

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 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 Deputy Mayor.

Roll Call Tipton, Cornely Absent: Yamrock

Budget Motion by Tipton, seconded by Cornely and carried by all in favor to adopt the following resolution:

Harmony Township
Warren County, NJ
R:21-21

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Harmony has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Harmony that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: April 6, 2021

Vote recorded as follows: Tipton, Cornely

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 6, 2021.

Kelley D. Smith
Municipal Clerk

2021 Budget The 2021 Municipal budget was introduced by a motion made by Tipton, seconded by Cornely and carried by Roll Call Vote. Ayes: Cornely, Tipton. Nays: None

The 2021 Budget document is attached to this set of minutes.

Public Hearing and consideration will be held May 4, 2021 during the regular Township Committee meeting.

Consent Agenda Motion by Cornely, seconded by Tipton and carried by all in favor to approve the consent agenda including the following:

Reports: Attorney, Engineer, Zoning
Minutes March 2, 2021

Resolutions:

Harmony Township
Warren County, New Jersey
R:21-16
A Resolution Authorizing A Shared Services Agreement With
Warren County Public Works Department

WHEREAS, Harmony Township is desirous of utilizing the Warren County Public Works equipment and its employees as provided by the terms of an agreement dated March 5, 2021, a copy of which is on file

with the Harmony Township Clerk and the Warren County Clerk of the Board; and

WHEREAS, Harmony Township Governing Body finds that such agreements are advantageous and fiscally responsible for the Township from time to time;

WHEREAS, the Uniform Shared Services & Consolidation Act (N.J.S.A. 40A:65-1 et seq.) empowers the Township of Harmony and the County of Warren to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Harmony does hereby authorize the Mayor and Municipal Clerk to execute agreements to engage with the services provided by the County of Warren as described in said agreements when necessary.

I hereby certify the above to be a true copy of a resolution adopted by the Governing Body of Harmony Township at a meeting held on April 6, 2021.

Kelley D. Smith
Municipal Clerk/
Township Administrator

Correspondence

1. Notice from Washington Township regarding their Stormwater Management Ordinance adoption
2. Statewide Insurance Fund notice of legislation affecting employers in workers' compensation matters
3. Belvidere Ambulance Corps 75th Anniversary Parade update
4. Warren County Board of Commissioners notice of adopting resolutions 130-21 and 132-21
5. Warren County Board of Commissioners resolution requesting the Governor and Commissioner of Health make covid-19 vaccine available to the teachers and staff of Warren County's schools
6. Letter from Senator Doherty regarding Assembly Bill No. 21 legalizing marijuana for recreational use
7. Notice from White Township regarding adoption of Ordinances 2021-01, 2021-02 and 2021-03
8. Notice from Lopatcong Township regarding their public hearing date on Amendment to Zoning Ordinance 21-02
9. Email regarding Forest Management Bills with suggested resolution
10. Summary of presentation to the Warren County Gov Officials regarding NJ Cannabis Laws & Municipalities
11. Notice from Washington Township regarding their Ordinance 2021-06 introduction

New Business

1. Motion by Cornely, seconded by Tipton and carried by all in favor to approve Shandor's Used Junk Yard Application with the contingency that all of the items outstanding in Engineer Finelli's report be resolved prior to the next Township Committee Meeting.
2. Motion by Cornely, seconded by Tipton and carried by all in favor to authorize the Mayor to execute Dakota memorandum of Option Agreement
3. Motion by Cornely, seconded by Tipton and carried by all in favor to introduce Ordinance O:21-5 by title only:

ORDINANCE NO. 21-5

**ORDINANCE OF THE TOWNSHIP OF HARMONY,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO REVISE CHAPTER 122 "PARKS AND**

RECREATION,” SECTION 5.1 “RECREATON SITE RENTAL,” OF THE CODE OF THE TOWNSHIP OF HARMONY TO REVISE THE FEES FOR RENTAL OF THE RECREATION SITE AND ATHLETIC FIELDS.

WHEREAS, the Township of Harmony wishes to revise the fees charged for rental of the recreations site and athletic fields; and

NOW THEREFORE IT BE ORDAINED by the Committee of the Township of Harmony, County of Warren, State of New Jersey that Chapter 122, “Parks and Recreation,” Section 5.1 “Recreation Site Rental shall be amended as follows:

Section 1:

§122-5.1 shall be deleted in its entirety and replaced with the following:

§122-5.1 RECREATION SITE AND ATHLETIC FIELD RENTALS

1. Purpose:

The purpose of this section is to highlight the policies governing our township parks. It is our conviction that township facilities are for the enjoyment of the residents of Harmony Township and guests. It is our philosophy that usage of the facilities should be free except for extra ordinary reasons for reserving. These extra ordinary reasons are reserved picnic area, reserving of fields, and usage of lighted areas.

