

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, Yamrock, Cornely

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

Reports Attorney, Engineer, Zoning

Minutes January 5, 2021, January 26, 2021, February 17, 2021

Resolutions

**TOWNSHIP OF HARMONY  
 WARREN COUNTY, STATE OF NEW JERSEY  
 R:21-15  
 BUDGET TRANSFER – APPROPRIATION RESERVES**

**WHEREAS**, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

**WHEREAS**, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer of Harmony Township, County of Warren, State of New Jersey, is hereby instructed to adjust the financial records in accordance with the provision of this Resolution:

<b>CURRENT FUND</b>		
<b><u>Account:</u></b>	<b><u>From:</u></b>	<b><u>To:</u></b>
Municipal Clerk O/E	\$3,500.00	
General Admin OE		\$1,100.00
Buildings & Grounds O/E		\$1,200.00
Electricity		\$1,200.00
<hr/>		
<b>TOTALS</b>	<b>\$3,500.00</b>	<b>\$3,500.00</b>

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 March 2, 2021.

Kelley D. Smith  
 Municipal Clerk

Correspondence

1. Notice from White Township; Notice of Ordinance Introductions 2021-01; 2021-02; 2021-03.

2. Municipal Planning Incentive Grant Fiscal Year 2021 Appropriation Announcement.
3. Letter from State Planning Commission announcing the adoption of R20-12 endorsing the Highlands Regional Master Plan.
4. JCP&L; Notice of public hearing seeking BPU approval of advanced metering infrastructure program.

New  
Business

1. The application and public hearing for Harmony Sand and Gravel was considered.

Motion by Yamrock, seconded Cornely and unanimously carried by roll call to approve Harmony Sand and Gravel 2021 Operating Permit Application.

Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: none

2. Motion by Yamrock, seconded by Cornely and unanimously carried by roll call to authorize the Mayor and Clerk to execute the 2021 agreement between the Township of Harmony and The Land Conservancy of New Jersey in the amount of \$11,000.00.

Roll Call: Ayes: Tipton, Cornely, Yamrock Nays: None

3. Motion by Cornely, seconded by Yamrock and unanimously carried by roll call to open discussion/public comment on the transfer the Plenary Retail Consumption License #2110-33-008-004 from Hutchinson Del River Inc. to Gina McRoberts for premises located at 2929 Hutchinson River Road, Phillipsburg, NJ 08865 dba "The Hutch."

Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: None

There where no public comments and nothing was submitted in writing.

Motion by Cornely, seconded by Yamrock and unanimously carried by roll call to adopt Resolution R:21-12; Person to Person Transfer.

Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: None

Harmony Township, Warren County  
State of New Jersey

**R:21-12**

**Person to Person Transfer**

**WHEREAS**, an application has been filed for a person to person transfer of Plenary Retail Consumption License #2110-33-008-004, heretofore issued to the Corporation name of Hutchinson Del River Inc. and dba The Hutch for premises located at 2929 Hutchinson River Road, Harmony Township, Warren County, New Jersey;

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

**NOW, THEREFORE BE IT RESOLVED** that the Harmony Township Governing Body does hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Gina McRoberts in the Corporation name of Hutchinson Del River Inc. and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to Gina McRoberts in the Corporation name of Hutchinson Del River Inc. and dba The Hutch.

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify that the attached Resolution is a true and correct copy of Resolution adopted and approved by unanimous vote of the Harmony Township Governing Body at their regularly scheduled meeting held on March 2, 2021.

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

4. Motion by Yamrock, seconded by Cornely and unanimously carried by roll call to adopt Resolution R:21-14.

Roll Call: Ayes: Tipton, Cornely, Yamrock Nays: None

Harmony Township  
Warren County, New Jersey  
R:21-14

RESOLUTION COMBINING BONDS  
AGGREGATING THE PRINCIPAL SUM OF  
\$3,275,000 AUTHORIZED BY TWO BOND  
ORDINANCES HERETOFORE ADOPTED TO  
FINANCE PART OF THE COST OF VARIOUS  
GENERAL IMPROVEMENTS IN THE TOWNSHIP  
OF HARMONY, COUNTY OF WARREN, NEW  
JERSEY INTO ONE CONSOLIDATED ISSUE OF  
BONDS AND PROVIDING FOR THE FORM,  
MATURITIES AND OTHER DETAILS OF SAID  
CONSOLIDATED ISSUE.

WHEREAS, the Township Committee of the Township of Harmony, in the County of Warren, New Jersey (the "Township"), has heretofore adopted two ordinances authorizing bonds to finance part of the cost of various general improvements in said Township; and

WHEREAS, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount of \$3,275,000 and it is deemed advisable and in the best interests of the Township, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said two ordinances into one consolidated issue in the aggregate principal amount of \$3,275,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HARMONY IN THE COUNTY OF WARREN, NEW JERSEY that:**

- Section 1. There shall be issued bonds of the Township in the following principal amounts pursuant to the following bond ordinances:

- A. \$2,800,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 10-2)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$6,000,000 FOR THE ACQUISITION OF PROPERTY BY AND FOR THE TOWNSHIP OF HARMONY IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$5,714,000 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 40 years.

- B. \$475,000 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 17-10)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$500,000 FOR THE ACQUISITION OF A PUMPER FIRE TRUCK BY AND FOR THE TOWNSHIP OF HARMONY IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$475,000 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

Section 2.

