to our acceptance of the work.
- **Please be advised that the applicant recently submitted their annual quarry permit application for 2022. We received the information on January 26, 2022. We obviously did not have sufficient time to develop our review and issue our report in advance of the February 1, 2022 Committee Meeting (meeting was still scheduled at that time). We will be providing our report in advance of the March 1st, 2022 Committee Meeting. I believe that the applicant will be providing Public Notice for that meeting.**

SHANDOR'S USED AUTO PARTS/ 2020 & 2021 JUNKYARD LICENSES

- 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 compliant. 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.
- **As of the date of this report, the 2022 Junkyard License Application has not been filed.**

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 started in the Spring of 2022.
- **A new resolution of award has been sent to the Township to reflect the new 2022 Morris County Cooperative Pricing Council bid prices so this project can proceed as soon as the weather allows.**

Ridge Road Section 2 (2022 NJDOT Grant Project)

- The Township was notified by the State that they received a grant in the amount of $131,600 for the resurfacing of Ridge Road Section 2.
- A Budget Memo was sent to the Township which showed a significant shortfall for this work. A shortened section of Ridge Road was also presented in the budget memo for the Township to evaluate and discuss. Obviously, Kathleen will need to be involved in these discussions from an overall budgeting perspective for 2022.
- **Based upon the Budget Memo referenced above, it is our understanding that the Township is evaluating some options for proceeding with this project. The Township will need to advise our office regarding how they would like to proceed with this project for 2022 based upon the fairly significant shortfall of Grant monies ($131,600.00 vs. the estimated cost of the project).**

2021 LOCAL RECREATION IMPROVEMENT GRANT

- 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.
- **In the beginning of January we were informed that we did not receive this grant. However, after looking at the grants awarded, we think we should submit a "new/modified" application in 2022 with a reduced scope of work, less amenities, and the walking path. The State is not currently accepting applications for 2022.**

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

March report

TO: Mayor Brian Tipton and Township Committee Members **VIA EMAIL ONLY**

FROM: Michael S. Finelli, P.E., P.P., C.M.E.

DATE: February 25, 2022

RE: **Harmony Township Engineer's Report for the March 1, 2022 Committee Meeting**
FCE No. HAWM254R3

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- Please refer to prior Engineering reports for 2017, 2018 & 2019 permit application summaries.
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<u>SHANDOR'S USED AUTO PARTS / JUNKYARD LICENSE</u>
(no change since last month's report)

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<u>FOX FARM ROAD, SECTION 2 (2021 NJDOT Grant Project)</u>
(no change since last month's report)

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Ridge Road Section 2 (2022 NJDOT Grant Project)
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2021 LOCAL RECREATION IMPROVEMENT GRANT
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(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.

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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

R22-14
ATTACHMENT E
PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND
ADMINISTERED BY THE NEW JERSEY HISTORIC TRUST

GOVERNING BODY / BOARD RESOLUTION

PROJECT NAME: VAN NEST-HOFF-VANNATTA FARM
PROJECT NYMBER: 2021.1057

THE GOVERNING BODY/BOARD OF HARMONY TOWNSHIP DESIRES TO FURTHER HISTORIC PRESERVATION THROUGH A GRANT FROM THE NEW JERSEY HISTORIC TRUST, STATE OF NEW JERSEY IN THE AMOUNT OF $25,000.00 FOR THE FOLLOWING PROJECT VAN NESS-HOFF-VANNATTA FARM.

THERESFORE, THE GOVERNING BODY AUTHORIZES KELLEY SMITH, ADMINISTRATOR TO EXECUTE A GRANT AGREEMENT WITH THE STATE IN AN AMOUNT UP TO THAT AWARDED FOR THE PROPOSED PROJECT, AND TO SEAL THE GRANT AGREEMENT.

INTRODUCED AND PASSED MARCH 1, 2022

AYES: _____

NAYS: _____

Absent: ____

APPROVED:

_____
(signature of Mayor, County Board of Commissioners Director or Board Chairperson)

TITLE: MAYOR

ATTESTED: _____
(signature of Municipal or County Clerk, Board Secretary or Notary Public)

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 MARCH 1, 2022.

