

Municipal Building, Harmony, NJ  
Township Committee Meeting  
November 1, 2022  
6:00 p.m.

- 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, Cornely Yamrock - absent
- Consent Agenda Motion by Cornely, seconded by Tipton and carried by all in favor to approve the consent agenda that included the following items:
- Reports Attorney, Engineer, Zoning written reports were reviewed.
- Minutes October 4, 2022
- Raffles RA:22-9; Harmony Township Volunteer Fire Company  
RA:22-10; Harmony Township Volunteer Fire Company  
RA:23-1; Harmony Township Volunteer Fire Company
- Bingos BA:23-1; Harmony Township Volunteer Fire Company

Resolutions **RESOLUTION #22-33  
RESOLUTION OF THE TOWNSHIP OF HARMONY,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO REFUND OVERPAYMENTS FROM TAX SALE FOR BLOCK  
47.01 LOT 22 AND BLOCK 48 LOT 1.**

**WHEREAS**, the Township of Harmony held the 2022 tax sale on October 7, 2022. Block 47.01 Lot 22 and Block 48 Lot 1 were both sold to Eden Equities LLC, also known as TSC 22-00005 & TSC 22-00006; and

**WHEREAS**, the property owner came in to pay off 2021 taxes that had gone to tax sale on October 7, 2022. Since this payment was received within the 10 day period from the tax sale, TSC 22-00005 & TSC 22-00006 are cancelled and leave an overpayment of taxes to be refunded back to the lienholder; and

**WHEREAS**, the overpayments totaling \$3,363.27 due to an overpayment made for 2022 tax sale:

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Harmony hereby authorizes the refund of \$3,363.27 to:

EDEN EQUITIES LLC  
2 EDEN CT  
LAKEWOOD, NJ 08701

CERTIFICATION:

I, Kelley Smith, RMC of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify this resolution was adopted at a

Regular Meeting of the Township Committee at a meeting held on November 1, 2022.

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Kelley Smith, RMC  
Township Clerk

**RESOLUTION #22-34  
RESOLUTION OF THE TOWNSHIP OF HARMONY,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO REFUND OVERPAYMENTS FOR BLOCK 25 LOT 10.03.**

**WHEREAS**, the Township of Harmony was informed that Block 25 Lot 10.03 was sold and during the closing process the third quarter taxes were paid in duplicate and Block 25 Lot 10.03 has an overpayment; and

**WHEREAS**, the overpayments totaling \$1,728.03 due to an overpayment made for Third Quarter 2022:

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Harmony hereby authorizes the refund of \$1,728.03 to:

KEITH J & LYNNE DIANE METZ  
535 EDWARD STREET  
PHILLIPSBURG, NJ 08865

**CERTIFICATION:**

I, Kelley Smith, RMC of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify this resolution was adopted at a Regular Meeting of the Township Committee at a meeting held on November 1, 2022.

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Kelley Smith, RMC  
Township Clerk

**RESOLUTION #22-35  
RESOLUTION OF THE TOWNSHIP OF HARMONY,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO REFUND OVERPAYMENTS FOR BLOCK 17 LOT 12.06.**

**WHEREAS**, the Township of Harmony has determined that Block 17 Lot 12.06 is classified as tax exempt for 2022; and

**WHEREAS**, the overpayments totaling \$7,417.73 due to an overpayment made for First and Second Quarter 2022:

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Harmony hereby authorizes the refund of \$7,417.73 to:

DAVID & DORCAS OKAIN  
1004 BRASS CASTLE ROAD  
PHILLIPSBURG, NJ 08865

**CERTIFICATION:**

I, Kelley Smith, RMC of the Township of Harmony, County of Warren, State of New Jersey, do hereby certify this resolution was adopted at a Regular Meeting of the Township Committee at a meeting held on November 1, 2022.

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Kelley Smith, RMC  
Township Clerk

**RESOLUTION #22-36  
RESOLUTION OF THE TOWNSHIP OF HARMONY,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO AUTHORIZE THE REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER OF TAX SALE CERTIFICATE #22-  
00003 ON BLOCK 28 LOT 3.**

**WHEREAS**, at the Harmony Township Municipal Tax Sale held October 7, 2022, a lien was sold on Block 28 Lot 3, also known as 2320 Belvidere Road for 2021 taxes; and

**WHEREAS**, this lien known as Tax Sale Certificate No 22-00003 was sold to TRYSTONE CAPITAL ASSETS LLC for a premium of \$5,900.00; and

**WHEREAS**, the property owner, made the full payment on Certificate No 22-00003 in the amount of \$1,668.99 and,

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Harmony hereby authorizes the Chief Financial Officer to issue a check in the amount of \$7,568.99 for the redemption of Tax Sale Certificate #22-00003 and the Premium to:

TRYSTONE CAPITAL ASSETS LLC  
P.O. Box 1030  
BRICK, NJ 08723

**DATED:** November 1, 2022

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 November 1, 2022.