The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$3,275,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in subsections A through B of Section 1 shall each be designated “General Obligation Bonds, Series 2021” and shall be numbered with the prefix G from one consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of the General Obligation Bonds, Series 2021. Individual purchases of beneficial interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$5,000 each or any integral multiple thereof.

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the first day April in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2022	\$295,000	2027	\$330,000
2023	305,000	2028	340,000
2024	310,000	2029	345,000
2025	320,000	2030	350,000

The Bonds maturing on or prior to April 1, 2029 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after April 1, 2030 shall be subject to redemption prior to their respective maturity dates, on or after April 1, 2029 at the option of the Township, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said General Obligation Bonds, Series 2021 are to be issued, taking into consideration the amount of such General Obligation Bonds, Series 2021 to be issued for said improvements or purposes, is 35.64 years.

Section 4. The Bonds shall bear interest from their date based on their outstanding principal amount at a rate to be determined as hereinafter set forth in Section 6 of this resolution, shall be payable as to principal in lawful money of the United States of America at the administration office of the Township in Harmony, New Jersey, payable semi-annually on the 1st day of April and October in each year until maturity or prior optional redemption, commencing on October 1, 2021, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding September 15 and March 15. Interest on the Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations to be executed by the Township and DTC. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

Section 5. The Bonds shall be signed by the Mayor and the Township Chief Financial Officer, by their manual or facsimile signatures, and the

corporate seal of the Township shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Township.

Section 6. The Township Chief Financial Officer is hereby authorized and directed to take all actions necessary to offer the Bonds for public sale upon the submission of electronic proposals in accordance with all applicable statutes and to determine in his discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale. The Township Chief Financial Officer is further hereby authorized and delegated the authority to sell and award the Bonds in accordance with the terms of the Notice of Sale and directed to report in writing to the Township Committee at the next meeting succeeding the date when any sale or delivery of the Bonds pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The "Notice of Sale" shall comply in all respects with the applicable statutes relating thereto and shall be substantially in the form attached hereto as Exhibit A, with such additions, modifications or deletions as determined by the Township Chief Financial Officer. The Notice of Sale shall be published in a newspaper published and circulated in the Township as the Township Chief Financial Officer may select and a summary of the Notice of Sale shall be published in The Bond Buyer at least once at least seven (7) days prior to the date of public sale. The Township Chief Financial Officer is authorized and delegated the authority to postpone a public sale without readvertisement in accordance with all applicable statutes relating thereto.

Section 7. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

No. 2021 G-\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY

TOWNSHIP OF HARMONY,  
IN THE COUNTY OF WARREN

GENERAL OBLIGATION BOND, SERIES 2021

Date of Bond: April 13, 2021

Principal Amount: \$

Date of Maturity: April 1, 20\_\_

CUSIP:

The TOWNSHIP OF HARMONY, a municipal corporation of the State of New Jersey, (the "Township") hereby acknowledges itself indebted and for value received promises to pay to Cede & Co. or registered assigns, the sum specified above as the Principal Amount on the date specified above as the Date of Maturity, upon presentation and surrender of this Bond, and to pay to the registered owner hereof interest on such sum, from the Date of Bond specified above until the Date of Maturity specified above, at the rate of \_\_\_\_\_ and \_\_\_\_\_ Hundredths per centum (\_\_\_\_%) per annum payable on October 1, 2021 and thereafter semi-annually on the 1st day of April and October in each year. Principal of this Bond will be paid in lawful money of the United States of America, at the administration office of the Township in Harmony, New Jersey. Interest on this Bond will be payable in lawful money of the United States of America by check or draft mailed on such interest payment date to the registered owner hereof as shown on the books of the Township kept for such purpose by the Chief Financial Officer of the Township (the "Bond Registrar") as of the fifteenth day of the month preceding the month in which the

payment of interest is to be made. All of the bonds, of which this Bond is one, shall be initially issued as one fully registered bond for each maturity in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company (“DTC”). Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations executed by the Township and DTC relating to the Bonds. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the Bonds is the responsibility of the DTC participants.

The Bonds maturing on or prior to April 1, 2029 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after April 1, 2030 shall be subject to redemption prior to their respective maturity dates, on or after April 1, 2029 at the option of the Township, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the “Redemption Price”), plus in each case accrued interest thereon to the date fixed for redemption. Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed. This Bond is transferable only upon the books of the Bond Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or such duly authorized attorney, and thereupon the Township shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount, series, designation, maturity and interest rate as the surrendered bond. The Township and any paying agent of the Township may treat and consider the person in whose name this Bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever. This Bond is one of an authorized issue of bonds of the Township and is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey, a resolution of the governing body of the Township entitled: “Resolution Combining Bonds Aggregating the Principal Sum of \$3,275,000 Authorized by Two Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in the Township of Harmony, County of Warren, New Jersey Into One Consolidated Issue of Bonds and Providing for the