_____
KELLEY SMITH,
MUNICIPAL CLERK

RAISED SEAL:

Municipal Building, Harmony, NJ
Township Committee Meeting
March 22, 2022
5:00 p.m.

Special Session

The special 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, 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

Also in attendance were CFO Kathleen Reinalda and Auditor John Mooney (via zoom)

Minutes

Motion by Yamrock, seconded by Cornely to approve the minutes dated January 4, 2022 and January 25, 2022. Motion carried by All In Favor.

Motion by Tipton, seconded by Cornely to approve the minutes dated February 28, 2022. Roll Call: Ayes: Cornely, Tipton. Nays: None.

Budget Workshop

Mr. Cornely advised the committee that the price of oil and chip has gone up from 150/sq. yd. to 275. Marble Hill road would be $75,000 to oil and chip. Might want to hold off doing that road. It is showing some wear and tear. Discussion too place on the options and concerns. Mr. Cornely mentioned thinking about increasing the Road Department budget or not. CFO Reinaldo said $240,000 was put in. Randy has not really identified any items at this time. Todd Richards spoke with Kelley about the Ridge Road project. They were looking at it with Finelli. Todd and Randy would like to put in catch basins and piping in areas where there are water issues and freezing across the roads. This would be in addition to the DOT project. They already have some of the things they would need and would do the work themselves. This should be done before the road gets paved over. Mr. Cornely has told them to do the work as suggested. Mayor Tipton asked do you spend the 35,000 more than normal for oil and chip or do you hold off and hope prices come down. What are the ramifications if there's more damage that could be done. Mr. Cornely said it's not the end of the world, if there are pot holes they can patch them. Mayor Tipton said if it is not an emergency at this time maybe it can be put on hold. Mr. Cornely recommended putting Marble Hill Road on the wish list for DOT projects in the future. Kelley suggested holding off until September/October and see what the budget looks like and then do it in October. It was agreed to hold off on the oil and chip and to monitor the situation. Kelley provided the committee with the new LED sign quotes. Mr. Cornely and Kelley met with the sign vendor for a demonstration and agreed that the 4x8 sign is better than the 3x6 sign so the price did go up and it would be paid for with the American Rescue Funds with the electric service it should not be more than $60,000. This does not affect the budget. The dump body quote for the mason dump truck was distributed. It will be about $50,000. The chassis quote was already submitted and needs to be decided on today in order for the truck to be ordered at the price quoted. These are both through co-ops. It will be about $100,000 total for the truck. Mr. Cornely asked if that could be taken out of capital. Mr. Mooney suggested at this point because there is $49,000 from the American Rescue plan earmarked for the chassis now and between that and the upgrade on the sign we are at 109,000 and have only received 122,000 so far so he doesn't want to use any more from that

