

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

Presentation Aaron Santarosa of SGS Recovery – potential LUB application in Redevelopment Area

Mr. Santarosa stated that the family developed over the past four/five years a low carbon fuel and what that does is reduces carbon omissions made in cement kilns industries. The cement kilns are the second largest omitting industry on the planet. Mr. Santarosa stated that what they want to do their low carbon fuel facility in Harmony Township to extend their operations. They would like to build a facility at the Hydropress Site. Mr. Santarosa stated he wants to make it clear that the company is not a hazardous waste for any type of facility and the company does not deal with municipal solid waste either. The company does specific residual waste streams and engineers them into low carbon fuel. For example, the company would take tires, plastic bottles and engineer it to give it a second life instead of going to a landfill or ending up in the oceans. Mr. Santarosa stated that the company figured out a way to take a fiber that would be thrown away and make it into a bacterial retardant material that cows and livestock can be safe in and it makes soils that can be put in the fields and it creates a nitrogen for the crops so that dramatically reduces irrigation needs. Mr. Santarosa reiterated that the company is not a waste disposal facility, not an incinerator, do not take in hazard waste, do not deal with municipal solid waste.

Mayor Tipton opened up the discussion to the public for any questions. Mr. Richard Dalrymple asked what kind of business it is considered? Is it industrial or agricultural. He then commented that the township is mainly agricultural and that is all that was wanted. Mr. Dalrymple continued to press the presenter with unnecessary remarks at which time Mayor Tipton ended the public comment period due to his disruption and inaccurate accusations. The Committee then advised Mr. Santarosa that if he is still interested in pursuing this facility, he should continue through the redevelopment process for consideration and approvals. Ms. Campbell can instruct him on how this is completed.

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

- Attorney Report
- Engineer/Zoning Report
- Minutes : July 6, 2021

Resolutions:

**TOWNSHIP OF HARMONY**  
**Warren County, New Jersey**  
**RESOLUTION NO. 21-35**

**WHEREAS**, Harmony Township has scheduled to have a firework display held on September 25, 2021, under the supervision of International Fireworks Mfg. Co.; and

**WHEREAS**, International Fireworks Mfg. Co. has entered into a contract with the Township in connection with said fireworks display and has submitted a certificate of insurance with the Township naming it as an additional insured thereunder; and

**WHEREAS**, International Fireworks Mfg. Co. is further authorized and granted a permit for said public display pursuant to N.J.S.A. 21:3-3; and

**WHEREAS**, the Harmony Township Volunteer Fire Company will be standing by at the scene;

**NOW, THEREFORE BE IT RESOLVED** by the Harmony Township Committee that approval is given for the fireworks display on September 25, 2021 to be conducted at the Harmony Township Recreation Fields by International Fireworks Mfg. Co..

**ATTEST:**

\_\_\_\_\_  
Kelley D. Smith, Municipal Clerk

\_\_\_\_\_  
Brian Tipton, Mayor

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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 its regular meeting held on August 19, 2021.

\_\_\_\_\_  
Kelley D. Smith, Municipal Clerk

HARMONY TOWNSHIP  
WARREN COUNTY/STATE OF NEW JERSEY  
R:21-37  
A RESOLUTION OF AWARD, RESURFACING OF FOX FARM ROAD SECTION 2

Be it resolved, that on August 19, 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	\$175,616.00
TOTAL					\$175,616.00

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 August 19, 2021.

\_\_\_\_\_  
Kelley Smith

Correspondence

1. Letter from Lipot's regarding overgrown neighboring property
2. Notice from Township of White : Ordinance No. 2021-026; an Ordinance of the Township of White, Warren County, New Jersey prohibiting the operation of any class of cannabis business within its geographical boundaries and amending sections 160-129, 134, 158, 161, 164, 167, 170, 173, 177, 180, 185 and adding section 160-197 to the White Township Code
3. Notice from Township of Lopatcong : Ordinance 21-07; an Ordinance of the Township of Lopatcong, Warren County, New Jersey prohibiting the operation of any class of cannabis business withing its geographical boundaries and amended Chapter 243 "zoning and land use," article XIII "general regulations," creating section 65.3 "prohibited uses," of the code of the Township of Lopatcong to add cannabis businesses to the list of prohibited uses was introduced for first reading on August 4, 2021 and will be considered after a public hearing scheduled on August 19, 2021 at 4pm by the Lopatcong Township Council
4. Warren County Department of Human Services : Notice of Virtual Public Hearing
5. Warren County Planning Department : Public Hearing Notice, Draft Freeholder Resolution and Proposed Amendment to the Warren County Solid Waste Management Plan
6. Board of County Commissioners : Resolution 365-21; Resolution in Opposition to the Reproductive Freedom Act S-3030/4848

New Business

1. Discuss September’s meeting – status will be determined as it gets closer to the date.

Old Business

1. Motion by Yamrock, seconded by Cornely and unanimously carried by all in favor to open public hearing and consideration of O:21-8; an Ordinance amending the revised general Ordinances of the Township of Harmony in the County of Warren to amend Chapter 165 “zoning,” to create article XI “cannabis related businesses,” and to create Chapter 150, “taxation,” article I “cannabis transfer tax”

There were no public comments

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

Motion by Yamrock, seconded by Cornely and carried by roll call to adopt O:21-8  
Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: none