Form, Maturities and Other Details of Said Consolidated Issue,” adopted March 2, 2021 and by virtue of certain bond ordinances referred to therein. The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Bond according to its terms. This Bond shall not be or be deemed to be a debt or liability of the State of New Jersey or a pledge of the faith and credit of the State of New Jersey. It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Township, does not exceed any limitation imposed thereon by said Constitution or statutes. In the event the Township determines that the beneficial owners of the Bonds (the actual purchasers of the Bonds) shall be able to obtain certificated bonds, the Township shall notify DTC of the availability of bond certificates. In such event, the Township will appoint a paying agent and the Township will issue, transfer and exchange bond certificates in appropriate amounts as required by DTC and others. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving a reasonable amount of notice in writing to the Township. In the event of such determination, if the Township fails to identify another qualified securities depository as Successor to DTC, the Township will appoint a paying agent and the Township will issue and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the Township to do so, the Township will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any DTC participant (participants of DTC) having bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

IN WITNESS WHEREOF, THE TOWNSHIP OF HARMONY has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Township Chief Financial Officer, and its corporate seal (or facsimile thereof) to be affixed, imprinted or reproduced hereon, and this Bond and said seal to be attested by the manual or facsimile signature of the Township Clerk, and this Bond to be dated the 13th day of April, 2021.

Attest:

By: \_\_\_\_\_  
 Brian Tipton  
 Mayor

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

By: \_\_\_\_\_  
 Kathleen Reinalda,  
 Chief Financial  
 Officer

The following abbreviations, when used in the inscription on this bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

TEN COM	as tenants in common	UNIF GIFT MIN ACT
TEN ENT	as tenants by the entireties	____Custodian____ (Cust) (Minor)
JT TEN	as joint tenants withunder right of survivorship and not as tenants in common	Uniform Gifts to Minors Act  (State)



ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE (FOR COMPUTER RECORD ONLY)

\_\_\_\_\_  
(Please Print or Typewrite Name and Address of Transferee)

\_\_\_\_\_  
the within bond, and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_  
Attorney, to transfer the within bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the first page of the within bond in every particular, without alteration or enlargement or any change whatever.

CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Township of Harmony, New Jersey hereby certifies that a true and correct copy of the original legal opinion of the law firm of Gibbons P.C., Newark, New Jersey as to the validity of the issue of Bonds of which the within bond is one is available for inspection at the Office of the Clerk of the Township of Harmony, New Jersey and a copy thereof may be obtained by the registered or beneficial owner hereof upon request.

\_\_\_\_\_  
Township Clerk

Section 8. The Township Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of Gibbons P.C. (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Township Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Bonds by the CUSIP Global Services, which is managed on behalf of the American Bankers Association by S&P Global Market Intelligence, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

Section 9. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to DTC on behalf of the successful bidder and the payment of

the purchase price thereof in accordance with the Notice of Sale, the Township Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said successful bidder (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of Gibbons P.C. as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 10. The proceeds of the Bonds shall be applied in the amounts and for the purpose provided in Section 1 hereof, and to pay and fund any bond anticipation notes theretofore issued for such purpose and then outstanding.

Section 11. The Mayor and Township Chief Financial Officer are hereby authorized and directed to approve the Preliminary Official Statement of the Township issued in connection with the Bonds, the Official Statement of the Township issued in connection with the Bonds, the Notice of Sale and the DTC Letter of Representation and their use in connection with the sale of the Bonds and are further authorized, as is the Township Clerk, to execute all documents, including, but not limited to, the Continuing Disclosure Certificate, the Preliminary Official Statement, the Official Statement, the Notice of Sale and the DTC Letter of Representation, necessary for the sale and delivery of said Bonds.

Section 12. An amount of the Bonds equal to \$0 are hereby designated as "Qualified Tax-Exempt Obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") (relating to an exception to the disallowance of the deduction of interest expense of certain financial institutions allocable to tax-exempt interest). The Township Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the Bonds. In calendar year 2021, there are no entities that will be subject to substantial control by the Township. Accordingly, there are no entities "subordinate" to the Township (within the meaning of Section 265(b) of the Code) in calendar year 2021. There are no entities which issue obligations "on behalf of" the Township. No entities have been or will be "formed or availed of" (within the meaning of Section 265(b)(3)(E)(iii) of the Code) in calendar year 2021 for the purpose of issuing tax-exempt obligations to avoid the aggregation rules of Section 265(b)(3) of the Code.

The aggregate amount of tax-exempt obligations issued by the Township during calendar year 2021 prior to the date of issuance of the Bonds, together with the aggregate amount of the Bonds, will not exceed \$10,000,000. The Township reasonably anticipates that the aggregate amount of new money tax-exempt obligations issued and to be issued in calendar year 2021 by the Township, all entities subordinate to the Township, and all entities which issue Bonds on behalf of the Township will not exceed \$10,000,000.

For purposes of calculating the amount of tax-exempt obligations issued or to be issued by the Township during the 2021 calendar year, the Township shall take into account all tax-exempt obligations issued by the Township, all tax-exempt obligations issued by any issuers which issue obligations "on behalf of" the Township and all tax-exempt obligations issued by any entities "subordinate" to the Township except the following: (i) private activity bonds, other than qualified 501(c)(3) bonds (within the meaning of Sections 141 and 145 of the Code); (ii) obligations issued to refund (other than to advance

refund within the meaning of Section 149(d) of the Code) obligations, to the extent that the amount of the refunding obligations do not exceed the outstanding amount of the refunded obligations, provided that (A) the average maturity of the issue of which the original qualified tax-exempt obligation was a part (and the issue of which the obligation to be refunded is a part) is three years or less, and (B) the refunding obligations have a final maturity date no more than thirty (30) years after the date the original tax-exempt obligation was issued; and (iii) in the case of an issue of tax-exempt obligations with respect to which more than one governmental unit receives benefits, if all of the governmental entities receiving benefits from such issue irrevocably agree (before the date of issuance of such issue) on an allocation of the amount of such issue which bears a reasonable relationship to the benefits received by such entities, only the amount of such issue allocated to the Township need be taken into account. For purposes of this Section, the term "tax-exempt obligations" includes financing leases and any other debt arrangements, however labeled, constituting tax-exempt obligations under Section 265(b)(3) of the Code.