ARP funding until the rest is received. He said there is a significant amount of money in the capital improvement fund so maybe keep the $49,000 for the chassis portion and the dump body costs get put right into the budget as a capital line and reduce the capital improvement fund by whatever you increase that by so if it's another $50,000 take the capital improvement fund down to $425,000 and have a $50,000 line for the dump body of the truck. The Committee agreed to that scenario. The roadside mowing tractor quote was provided. The tractor is $52,324 from Eckroth Equipment through the Sourcewell Co-Op. Mr. Cornely stated that could also come from capital and that is why we have a capital fund. Mr. Mooney said there is a lot of money going into capital and that is what it is for, so if you put it into the capital improvement fund or bring it into the budget and reduce the capital improvement fund number it works either way. Mr. Cornely said this should bring the fleet up to where there should not be much more to do for a while. It was the consensus of the committee to buy the tractor. Mr. Mooney stated there is a significant amount of money in the reserve for sale of municipal assets, about 69,000 dollars. He said if the committee wants to keep the capital improvement number where it's at the 425,000 then you could bring in that revenue here to offset the 52,000 for the tractor and there is zero impact to the taxpayer. Mayor Tipton asked what happens to that money if not used. Mr. Mooney said it just sits there until the day you decide to use it. It was the consensus to use it now on the tractor purchase in the amount of 53,000.00. Kelley brought up the website. This was discussed and worked on before. She has received a new quote for a new website from our current IT vendor. The cost would be up to 6,500 and she feels it could be taken out of her OE. It would be more user friendly. CFO Reinalda agreed it could come out of OE. Mayor Tipton agreed. It was the consensus to move forward with the new website work. Mr. Cornely said if the Township receives the second round of American Rescue Funds he would like to consider purchasing a new larger vehicle for our OEM/Fire Chief. He would be replacing the Tahoe and be able to trade that in for a Truck that would be between $80,000-$90,000. This is for future consideration. Mr. Mooney said when the $425,000 goes into Capital Improvement there will be about $981,000 of capital improvement fund money. CFO Reinalda stated she needs about $400,000 for the road projects this year from that. That will then leave about $600,000. Mr. Cornely stated that will complete all the road projects planned and they are fully funded. Mrs. Yamrock asked about the Community Day line. It was noted it is in there under Celebration of Public events in the amount of $10,300. Mrs. Yamrock asked what was decided on for the salary increase. Mr. Cornely stated it was agreed that 6% because that is what the COLA is and it is included in this budget. Mr. Tipton agreed that was what was put in. Mr. Cornely stated there has been years with 0% increase and it's always been gone by that so he thought it was only fair that as things are inflated and increasing in price it could be done for the employees. Mr. Mooney stated now the tax rate is increasing by half a cent over last year that would be an average increase of $11 for the year or .89 cents a month on a home assessed at $205,000. Mayor Tipton asked what it would take to eliminate the half cent. Mr. Mooney said about $23,000. Mr. Mooney stated he's been warning his municipalities through out the course of this year with inflation being what it is, and the fuel prices what they are, that it is not the year to stand still and be flat, but Harmony has done very well over the years and if there was a town where flat wouldn't be so bad it could help if you went up just a little, but flat is ok, this would be the year for Harmony it would be ok but keep next year in mind as well and whether you will recover the fund balance you are using to fund the budget. CFO Reinalda suggested using the COAH Trust funds to off set the $23,000. Now there is $25,000 going into it and there is already about $310,000 in that trust fund now. This could be an option. Not using the $25,000 that is put in annually. The COAH is in a good position with the agreement in place. It was the consensus to pull the

$25,000 out for COAH trust. Mr. Mooney said that would make the average taxpayer getting back $1.00 for the year. Mayor Tipton stated with the solar project and potential of the recreational cannabis opportunities there will be serious revenues in the coming years hopefully starting in 2023. It was the consensus to introduce the budget as set on April 5th and consider adoption on May 3rd.

New Business

Kelley advised the committee that she received a call from a resident on Montana Road that would like her yard cleaned of the dirt that was thrown on it from the snow plow. She stated that in the past there were some small things done for residents in the past but it was only if the yard was really dug into. This seems to be just small clumps of dirt that happens to everyone. Randy and Todd have inspected it and did not think it was out of the ordinary and if they start doing it everyone will want it done. Kelley described where it is located on Montana as the old Wolverton property. Mr. Cornely suggested we do not start doing this just like we don't plow private lanes. Kelley will reply to her email that it was determined to be normal wear and tear from road maintenance and we cannot do that for every person who asks. They can be proactive and protect themselves by sticking markers in the front of the yard during the winter season if they want to give guidance where their property line is.

The other item she brought to the committee was the green acres property on Hutchinson River Road that is owned by the Township. She has managed to get all the cars and boats removed that were parked there. They have left large ruts in the ground. She has also found out that the neighbor who is a disabled veteran has been paying for a mowing service to keep this property down since it is next to his property and on a sharp corner. It does become a safety issue if it is not kept mowed because of the sharp corner along the property. The county has installed signs along the other side of the road it is a very narrow corner. She would like to have our Road Department mow that parcel due to the safety issues involved. It does not have to be a finished mow weekly but maybe every other week with the batwing would be sufficient. Mayor Tipton said he thinks they could certainly distinguish the treatment of that parcel separate from the other ones along the banks of the river that are not maintained. Mr. Cornely discussed maybe coming up with a parking area for the people to use when their properties get flooded. Mayor Tipton didn't have any objections to our Road Department mowing it for safety purposes.