2. Types of groups:

There are many types of groups within our township. The groups have been split into classifications. The following are classification groups.

Classification	Definition
I	Department of Municipal Government
II	Schools, Community Non-Profit, Emergency Groups, Other Governmental Agencies
III	Religious and Political Organizations
IV	Profit Organizations
V	Individuals
VI	Athletic Organizations

3. Definition for In-Town:

The recreation site will be used by many different individuals and organizations. Preference will be given to “In Town” groups as it regards to fees. The following is the definition for each classification of the “In Town” designation. Any group that is using the facility for athletic leagues or practices, are classified as athletics. For example, if a church is running a soccer league, they are classified as athletics and not a religious organization. However, if a group is holding a fundraiser which is a soccer game for the benefit of a Non-Profit Organization, they would be classified as a Non-Profit organization.

Group Types and In Town designation

Classification	Definition	
I	Department of Municipal Government	All township departments and committees.
II	Schools	50% +1 of the students are from the Township
	Community Non-Profit	The Offices are within the Township
	Emergency Groups	Harmony Volunteer Fire and First Aid Squads serving the Township
	Other Governmental Agencies	Government Agency Benefiting Harmony Township
III	Religious	Places of Worship within the Township
	Political Organizations	Harmony Township Political Organizations
IV	Profit Organizations	Businesses that are located within the township with more than 4 employees
V	Individuals	Harmony Township Residents
VI	Athletic Organizations	50% +1 of the participants live within Township

4. How to Reserve:

- A. A person or organization wishing to reserve the pavilion or fields, will contact the Clerk’s office and submit a reservation form with the appropriate reservation fee and usage fee. Check will be made out to “HARMONY TOWNSHIP”.
- B. A Refundable Damage deposit will be submitted on a separate check made out to “HARMONY TOWNSHIP”.

- C. Organizations need to provide a certificate of insurance showing that Harmony Township as additional insured.
- D. Payment of the fee must be received within 48 hours of reservation and is nonrefundable. Nonpayment will result in cancellation of reservation. The fees listed in Section 6 below are subject to change annually by resolution of the Township Committee. A copy of this resolution is kept on file in the Township Clerk's office and is available for review during regular business hours.
- E. The rental of the pavilion shall include use of the pavilion and bathroom facilities. The athletic fields may also be used if they are not already in use. This rental does not include the snack bar or any food preparation areas. Rules and regulations will be provided to the user by the Municipal Clerk's office.
- F. The rental of the soccer/hockey or baseball fields shall include use of the bathroom facilities. The rental does not include the pavilion, snack bar or any food preparation areas. Rules and Regulations will be provided to the user by the Municipal Clerk's Office.
- G. Any person(s)/organization wishing to use the pavilion or athletic fields shall pay a refundable security deposit of \$200 through the Township Clerk's office. This deposit shall be held by the Township and returned upon confirmation that the site and its facilities are left in a satisfactory condition following a reservation. If the site is left in an unsatisfactory condition, the renter will be notified, in writing, of the reason all or a portion of his/her deposit is not being returned. Deposits are due at least seven days prior to the reservation.

5. How is the application processed:

- A. The form will be submitted to the Township Clerks office.
- B. The Township Clerk will review form for completeness and appropriate fees. It will be submitted for the Township's designated scheduler to schedule.
- C. The Clerk's office will maintain the current calendar. All requests will be processed by the Municipal Clerk's office.
- E. Applications will be reviewed with preference to "In town" residents and organizations and out of town returning organizations in good standing in accordance with the classification chart in Section 3. The Harmony Township Athletic Association shall have priority over all other individuals and organizations. There will be a schedule grid created so all people will have a chance of using the facility. Prime Time hours are defined as 6-9PM Monday through Friday and 8am to noon on Saturdays.

6. 2021-2022 Usage Fees:

A. Township Rate:

Facility	Reservation	Rate
Pavilion	10am to 7pm	\$25
Soccer/Field Hockey Fields	Fall Season Practices	\$50/season per team
Soccer/Field Hockey Fields	Spring Season Practices	\$50/season per team
Soccer/Field Hockey Fields	Spring/Fall Season Games	\$25/game date
Baseball	Spring Season practices	\$50/season per team
Baseball	Spring Season Games	\$25/game date

B. All fees/deposits will be waived for the Harmony Township Athletic Association in exchange for their in-kind services.