An amount of the Bonds equal to \$3,275,000, representing the difference between the aggregate principal amount of the Bonds of \$3,275,000 and the amount of Bonds equal to \$0 that is hereby designated as "Qualified Tax-Exempt Obligations," is deemed designated as "Qualified Tax-Exempt Obligations" under Section 265(b)(3) of the Code

Section 13. 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 adopted by the Harmony Township Committee at a meeting held on March 2, 2021.

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

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:

EXHIBIT A

TOWNSHIP OF HARMONY,  
IN THE COUNTY OF WARREN,  
NEW JERSEY

NOTICE OF SALE OF  
\$3,275,000  
GENERAL OBLIGATION BONDS, SERIES 2021  
(BOOK-ENTRY BONDS) (BANK-QUALIFIED) (CALLABLE)

ELECTRONIC PROPOSALS (the "Proposals"), via BiDCOMP/PARITY Competitive Bidding System ("PARITY") only, will be received by the Chief Financial Officer of the Township of Harmony in the County of Warren, New Jersey (the "Township"), on April \_\_, 2021 until 11:00 a.m., New York City time, at which time they will be announced, for the purchase of all, but not less than all, of the Township's General Obligation Bonds, Series 2021 (the "Bonds").

Bidders are required to submit their Proposal for the purchase of the Bonds in accordance with the terms of the Notice of Sale.

**Principal Amortization**

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the first day April in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2022	\$295,000	2027	\$330,000
2023	305,000	2028	340,000
2024	310,000	2029	345,000
2025	320,000	2030	350,000
2026	325,000	2031	355,000

**Interest Payment Dates**

The Bonds will be dated the date of delivery (which is expected to be April 13, 2021) and will bear interest at the rate per annum specified by the Successful Bidder (as hereinafter defined) therefor in accordance herewith, payable on October 1, 2021 and semi-annually thereafter on the first day April and October in each year until maturity or prior optional redemption.

**Optional Redemption Provisions**

The Bonds maturing on or prior to April 1, 2029 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after April 1, 2030 shall be subject to redemption prior to their respective maturity dates, on or after April 1, 2029 at the option of the Township, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the “Redemption Price”), plus in each case accrued interest thereon to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

**Book-Entry-Only System**

As long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC, which will credit payments of principal of and interest on the Bonds to the DTC participants as listed in the records of DTC as of each next preceding March 15 and September 15, respectively (the “Record Dates” for

payment of interest on the Bonds), which participants will in turn credit such payments to the beneficial owners of the Bonds.

All bidders of the Bonds must be participants of The Depository Trust Company, New York, New York (“DTC”) or affiliated with its participants. The Bonds will be issued in fully registered form, and when issued will be registered in the name of and held by Cede & Co., as the registered owner thereof and nominee for DTC, an automated depository for securities and clearinghouse for securities transactions.

Individual purchases of beneficial ownership interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$5,000 each or any integral multiple thereof. It shall be the obligation of the Successful Bidder to furnish to DTC an underwriter’s questionnaire and the denomination of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

In the event that either DTC determines not to continue to act as securities depository for the Bonds or the Township determines that the beneficial owners of the Bonds be able to obtain bond certificates, the Township will appoint a paying agent and will issue and deliver replacement Bonds in the form of fully registered certificates.

### **Electronic Bidding Procedures**

Bids may be submitted electronically via PARITY in accordance with this Notice of Sale, until 11:00 a.m., New York City time, on April \_\_, 2021, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at (212) 849-5021. In the event that a bid for the Bonds is submitted via PARITY, the bidder further agrees that:

1. The Township may regard the electronic transmission of the bid through PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the various maturities of the Bonds, the initial public offering price of each maturity and any other information included in such transmission) as though the same information were submitted directly to the Township and executed by a duly authorized signatory of the bidder. If a bid submitted electronically by PARITY is accepted by the Township, the terms of the Proposal for Bonds and this Notice of Sale and the information that is electronically transmitted through PARITY shall form a contract, and the Successful Bidder shall be bound by the terms of such contract.
2. PARITY is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the Township or information provided by the bidder.
3. The Township may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m. (New York City Time) on the last business date prior to the bid date set forth above.
4. Once the bids are communicated electronically via PARITY to the

Township as described above, each bid will constitute a Proposal for Bonds and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all Proposal for Bonds, electronically via Parity, the time as maintained on PARITY shall constitute the official time.

5. Each bidder choosing to bid electronically shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor Parity shall have any duty or obligation to undertake such registration to bid for any prospective bidder or to provide or assure access to any qualified prospective bidder, and neither the Township nor Parity shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by PARITY. The Township is using PARITY as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

### **Bid Specifications**

Each Proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for and the rate or rates named must be multiples of one-eighth or one-twentieth of one per centum.

Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the rates that may be named. The difference between the highest and lowest rates of interest named in the Proposal shall not exceed three percent (3%). Each Proposal submitted must be for all of the Bonds and the purchase price specified in the proposal must be not less than 100% of the aggregate par value of the Bonds or for more than 103% of the aggregate par value of the Bonds.

### **Award, Delivery And Payment**

The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed, as to each bid, by doubling the semiannual interest rate (compounded semiannually) necessary to discount the debt service payments from the payment dates to the date of the Bonds and the price bid, excluding accrued interest to the delivery date. No Proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest true interest cost to the Township under any legally acceptable proposal. If two or more such bidders offer to pay the lowest true interest cost, then the Bonds will be sold to one of such bidders selected by lot from among all such bidders. The bidder to which the Bonds are awarded (in the manner specified above) is herein referred to as the "Successful Bidder."

It is expected that delivery of the Bonds to DTC and payment for the Bonds will take place on or about, April 13, 2021 at the offices of Gibbons P.C., bond counsel to the Township ("Bond Counsel"), in Newark, New Jersey or at such other place as may be agreed upon with the Successful Bidder. The Bonds will be delivered to DTC in single denominations for each maturity of each type of bond.

**PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.**

## **Change of Bid Date and Closing Date**

The Township reserves the right to postpone, from time to time, the date established for the receipt of bids and will undertake to notify registered prospective bidders via notification published on Thomson Municipal Market Monitor ("TM3") ([www.tm3.com](http://www.tm3.com)). Prospective bidders may request notification by facsimile transmission of any such changes in the date or time for the receipt of bids by so advising, and furnishing their telecopier numbers to the Chief Financial Officer of the Township at (908) 213-1600 ext. 10, by 12:00 Noon, New York City time, on the day prior to the announced date for receipt of bids. In addition, the Township reserves the right to make changes to this Notice of Sale. Such changes will be announced on the TM3.

A postponement of the bid date will be announced via TM3 not later than 11:00 a.m., New York City time, on the last business day prior to any announced date for receipt of bids, and an alternative sale date and time will be announced via TM3 by Noon, New York City time, not less than forty-eight (48) hours prior to such alternative date for receipt of bids.

On any such alternative date and time for receipt of bids, the Township will accept electronic bids for the purchase of the Bonds, such bids to conform in all respects to the provisions of this Notice of Sale, except for the changes in the date and time for receipt of bids and any other changes announced via TM3 at the time the date and time for receipt of bids are announced.

## **Right To Reject Bids; Waive Irregularities**

The right is reserved to reject all bids, and any bid not complying with the terms of this Notice of Sale will be rejected. The Township reserves the right to reject any or all Proposals and so far as permitted by law, to waive any irregularity or informality in any or all Proposals.

## **Good Faith Deposit**

A good faith deposit (the "Deposit"), in the form of an electronic transfer of immediately available federal funds in accordance with the wiring instructions contained in the immediately succeeding paragraph, in the amount of \$65,500 is required for each bid for the Bonds to be considered.

Bidders shall contact Kathleen Reinalda, Chief Financial Officer of the Township, at telephone (908) 213-1600 ext. 10 or [cfo@harmonytwp-nj.gov](mailto:cfo@harmonytwp-nj.gov), for wire instructions with respect to transmittal of such funds to the Township.

Such funds must be received in the account identified immediately above no later than 11:00 a.m. New York City time on the date for receipt of bids, and must be accompanied by detailed wiring instructions for the return thereof in the event that such bidder is not the Successful Bidder. Please note that the contact information provided immediately above should be used by bidders for the purposes of confirming receipt of electronic transfer of funds and the transmittal of instructions for the return of such electronic transfers of funds in the event such bidder is not the Successful Bidder. Electronic transfers of funds of unsuccessful bidders for the Bonds will be returned upon award of the Bonds. It is the intent of the Township that electronic transfers of funds will be returned via wire transfer to the unsuccessful bidders not later than 5:00 p.m. on the date for receipt of

bids, provided that wiring instructions have been provided by such unsuccessful bidder at the time of transmission of the Deposit to the Township. The Township shall not bear any liability for any delay that may occur in the return of an electronic transfer of the Deposit to an unsuccessful bidder. Interest earned on the Deposit will be credited to the Township and will not be available to the Successful Bidder for the Bonds.

The Deposit of the Successful Bidder will be collected and the proceeds thereof retained by the Township to be applied in partial payment for the Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the Successful Bidder shall fail to comply with the terms of its respective bid, the proceeds thereof will be retained as and for full liquidated damages. Award of the Bonds to the Successful Bidder or rejection of all bids is expected to be made within five hours after opening of the bids, but such Successful Bidder may not withdraw its Proposal for Bonds until after 5:00 p.m. of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

### **Bond Insurance**

If the Bonds qualify for issuance of any policy of municipal bond insurance, any purchase of such policy shall be at the sole option and expense of the Successful Bidder. If the Bonds are to be insured, the Successful Bidder shall pay the premium therefor prior to the delivery of the Bonds. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not in any way relieve the Successful Bidder of its contractual obligations arising from the acceptance of its Proposal for Bonds for the purchase of the Bonds.