Mayor Tipton brought to the committee's attention an issue on Marble Hill Road with a property that has a lot of junk vehicles on it along with other junk items. He would like our Zoning Officer to inspect. Mrs. Yamrock brought up the other property that is farmland preserved on Marble Hill Road. She has received complaints about the care of the animals on the property. The sheep do not look care for. She also noted a lot of junk on the property. This property was previously citied for junk. Kelley will advise the Zoning officer to visit the sites and any others that have been identified as problematic. Kelley will also let ACO know about the animal issue. Mr. Cornely also said the humane society could be called also.

Public Comment

None

Adjourn

Motion by Tipton, seconded by Cornely to adjourn the meeting at this time. The motion was carried unanimously by all in favor.

_____

Kelley Smith, Municipal Clerk

RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM

A RESOLUTION AUTHORIZING THE TOWNSHIP OF HARMONY
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

RESOLUTION NUMBER R:22-16

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on April 5, 2022 the governing body of the Township of Harmony, County of Warren, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Harmony, Warren County, New Jersey;

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Chief Financial Officer is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

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 April 5, 2022.

_____
Kelley D. Smith
Municipal Clerk

BY: Brian R. Tipton, Mayor

_____

(NAME AND TITLE)

ATTEST BY: Kelley D. Smith, Municipal Clerk

_____

(NAME AND TITLE)

Hunterdon County ESC

Cooperative Purchasing

37 Hoffmans Crossing Rd., Califon, NJ 07830

http://purchasing.hcesc.com

Contact Information Survey - 21/22

Name & Address of Participant:

_____

_____

County:_____

Primary Contact Name:_____

Position Title:_____

Email:_____

Tele. w/ext #:_____

Technology Contact Name:_____

Email:_____

Tele. w/ext #:_____

Roxanne Wolf, Purchasing rwolf@hunterdonesc.org
Ph: 908-439-4280 x1474 Fax: 908-975-3753
#34HUNCCP

Hunterdon County Educational Services Commission
37 Hoffmans Crossing Road
Califon, New Jersey 07830
Phone: 908-439-4280 Fax: 908-975-3753

Marie Gorey/ Superintendent x4500
Corinne Steinmetz, SBA/Board Secretary x4501
Doreen Pirozzi, Purchasing Manager x1513

COOPERATIVE PRICING AGREEMENT

This agreement, made and entered into this____day of_____, 20__, by and between the Board of Directors of Hunterdon County Educational Services Commission, referred to as the "Lead Agency" and various governing boards, authorities, commissions and other governmental contracting units within the State of New Jersey.

WITNESSETH

WHEREAS, the Lead Agency is conducting a voluntary Cooperative Pricing System with boards of education, municipalities, and other types of public bodies located within the State of New Jersey, utilizing the Lead Agency's administrative purchasing services and facilities in order to effect substantial economies in the purchase of work, materials and supplies; and

WHEREAS, the Cooperative Pricing System is authorized by N.J.S.A. 40A: 11-11 and has been approved by the Division of Local Government Services in the Department of community Affairs pursuant to N.J.A.C. 5:34-7.1 et seq., and

WHEREAS, all the parties hereto shall approve this Agreement by Ordinance or Resolution, as appropriate, in accordance with the aforesaid statue; and

NOW, THEREFORE, it is mutually agreed as follows:

1) *The work, materials or supplies to be priced cooperatively may include fuels, office supplies, paper products, instructional materials and equipment, vehicles, modulars and such other items and services as two or more participating contracting units in the system agree can be purchased on a cooperative basis.*

2) *Upon approval of the Cooperative Pricing System and during each January thereafter, the Lead Agency shall publish a legal ad in such format as required by the State Division of Local Government Services in a newspaper normally used for such purpose by it, to include such information required by N.J.A.C. 5:34-7.9. as may be amended from time to time, including:*

a. *The name of the participating contracting unit, and*
b. *The name of the Lead Agency soliciting competitive bids or informal quotations, and*
c. *The address and telephone number of Lead Agency, and*
d. *The State Identification Code for the Cooperative Pricing System, and*
e. *The expiration date of the Cooperative Pricing Agreement.*

