

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 Deputy Mayor.

Roll Call Tipton, Cornely absent: Yamrock

Consent Motion by Cornely, seconded by Tipton and carried by
Agenda roll call to approve the consent agenda including the following:
Roll Call: Ayes: Tipton, Cornely Nays: none

Reports: Attorney, Engineer, Zoning
Minutes: June 1, 2021

Bingo: 21-1; Harmony Township Volunteer Fire Company

Raffle: 21-3; Harmony Township Volunteer Fire Company
21-4; Greenwich Township Booster Club
21-5; Harmony Township Volunteer Fire Company
21-6; Huntington Volunteer Fire Association

Resolutions:

**TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 21-29
RESOLUTION APPROVING THE ISSUANCE OF
AMUSEMENT GAMES LICENSES FOR OPERATION
AT THE WARREN COUNTY FARMERS’ FAIR**

WHEREAS, the Township of Harmony contains a place where an agriculture fair and exhibition is held by associations organized for the purpose of holding agricultural fairs and exhibitions which is approved by the State Department of Agriculture; and

WHEREAS, upon proper applications having been submitted and the appropriate fees having been paid;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony, Warren County, New Jersey that the following named applicants are hereby licensed by the Township of Harmony pursuant to the “Amusement Games Licensing Law” for games mentioned in the following applications:

<u>No.</u>	<u>Applicant</u>	<u>Game</u>
21-1	Fred McDaniel McDaniel Brothers Shows, Inc 20 MacArthur Ave. Garfield, NJ 07025	Shoot Star
21-2	Fred McDaniel McDaniel Brothers Shows, Inc 20 MacArthur Ave. Garfield, NJ 07025	Gold Fish
21-3	Fred McDaniel McDaniel Brothers Shows, Inc	Water Race Game

**20 MacArthur Ave.
Garfield, NJ 07025**

**21-4 Fred McDaniel Pop A Balloon
McDaniel Brothers Shows, Inc
20 MacArthur Ave.
Garfield, NJ 07025**

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to forward the applications and fees to the Legalized Games of Chance Control Commission for issuance of said licenses for operation at the Warren County Farmers' Fair, July 31, 2021 through August 7, 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 duly adopted by the Harmony Township Committee on July 6, 2021.

Courtney Morrow, Deputy
Municipal Clerk

RESOLUTION 21-30

RESOLUTION APPROVING TAX APPEAL SETTLEMENT WITH MERRILL CREEK

WHEREAS, Merrill Creek Reservoir is the owner of property known as Block 20, Lot 1, Q0101; Block 21, Lot 1; Block 24, Lots 1, 23, and 6; Block 300, Lot 2.01; Block 38, Lot 4; Block 39, Lot 35 and Block 9, Lots 56 and 57 on the Tax Map of the Township of Harmony; and

WHEREAS, there is located on said property a reservoir, dam and related structures and buildings; and

WHEREAS, Merrill Creek Reservoir had filed tax appeals for tax years 2011, 2012 and 2013 which were tried and decided by the State Tax Court and affirmed by the Appellate Division; and

WHEREAS, Merrill Creek Reservoir has filed a tax appeal contesting the assessment on said property for the years 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021; and

WHEREAS, the combined assessment of the properties has been assessed at an amount of \$220,725,900.00; and

WHEREAS, the Township did retain the services of an outside appraiser, Louis Izenberg; and

WHEREAS, the tax payer produced an expert report with reference to its appraisal of the property; and

WHEREAS, the data was reviewed by the professional appraiser, as well as the Township Tax Assessor; and

WHEREAS, a settlement was negotiated, which has been recommended by the Township Attorney, the Tax Assessor and the outside appraiser; and

WHEREAS, the settlement was recommended as a way to resolve eight years of tax appeals without the need for a costly trial and also to set a value going forward for five additional years; and

WHEREAS, the Township is desirous of confirming said settlement;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, that the settlement attached hereto is hereby approved.

BE IF FURTHER RESOLVED that the Township Attorney is authorized to sign the settlement Agreement on behalf of the Township of Harmony.

ATTEST: **TOWNSHIP OF HARMONY**

KELLEY SMITH, CLERK

BRIAN TIPTON, MAYOR

DATED:

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 the 6th day of July 2021.

KELLEY SMITH, CLERK

Correspondence

1. Township of White: copy of Ordinance No. 2021-06; prohibiting the operation of any class of cannabis business within its geographical boundaries and amending section.
2. Township of Franklin: notice of Ordinance No. 2021-05; amend chapter 90, article I, section 90-3, definitions, and article VIII, zoning, section 90-58B, off-street parking requirements.
3. NJILGA: Letter regarding work they do for municipalities.
4. Email from Jerry Fisher regarding the speeding on Railroad Ave. Committee recommended that they call the NJSP when this is happening.

New
Business

1. Motion by Cornely, seconded by Tipton and unanimously carried by all in favor to rescind Resolution 21-19; person to person transfer.
2. Motion by Tipton, seconded by Cornely and unanimously carried by all in favor to Introduce Ordinance 21-9

ORDINANCE NO. 21-8
HARMONY TOWNSHIP
WARREN COUNTY, NEW JERSEY

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.

WHEREAS, the Committee of the Township of Harmony has received a request from a resident to reduce the speed limit on Pleasant Hollow Road; and

WHEREAS, Pleasant Hollow Road is a very small street that connects to Harmony Brass Castle Road on both ends which should be driven as slow as possible; and

WHEREAS, the lowest speed restriction available to the Township is 25mph; and

WHEREAS, the Committee of the Township of Harmony, County of Warren, State of New Jersey, has determined that Chapter 156 “Vehicles and Traffic,” Section 33 “Speed Limits” of the Code of the Township of Harmony shall be amended, revised and supplemented to set the speed limit for Pleasant Hollow Road to 25 mph.

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of Harmony, County of Warren, State of New Jersey that Chapter 156 “Vehicles and Traffic,” Section 33 “Speed Limits,” of the Code of the Township of Harmony shall be amended, revised and supplemented as follows:

Section 1:

§ 156-33B shall be amended to add the following street to the list of speed restricted streets:

<u>Name of Street</u>	<u>Speed Limit (mph)</u>	<u>Limits</u>	<u>Approval Date</u>
Pleasant Hollow Rd	25	Entire length	7/6/21

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 6:

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 July 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 August 3rd 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 unanimously carried by all in favor to open public comments to Ordinance No. 21-7; an Ordinance Appropriating up to \$10,000 from the Capital Improvement Fund for upgrades to IT services.

There were no public comments

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

Motion by Cornely, seconded by Tipton and unanimously carried by all in favor to adopt Ordinance No. 21-7

2. Motion by Cornely, seconded by Tipton and unanimously carried by all in favor to the Termination of Redeveloper's Agreement with Montesano and to approve return of remaining escrow funds balance.

Vouchers Motion by Cornely, seconded by Tipton and carried unanimously by all in favor to approve payment as designated by the Finance Officer.

Public

Comment Butch VanSetters- Commented negatively on the Cannabis ordinance
John McKernon- Has a concern with smell from Cannabis facility
Linda VanSetters- Commented she sent letters regarding concerns from a Cannabis facility. Wanted to know if they were received.

Presentation Warren County Habitat for Humanity presented information regarding a proposed 3D house construction on the Brainards Lot. Committee indicated to them that it would need DCA approval more so than Committee.

Adjourn Motion by Cornely, seconded by Tipton and carried by all in favor to adjourn the meeting at this time.

Kelley Smith, Municipal Clerk