### **CUSIP Numbers**

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the Successful Bidder to accept delivery of and pay for the Bonds. The CUSIP Global Services charges for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the Successful Bidder. **ONE SERIES OF CUSIP NUMBERS WILL BE ASSIGNED TO THE BONDS.**

### **Establishment of Issue Price**

**(10% Test to Apply if Competitive Sale Requirements are Not Satisfied)**

The Successful Bidder shall assist the Township in establishing the issue price of the Bonds and shall execute and deliver to the Township at Closing an “issue price” or similar certificate, setting forth the reasonably expected initial offering price to the Public or the sales price or prices of the Bonds, together with supporting pricing wires or equivalent communications, substantially in the form prepared by and available from Bond Counsel, with such modifications as may be appropriate or necessary, in the reasonable judgment of the Successful Bidder, the Township and Bond Counsel. All actions to be taken by the Township under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the Township by the Township’s municipal advisor identified herein, if any, and any notice or report to be provided to the Township may be provided to the Township’s municipal advisor.

The Township intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of



establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “Competitive Sale Requirements”) because: (1) the Township shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters; (2) all Bidders shall have an equal opportunity to bid; (3) the Township may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and (4) the Township anticipates awarding the sale of the Bonds to the Bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. By submitting a bid, bidders are deemed to have certified that they have an established industry reputation as a regular purchaser or underwriter of tax-exempt obligations such as the Bonds.

In the event that the Competitive Sale Requirements are not satisfied, the Township shall so advise the Successful Bidder. The Township shall treat the first price at which 10% of a Maturity of the Bonds (the “10% Test”) is sold to the Public as the issue price of that Maturity, applied on a Maturity-by-Maturity basis (and if different interest rates apply within a Maturity, to each separate CUSIP number within that Maturity). The Successful Bidder shall advise the Township if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the Bonds. The Township will not require Bidders to comply with the “hold-the-offering-price rule” and therefore does not intend to use the initial offering price to the Public as of the sale date of any Maturity of the Bonds as the issue price of that Maturity. Bids will not be subject to cancellation in the event that the Competitive Sale Requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% Test in order to establish the issue price of the Bonds.

If Competitive Sale Requirements are not satisfied, then until the 10% Test has been satisfied as to each Maturity of the Bonds, the Successful Bidder agrees to promptly report to the Township the prices at which the unsold Bonds of that Maturity have been sold to the Public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that Maturity have been sold or (ii) the 10% Test has been satisfied as to the Bonds of that Maturity, provided that, the Successful Bidder’s reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Township or Bond Counsel, and evidenced by a Supplemental Issue Price Certificate.

By submitting a bid, each Bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the Bidder is a party) relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable,

- (A) to report the prices at which it sells to the Public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that Maturity allocated to it have been sold or it is notified by the Successful Bidder that the 10% Test has been satisfied as to the Bonds of that Maturity, provided that, the reporting obligation after the Closing Date may be at reasonable

periodic intervals or otherwise upon request of the Successful Bidder,

- (B) to promptly notify the Successful Bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the Public, and
- (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the Successful Bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the Public.
- (ii) any agreement among underwriters or selling group agreement, relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the Public to require each broker-dealer that is a party to such third-party distribution agreement to report the prices at which it sells to the public the unsold Bonds of each Maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the Successful Bidder or such underwriter that the 10% Test has been satisfied as to the Bonds of that Maturity, provided that of that the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Successful Bidder or such underwriter.

Sales of any Bonds to any person that is a related party to an Underwriter participating in the initial sale of the Bonds to the Public shall not constitute sales to the Public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale: (a) *Maturity* means Bonds with the same credit and payment terms. Bonds with different Maturity dates, or Bonds with the same Maturity date but different stated interest rates, are treated as separate Maturities; (b) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly; (c) *Sale Date* means the first day on which the Bonds are awarded by the Township to the Successful Bidder; (d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Township (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third party distribution agreement participating in the initial sale of the Bonds to the Public).

### **Legal Opinions**

The obligations hereunder to pay for and to accept delivery of the Bonds shall be conditioned on the availability and the delivery at the time of delivery of the Bonds of the approving opinion of the law firm of Gibbons P.C., Newark, New Jersey, bond counsel to the Township, which will be furnished without cost to the Successful Bidder, substantially in the form set forth in the Official Statement distributed in preliminary form in connection with the sale of the Bonds. Such opinion shall state to the effect that the Bonds are valid and legally binding obligations of the Township, and that all the taxable property therein will be subject to the levy of ad valorem taxes, without

limitation as to rate or amount, to pay the principal of the Bonds and the interest thereon; and will also state that under existing law, interest on the Bonds is excluded from gross income for purposes of Federal income taxation. The obligations hereunder to pay for and to accept delivery of the Bonds shall be further conditioned on the availability and delivery to the Successful Bidder, at the time of delivery of the Bonds, of (i) certificates from the Township Chief Financial Officer in form satisfactory to Bond Counsel evidencing the proper execution and delivery of the Bonds, the receipt of payment therefor and the fact the Bonds will not be arbitrage obligations within the meaning of the Code; (ii) a certificate from the Township Attorney, in form and tenor satisfactory to Bond Counsel and dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened affecting the validity of the Bonds; and (iii) a certificate from the Township Chief Financial Officer, in form and tenor satisfactory to Bond Counsel and dated as of the date of such delivery, to the effect that to the best of his knowledge of such and belief, and after reasonable investigation: (1) neither the Official Statement relating to the Bonds nor any amendment, or supplement thereto contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein, in the light of the circumstances in which they were made, not misleading; (2) since the date of the Official Statement (or the date of the most recent amendment or supplement thereto) no event has occurred which would make the statements therein untrue or, in the light of the circumstances in which they were made, misleading, and (3) there has not been any material adverse change in the operation or financial affairs of the Township since the date of such Official Statement.