3) *Each of the participating contracting units shall indicate, in writing to the Lead Agency, the items to be purchased by the contracting unit, the approximate quantities desired, the location for delivery and other such requirements necessary for the Lead Agency to prepare specifications as provided by law. Although the Lead Agency endeavors to serve the needs of all registered members of the Cooperative Pricing System, the Lead Agency may not be able to prepare specifications and/or solicit bids for all projects and makes no such guarantee.*

4) *The specifications shall be prepared and approved by the Lead Agency and filed as required by law, and no changes shall thereafter be made except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.*

5) *A single advertisement for bids/proposals or the solicitation of informal quotations for the work, materials or supplies to be purchased shall be presented by the Lead Agency on behalf of all registered members desiring to purchase any item in the Cooperative Pricing System. All advertisements and solicitations shall be made in compliance with the Public School Contracts Law.*

6) *The Lead Agency shall receive bids or quotations on behalf of all participating contracting units. The Lead Agency shall review said bids and, on behalf of all registered members, either reject all bids, or award a contract in compliance with the Public School Contract Law and the specifications. This award shall result in the Lead Agency entering into a master contract with the successful bidder(s) providing for two categories of purchases:*

   a. *The quantities ordered for the Lead Agency's own needs, and*
   b. *The estimated aggregate quantities to be ordered by other participating contracting units by separate contract, subject to the specifications and prices set forth in the Lead Agency's overall (master) contract.*

   The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) when required by law and, only after the Lead Agency has certified the funds available only for its own needs.

Each registered member shall: (1) certify that it has the funds available necessary for its own order(s) from the Cooperative Pricing System; (2) enter into a formal written contract directly with the successful bidder(s) when required by law and the project specifications; (3) issue purchase orders in its own name directly to the successful bidder(s) against said contract; (4) accept its own deliveries; (5) be invoiced by and receive statements from the successful bidder(s) and (6) be responsible for any tax liability. No registered member shall be responsible for payment for any items ordered or for performance generally, by or to any other registered member. Each registered member shall accordingly be liable only for its own performance and for items ordered and received by it.

The provisions of this paragraph shall be quoted or referred to and sufficiently described in all advertisements for bids by the Lead Agency so that each bidder shall be on notice as to the respective responsibilities and liabilities of the registered members.

7) *Nothing in this Agreement shall prevent any registered member from awarding contracts of purchase, individually and on its own behalf, with or without advertising, except that invitations for such individual bids shall not be advertised nor bids be received during the period in which the Lead Agency is advertising for and receiving bids for the same items or commodities other than, in the case of the registered member's emergency or hardship.*

8) *The Lead Agency reserves the right to exclude any item or commodity from within said system if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable as to the Lead Agency or the registered members..*

9) *The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement. It is understood that all fees for each participating contracting unit are paid to the Lead Agency by the successful bidder(s) with the exception of the fuel participation. This amount shall be paid forty-five (45) days from the receipt of billing from the Lead Agency.*

10) *This agreement shall become effective upon approval of the Director of the Division of Local Government Services and shall continue in effect for a period of five (5) years pursuant to N.J.A.C. 5:34-7.5(f), or until a party to this Agreement shall give written notice of its intention to terminate its participation in the Cooperative Pricing System..*

11) *All records or documents maintained or utilized pursuant to terms of this Agreement shall be identified by the code number assigned by the Director, Division of Local Government Services and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.*

12) *Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.*

13) *This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.*

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed.

GOVERNING BOARD / BOARD OF EDUCATION

DISTRICT/MUNICIPALITY: _____

*ATTEST:*_____ *BY:* _____
Secretary to the Board *Board President*

DATE: _____

LEAD AGENCY
HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION

*ATTEST:*_____ *BY:* _____
Secretary to the Board *Board President*

DATE: _____