2. Motion by Yamrock, seconded by Cornely and unanimously carried by all in favor to open public hearing and consideration of O:21-9; an Ordinance of the Township of Harmony, County of Warren, State of New Jersey to amend, revise and supplement Chapter 156 “vehicles and traffic,” Section 33 “speed limits” of the code of the Township of Harmony to set a speed limit for Pleasant Hollow Road

There were no public comments

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

Motion by Yamrock, seconded by Cornely and carried by roll call to adopt O:21-9  
Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: none

Vouchers

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

Executive Session

Motion by Cornely, seconded by Yamrock and carried by roll call to enter into Executive Session for contractual purposes.  
Roll Call: Ayes: Tipton, Cornely, Yamrock Nays: none

**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:  
  
-Contractural
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

\_\_\_\_\_  
Kelley D. Smith  
Municipal Clerk

The meeting was reopened to the public at this time.

Resolution     Motion by Yamrock, seconded by Cornely and carried by roll call to adopt Resolution 21-36.  
Roll Call: Ayes: Tipton, Yamrock, Cornely   Nays: none

HARMONY TOWNSHIP  
WARREN COUNTY, NEW JERSEY  
R:21-36

**RESOLUTION OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY ACKNOWLEDGING THE MISTAKE IN TAX ASSESSMENT CLASSIFICATION OF BLOCK 7, LOT 11, HARMONY TOWNSHIP; ACCEPTING REIMBURSEMENT FOR PAST TAXES ACTUALLY DUE; AND DIRECTING THE MUNICIPAL TAX ASSESSOR TO CORRECT THE TAX RECORDS BY APPROPRIATELY ASSESSING THE SUBJECT PROPERTY AS “INDUSTRIAL” PROPERTY FOR TAX YEARS 2002 - 2021**

**WHEREAS**, the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (the “Act”) provides for certain qualified properties to be assessed as “farmland” for purposes of reducing the tax assessment of those qualifying properties; and

**WHEREAS**, at least a portion of Block 7, Lot 11 in Harmony Township (the “Property”) was assessed as “farmland” pursuant to the Act from 2002 - 2021; and

**WHEREAS**, the Property is the site of a former industrial gravel and sand mining operation; and

**WHEREAS**, as a result of the former industrial gravel and sand mining operation, the Property was contaminated with various chemicals and other contaminants as a result of the industrial use of the Property; and

**WHEREAS**, the Property is property classified as an industrial “brownfield” pursuant to relevant state law; and

**WHEREAS**, notwithstanding that the Property is an industrial “brownfield,” at least a portion of the Property has been “farmland” assessed since at least 2002 and through 2021; and

**WHEREAS**, it has been brought to the Committee’s attention that the “farmland” assessment of the Property for years 2002 to 2021 was in error, given the Property’s historic use and present “brownfield” status; and

**WHEREAS**, the owner of the property, or his designee, desires to reimburse the Township for the delta between what was paid by the owner of the property during the period that the Property was erroneously assessed as “farmland;” and

**WHEREAS**, the Township desires to accept such reimbursement; and

**WHEREAS**, the Township desires to direct the municipal tax assessor to correct the Township’s tax records to reflect that the Property should not have qualified as “farmland” assessed for the period of 2002 to 2021;

**NOW, THEREFORE, BE IT RESOLVED** by the Committee as follows:

1. The current owner of the Property has provided the Township with documents and additional information concerning the actual condition of the Property, which was not apparent from a simple physical inspection of the Property, such that it is evident that the Property should not have qualified for “farmland” assessment status at any time during the period of 2002 to 2021.
2. The municipal tax assessor is hereby directed to correct the Township’s tax records to reflect that the Property should have been assessed as “industrial” property for the period of 2002 to 2021.
3. The Township is authorized to accept reimbursement of the taxes due for the period of 2002 to 2021 representing the delta between what was paid by the owner of the property during that time period and what should have been paid if the property was appropriately assessed as “industrial” property.
4. The Township agrees that the amount of the reimbursement is \$194,624.76.
5. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.
6. This Resolution shall take effect immediately.

**CERTIFICATION**

I, Kelley D Smith, Clerk of the Township of Harmony, County of Warren, and State of New Jersey, DO HEREBY CERTIFY that this is a true and correct copy of a Resolution adopted by the Township Committee at a regular meeting held on August 19, 2021.

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Kelley Smith, RMC  
Municipal Clerk/Administrator

Public  
Comments     Jane Nemeth asked when Railroad Ave is going to be mowed. Committeeman Cornely said he will contact the DPW.

Manny Escalera said he wants to put this on record, Mr. Mayor, Committee, it is very disappointing when your constituents are trying to make a point and either they are dismissed or they are shut down, that’s not very polite in my opinion, everyone should have a voice, maybe if they are going into the conversation a little bit longer, present it in a nice way that we are running out of time, just don’t shut people down. You work for us, you guys represent us, remember that. Going forward have more respect with the people of the Township.

Linda VanSeters asked who owned the \$194,000 something in taxes. Attorney Campbell and Mayor Tipton stated that it is B7 L11 owned by Rich Hummer, Harmony Sand and Gravel or another LLC. Mrs. VanSeters inquired why is so much money due in back taxes. Attorney Campbell explained that they were classified as Farmland and should not have been so it is being corrected.

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

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Kelley D. Smith