### **Concerning The Preliminary Official Statement**

The Township has issued an Official Statement with respect to the sale of the Bonds in preliminary form (the "Preliminary Official Statement") which the Township has deemed final as of its date for purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934 ("Rule 15c2-12"), except for certain omissions permitted thereunder and except for changes permitted by other applicable law.

The Preliminary Official Statement may be accessed via the Internet at [www.i-dealprospectus.com](http://www.i-dealprospectus.com). A printed version is also available upon request made to the Chief Financial Officer of the Township at the Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey 08865 (telephone (908) 213-1600 ext. 10).

### **Bank-Qualified**

The Bonds will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

### **Official Statement**

The Township agrees to provide the Successful Bidder with up to fifty (50) copies of the final Official Statement adopted by the Township in relation to the sale by the Township of the Bonds within the period of time allowed under Rule 15c2-12, at the sole cost and expense of the Township, with any additional copies which the Successful Bidder shall reasonably request to be provided at the sole cost and expense of the Successful Bidder.

**Continuing Disclosure**

In order to assist the Successful Bidder in complying with Rule 15c2-12, the Township agrees to deliver on the Closing Date a Continuing Disclosure Certificate to be dated as of the Closing Date pursuant to which the Township shall agree to provide at the times and to the information repositories and other persons described in Rule 15c2-12 the financial or operating data required to be disclosed on a continuing basis pursuant to Rule 15c2-12.

Kathleen Reinalda  
Chief Financial Officer

Dated: March 2, 2021

SUMMARY NOTICE OF BOND SALE

TOWNSHIP OF HARMONY,  
IN THE COUNTY OF WARREN,  
NEW JERSEY

NOTICE OF SALE OF  
\$3,275,000  
GENERAL OBLIGATION BONDS, SERIES 2021  
(BOOK-ENTRY BONDS) (BANK-QUALIFIED) (CALLABLE)  
ELECTRONIC PROPOSALS (the "Proposals"), via  
BiDCOMP/PARITY Competitive Bidding System ("PARITY") only,  
will be received by the Chief Financial Officer of the Township of  
Harmony, New Jersey (the "Township"), on

**April \_\_, 2021**

until 11:00 a.m., New York City time, at which time they will be announced, for the purchase of all, but not less than all, of the Township's \$3,275,000 General Obligation Bonds, Series 2021, dated the date of delivery (the "Bonds").

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the first day April in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2022	\$295,000	2027	\$330,000
2023	305,000	2028	340,000
2024	310,000	2029	345,000
2025	320,000	2030	350,000
2026	325,000	2031	355,000

Individual purchases of beneficial ownership interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$5,000 each or any integral multiple thereof. The Bonds will bear interest at a rate or rates of interest in a multiple of 1/8th or 1/20th of 1% per annum specified by the successful bidder payable on October 1, 2021 and semi-annually thereafter on the first day of April and October in each year until maturity or prior optional redemption. The Bonds are subject to redemption at the option of the Township in accordance with the Notice of Sale. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the

lowest true interest cost in accordance with the terms of the Notice of Sale.

For further information relating to the Bonds, reference is made to the Preliminary Official Statement, including the Notice of Sale as an appendix and the form of legal opinion of Gibbons P.C., Newark, New Jersey, bond counsel to the Township, which can be accessed via the Internet at [www.i-dealprospectus.com](http://www.i-dealprospectus.com). Copies of the Preliminary Official Statement, the Notice of Sale and the form of the legal opinion may be obtained from the Chief Financial Officer of the Township at the Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey 08865 (telephone (908) 213-1600 ext. 10).

Dated: March 2, 2021

Kathleen Reinalda  
Chief Financial Officer

5. Motion by Yamrock, seconded by Cornely and unanimously carried by roll call to introduce by title only Ordinance No. O:21-4.  
Roll Call: Tipton, Cornely, Yamrock Nays: None

**HARMONY TOWNSHIP  
WARREN COUNTY, NEW JERSEY**

**O:21-4  
CALENDAR YEAR 2021  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Harmony in the County of Warren finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$13,921.17 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Harmony, in the County of Warren a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final

appropriations of the Township of Harmony shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 48,724.09, and that the CY 2021 municipal budget for the Township of Harmony be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on first reading by the Harmony Township Committee as its meeting held on March 2, 2021, which Ordinance shall be given further consideration for final passage following a public hearing to be conducted thereon, at its regular monthly meeting to be held on April 6, 2021 which shall commence at 6:00 p.m. via Zoom a virtual platform. Instructions for joining the meeting can be found on the Harmony Township website [www.harmonytwp-nj.gov](http://www.harmonytwp-nj.gov)

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Kelley D. Smith, RMC  
Municipal Clerk

6. The Township Committee acknowledged the below Proclamation:

**Girl Scout Day/Week Proclamation for 2021  
A Proclamation on the Importance of the All-Girl Space Offered  
by Girl Scouts**