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Kelley Smith  
Municipal Clerk

**RESOLUTION #22-37  
RESOLUTION OF THE TOWNSHIP OF HARMONY,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO AUTHORIZE THE REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER OF TAX SALE CERTIFICATE #22-  
00002 ON BLOCK 24 LOT 1.11.**

**WHEREAS**, at the Harmony Township Municipal Tax Sale held October 7, 2022, a lien was sold on Block 24 Lot 1.11, also known as 355 Montana Rd for 2021 taxes; and

**WHEREAS**, this lien known as Tax Sale Certificate No 22-00002 was sold to USBANK CUST/PC8 FIRSTRUST BANK for a premium of \$9,700.00; and

**WHEREAS**, the property owner, made the full payment on Certificate No 22-00002 in the amount of \$120.57 and,

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Harmony hereby authorizes the Chief

Financial Officer to issue a check in the amount of \$9,820.57 for the redemption of Tax Sale Certificate #22-00002 and the Premium to:

USBANK CUST/PC8 FIRSTRUST BANK  
50 SOUTH 16<sup>TH</sup> ST, STE 2050  
PHILADELPHIA, PA 19102

**DATED:** November 1, 2022

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 November 1, 2022.

\_\_\_\_\_  
Kelley Smith  
Municipal Clerk

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**  
**2023 Fund Year**  
**R:22-38**

**WHEREAS**, Harmony Township (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

**WHEREAS**, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

**WHEREAS**, the "Fund" has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of "Local Unit", in the County of Warren and State of New Jersey, as follows:

1. Harmony Township (Local Unit) hereby appoints Michael Smith (Ahart, Frinzi & Smith Insurance) its Risk Management Consultant.
2. The Mayor (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year **2023** in the form attached hereto.

Name of Entity: Harmony Township

**Attest:**

\_\_\_\_\_  
Kelley D. Smith

\_\_\_\_\_  
Brian R. Tipton, Mayor

**Certification**

I, Kelley Smith, Clerk of the Township of Harmony, County of Warren, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on November 1, 2023.

\_\_\_\_\_  
Clerk

Witness my hand and seal of the

Township \_\_\_\_\_ of \_\_\_\_\_ Harmony \_\_\_\_\_ This 1st day of November ,  
2023

## STATEWIDE INSURANCE FUND

### RISK MANAGEMENT CONSULTANT'S AGREEMENT

## 2023 Fund Year

**THIS AGREEMENT** entered into this 1<sup>st</sup> day of January 2023, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Harmony Township ("MEMBER") and Michael Smith ("RISK MANAGEMENT CONSULTANT") through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4.

**WHEREAS**, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

**WHEREAS**, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

**WHEREAS**, the MEMBER desires these professional services from the CONSULTANT; and

**WHEREAS**, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

**WHEREAS**, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

**NOW, THEREFORE**, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
  - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
  - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
  - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
  - (d) explain to the MEMBER, or its representatives the operation of the FUND.
  - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
  - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
  - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
  - (h) assist in the claim settlement process, if required, by MEMBER or FUND.
  - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by

the MEMBER or the FUND.

- (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
- (k) act in good faith and fair dealing to the FUND.
- (l) perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

(a)The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);

(b)The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.

(c)For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).

If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

- 3. The term of this Agreement shall be from **January 1, 2023** to **January 1, 2024**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
- 4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
- 5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

**ATTEST:**

\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Member Representative**

\_\_\_\_\_  
**Risk Management Consultant  
Corporate Officer**

ATTEST:

\_\_\_\_\_

\_\_\_\_\_  
**Statewide Insurance Fund  
Chairperson**

**EXHIBIT A  
STATEWIDE INSURANCE FUND**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE**  
**(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)**  
**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE**  
**CONTRACTS**

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);
- OR**
- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;
- OR**
- (c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

**The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.**

**The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.**

COMPANY: \_\_\_\_\_  
Risk Management Consultant

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

**RESOLUTION APPOINTING FUND COMMISSIONER**

**2023 Fund year**

**R:22-39**

WHEREAS, Harmony Township (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Harmony (Local Unit) that     Kelley Smith     (*entity's elected official or employee*) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2023**; and BE IT FURTHER RESOLVED that     Kathleen Reinaldi     (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2023**; and BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Name of Entity: Harmony Township

ATTEST:

\_\_\_\_\_

By: \_\_\_\_\_

Clerk

Print Name: Brian R. Tipton

Title: Mayor

This Resolution agreed to the 1<sup>st</sup> day of November, 2023, by a vote of:  
    3     Affirmative     0     Abstain     0     Negative  
    0     Absent