C. Out of Township Rate:

Facility	Reservation	Rate
Pavilion	10am to 7pm	\$35
Soccer/ Field Hockey Fields	Fall Season Practices	\$100/season per team
Soccer/Field Hockey Fields	Spring Season Practices	\$100/season per team
Soccer/Field Hockey Fields	Spring/Fall Season Games	\$50/game date
Baseball	Spring Season practices	\$100/season per team
Baseball	Spring Season Games	\$50/game date

D. Fees are subject to change annually by resolution of the Township Committee. A copy of this resolution is kept on file in the Township Clerk's office and is available for review during regular business hours.

Section 2:

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 3:

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

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Harmony held on April 6, 2021 and ordered published in accordance with the law. Said Ordinance will

be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 4, 2021 at 6 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kelley D. Smith
Township Clerk

Old

Business

1. Motion by Cornely, seconded by Tipton and carried by all in favor to open public hearing of Ordinance No. O:21-4; Ordinance to excel the Municipal Budget Appropriation Limits and to establish a Cap Bank (NJSA 40A:4-45.14)

There were no public comments

Motion by Cornely, seconded by Tipton and carried by all in favor to close public hearing

Motion by Cornely, seconded by Tipton and unanimously carried by roll call to adopt Ordinance 21-4.

Roll Call: Ayes: Cornely, Tipton Nays: none

2. Motion by Tipton, seconded by Cornely and carried by all in favor to carry Resolution No. R:21-13; Resolution Designating Montesano at Harmony, LLC as Redeveloper of Property in the Township of Harmony and Authorizing the Execution of a Redevelopment Agreement with Montesano at Harmony, LLC for the Redevelopment of such Property in Accordance with the Redevelopment Plan to the May Township Meeting
3. Motion by Tipton, seconded by Cornely and carried by all in favor to extend time period with Montesano until May 5, 2021.
4. Private Lane Review
Mayor Tipton gave a brief overview of the request made by residents that live on Slater Lane for maintenance services by the Township Road Department. The Committee looked at all of the private lanes in the township and felt they would not be able to service the number of roads involved. They assured the residents that live on private lanes would be provided necessary services during an emergency if the lane was not passible for emergency services to respond. There is a great line of communication between our Fire Department and Road Department and it is the consensus of the Committee at this time not to take over the maintenance and servicing of Slater Lane, or any other private lane in the Township.
5. McLain Farmland Preservation
Attorney Campbell explained the Right Of Way option for the preservation of Mr. McLain's farm. Mr. Finelli concurred that the ROW should be established at 25 ft. from centerline for future needs by the Township.
6. Weight restrictions in Hope on Route 519 as proposed by the County of Warren was discussed. Mayor Tipton explained what is being suggested to the NJDOT and his concerns with the increased truck traffic that may be caused by placing this weight restriction on what is also our major throughfare. He recommended sending a letter to the DOT with respect to the concerns in Harmony Township. Mr. Cornely agreed that it should be addressed.

Vouchers Motion by Tipton, seconded by Cornely and unanimously carried by roll call to approve the vouchers submitted by the finance office.
Ayes: Cornely, Tipton Nays: none

Executive Session Motion by Cornely, seconded by Tipton and carried by all in favor to adopt the Executive Session Resolution.

**TOWNSHIP OF HARMONY
COUNTY OF WARREN
EXECUTIVE SESSION RESOLUTION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances present exist.

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified matter.
2. The general nature of the subject matter to be discussed is as follows:
 - Contract Negotiations and Litigations
3. It is anticipated at this time that the above stated matter will be made public at such time as deemed appropriate.
4. This Resolution shall take effect immediately.

* * * * *

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on April 6, 2021.

Kelley D. Smith
Municipal Clerk

The meeting was reopened to the public at this time.

Public Comments Theresa Chapman brought to the Committee’s attention the flooding that occurred on Brainards Road after the last big rainstorm. She asked if it could be looking into. Mayor Tipton advised her that it is a county road but will be looked at to see what may be causing the issue.

Ms. Chapman also brought to the Committee’s attention that the Warren County Ag Development Board addressed solar on large farmland parcels in their meeting minutes.

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

Kelley Smith, Municipal Clerk