WHEREAS, March 12, 2021 marks the 109th anniversary of Girl Scouts of the USA, the largest and most successful leadership program for girls in the world; and

WHEREAS, as the world's premier leadership development organization for girls, Girl Scouts has emphasized public service, civic engagement, and fostering a sense of community in girls for over a century; and

WHEREAS, Girl Scouts works to champion the ambitions, cultivate the talents, and develop the skills of girls to be leaders in their own world, and in ours; and

WHEREAS, in these incredibly challenging times, Girl Scouts provides community, consistency, and connection for girls, and is a safe haven in all the uncertainty; and

WHEREAS, in the time of COVID-19, Girl Scouts offers girls skill-building digital programming and experiences girls can participate in safely from home as they continue their Girl Scout journeys; and

WHEREAS, at a time when civics education is missing from many schools, Girl Scouts has introduced new K–12 Civics badges to bring girls more experiences that deepen their understanding of democracy and government, prepare them for a lifetime of civic engagement, and motivate them to be catalysts for change; and

WHEREAS, Girl Scouts offers girls 21st century programming in science, technology, engineering, and math (STEM); the outdoors; entrepreneurship; and beyond, helping girls develop invaluable life skills and take the lead early and often; and

WHEREAS, Gold Award Girl Scouts already take on projects that have a measurable and sustainable impact on a community by first assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and

WHEREAS, today, more than 50 million women are Girl Scout alums; and

WHEREAS, Girl Scouts Heart of New Jersey serves 11,000+ girls across New Jersey.

NOW, THEREFORE, I Brian Tipton, by virtue of the authority vested in me, as Mayor Of Harmony Township, I do hereby applaud the Girl Scout Movement and Girl Scouts Heart of New Jersey for providing girls with a safe, inclusive, all-girl space where they can hone their skills and develop leadership abilities, and I declare that Sunday, March 7, through Saturday, March 13, 2021 as Girl Scout Week with Friday, March 12, 2021 to be Girl Scout Day.

Old  
Business

1. Motion by Yamrock, seconded by Cornely and carried by all in favor to open to the public the Hearing and Consideration of Ordinance No. O:21-1; Ordinance of the Township of Harmony, County of Warren, State of New Jersey to amend, revise and supplement Chapter 165, “Zoning,” Section 16.2 “LI/O/C Light Industrial/Office/Commercial Zone: and Section 17 “I-1 Industrial Zone,” of the Code of the Township of Harmony to amend certain conditions in the Industrial Zones.  
There were no public comments  
Motion by Yamrock, seconded by Cornely and carried by all in favor to close to the public.  
Motion by Tipton, seconded by Yamrock and carried unanimously by roll call to adopt Ordinance No. O:21-1.  
Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: None
2. Motion by Yamrock, seconded by Cornely and carried by all in favor to open to the public the Hearing and Consideration of Ordinance No. O:21-2; Ordinance of the Township of Harmony, County of Warren, State of New Jersey Replacing Chapter 142 Stormwater Management.  
There were no public comments.  
Motion by Yamrock, seconded by Cornely and carried by all in favor to close to the public.  
Motion by Yamrock, seconded by Cornely and carried unanimously by roll call to adopt Ordinance No. O:21-2.  
Roll Call: Tipton, Cornely, Yamrock Nays: None
3. Motion by Yamrock, seconded by Cornely and carried by all in favor to open to the public the Hearing and Consideration of Ordinance No. O:21-3, Ordinance to amend the code of the Township of Harmony,

Warren County, New Jersey, to add a new chapter entitled “Soil and Fill Importation.”

There were no public comments.

Motion by Yamrock, seconded by Cornely and carried by all in favor to close to the public.

Motion by Yamrock, seconded by Cornely and carried unanimously by roll call to adopt Ordinance O:21-3.

Roll Call: Ayes: Tipton, Cornely, Yamrock Nays: None

Executive Session

Motion by Tipton, seconded by Yamrock and carried unanimously by roll call to adopt the Executive Session Resolution.

Roll Call: Cornely, Yamrock, Tipton

**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 Personnel
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 March 2, 2021

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

Vouchers

Motion by Yamrock, seconded by Cornely and unanimously carried by roll call to approve the vouchers.

Ayes: Cornely, Yamrock, Tipton Nays: none

Budget

The Township Committee continued to discuss 2021 Budget. The next Budget meeting will be scheduled for March 18, 2021 at 5pm.

Motion by Tipton, seconded by Cornely and carried unanimously by roll call to authorize Finelli Consulting to continue preparing the Fox Farm Road section II DOT project at full capacity.

Roll Call: Ayes: Yamrock, Cornely, Tipton Nays: None



Motion by Tipton, seconded by Yamrock to approve the following for 2021:

- Salary increase for Todd Richards to \$26.00/hour
- Individual salary increases for all other employees as determined in executive session based upon performance reviews.

Other It was the consensus of the Township Committee to table Resolution 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 Redevelopment Of Such Property In Accordance With The Redevelopment Plan to Aprils Meeting.

Motion by Tipton, seconded by Yamrock and carried unanimously by roll call to extend the current Montesano at Harmony agreement until April 9, 2021.

Roll Call: Cornely, Tipton, Yamrock Nays: None

Public Comments There were no public comments

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

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Kelley Smith, Municipal Clerk