**RESOLUTION #22-40  
RESOLUTION OF THE TOWNSHIP OF HARMONY,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
TO AUTHORIZE THE REFUND OF REDEMPTION MONIES TO  
OUTSIDE LIENHOLDER OF TAX SALE CERTIFICATE #20-  
00002 ON BLOCK 43 LOT 22.**

WHEREAS, at the Harmony Township Municipal Tax Sale held November 6, 2020, a lien was sold on Block 43 Lot 22, also known as 2685 River Road for 2019 taxes; and

WHEREAS, this lien known as Tax Sale Certificate No 20-00002 was sold to USBANK CUST ACTLIEN HOLDING for a premium of \$17,400.00; and

WHEREAS, the property owner, made the full payment on Certificate No 20-00002 in the amount of \$18,552.30 and,

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Harmony hereby authorizes the Chief Financial Officer to issue a check in the amount of \$35,952.30 for the redemption of Tax Sale Certificate #20-00002 and the Premium to:



USBANK CUST ACTLIEN HOLDING  
50 SOUTH 16<sup>TH</sup> ST, STE 2050  
PHILADELPHIA, PA 19102

**DATED:** November 1, 2022

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 November 1, 2022.

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Kelley Smith, Clerk

- |                     |   |
|---------------------|---|
| Correspon-<br>dence | <ol style="list-style-type: none"><li>1. Warren County Resolution 414-22; setting forth policy against selling or transferring County-Owned property or rights of ways to support large scale, commercial development.</li><li>2. NJDOT announcement that applications are now being accepted for the NJDOT Fiscal Year 2023 Local Freight Impact Fund.</li><li>3. Letter from Thomas Kelly, Attorney at Law regarding Service Electric Cable TV of Hunterdon renewal/ascertainment process to begin.</li><li>4. Letter from Warren County Planning Department re adopted Resolution 437-22 including LMR Disposal, LLC as a class A Recycling Center in the Warren County Solid Waste Management Plan.</li><li>5. Warren County Resolution 463-22; supporting S-522 and A-888 to expand the property tax exemption eligibility for Veterans.</li></ol> |
| New<br>Business     | <ol style="list-style-type: none"><li>1. Service Electric Franchise Renewal Package for review.</li><li>2. New Jersey State Benefits Program – Rate Increases/Warren County proposal HIF. Mayor Tipton gave a brief overview on the Health Care cost crises with the State Health Benefits plan. The County is working on creating a separate fund that municipalities would be able to be a part of to establish lower costs. Harmony Township is not that impacted because there are only 3 employees that receive health benefits at this time.</li><li>3. Warren County Municipal Christmas Tree Decorating Contest. Kelley will enter a tree on behalf of Harmony Township</li><li>4. Best Practices Inventory was reviewed. There will not be any state funding withheld based on our scoring.</li></ol>  |
| Old<br>Business     | <ol style="list-style-type: none"><li>1. Open Space/Farmland funding for walking path/disc golf course. I It was the opinion of the Municipal Attorney that after reviewing Open space/farmland funding ordinance it would be satisfactory to use these funds for recreational purposes. Kelley will follow up with a meeting to discuss further with the parties involved.</li><li>2. Professional services/shared services 2023. It was the consensus to continue with the current professional service providers in 2023.</li><li>4. Follow up/Discussion/Consideration of Ordinance amending the Harmony Township Code to repeal Chapter 94 Flood Damage Prevention and to adopt a new Chapter 94 has been tabled to the</li></ol>  |

January 2023 Township Committee Meeting. Mr. Finelli will be working on this and he will send a draft copy to the NJDEP for review. It should be considered for adoption by February 2023.

5. Follow up/Discussion/Consideration of recommendation by Harmony Land Use Board to adopt Ordinance to amend Chapter 165 Zoning to permit solar production facilities within the industrial zones has been tabled to the January 2023 Township Committee Meeting. At the recommendation of the Land Use Board, this ordinance will be on the agenda for introduction in January 2023.
6. Motion by Cornely, seconded by Tipton and carried by all in favor to open the public hearing and consideration of Ordinance O:22-06; an Ordinance adopting a revision and codification of the Ordinances of the Township of Harmony.

There were no public comments

Motion by Cornely, seconded by Tipton and carried by all in favor to close public hearing of Ordinance O:22-06

Motion by Cornely, seconded by Tipton and carried unanimously by roll call to adopt Ordinance O:22-06

Roll Call: Ayes: Cornely, Tipton Nays: none

Vouchers Motion by Cornely, seconded by Tipton and carried by all in favor to approve the vouchers.

Public Comments Jane Nemeth, Brainards, asked why Halloween was not held on Halloween. It created problems with people coming to Harmony because all the other surrounding towns were held on Halloween so this allowed all these outside kids to come into Harmony too. The committee took this under consideration for future scheduling.

Jim Sailer, River Road, asked about the solar farm project. Mayor Tipton Assumes they are still acquiring all the permits they will need prior to construction.

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

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Kelley Smith, Municipal Clerk