

- Regular The Regular Meeting of the Harmony Township Committee was called to order by the Mayor. The Mayor made the following announcement: "Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to the Express-Times and Star Ledger posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk." The Pledge of Allegiance to the American Flag was led by the Mayor.
- Roll Call Tipton, Yamrock, Cornely
- Consent Agenda Motion by Yamrock, seconded by Cornely and carried unanimously by roll call to approve the consent agenda that included the following items:  
Roll Call: Ayes: Tipton, Yamrock, Cornely Nays: none
- Reports Attorney, Engineer, Zoning written reports were reviewed.
- Minutes September 6, 2022 were approved.

Correspondence

1. Notice from White Township; Public Hearing on adoption of an amendment to the Township of White Housing Element and Fair Share Plan

New

Business

1. Halloween has been set for Saturday, October 29<sup>th</sup> 5pm-7pm
2. 2023 Professional Services/Shared Services Contracts will be discussed further in November
3. Attorney Kyle Clauss will proceed on the tax sale certificates foreclosure on Block 13 Lots 8 and 10
4. Motion by Yamrock, seconded by Cornely and unanimously carried by roll call to introduce by title only of Ordinance O:22-06  
Roll Call: Ayes: Tipton, Cornely, Yamrock Nays: none

TOWNSHIP OF HARMONY

COUNTY OF WARREN, NEW JERSEY

O:22-06

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY

Be it ordained and enacted by the Township Committee of the Township of Harmony, County of Warren, State of New Jersey, as follows:

**§ 1-1. Code adopted; existing ordinances continued.**

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Township of Harmony of a general and permanent nature adopted by the Township Committee of the Township of Harmony, as revised and codified and consisting of Chapters 1 through 525, together with an Appendix, are hereby approved, adopted, ordained and enacted as the Code of the Township of Harmony, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this

ordinance, are intended as a continuation of such ordinances and not as new enactments.

This ordinance and the Code adopted hereby shall supersede and replace the 1990 Code of the Township of Harmony, as amended and supplemented.

**§ 1-2. Code on file; additions and amendments.**

- A. A copy of the Code has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified to by the Clerk of the Township of Harmony by impressing thereon the Seal of the Township, as provided by law, and such certified copy shall remain on file in the office of the Township Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Township Committee to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Township of Harmony" shall be understood and intended to include such additions and amendments.

**§ 1-3. Notice; publication.**

The Clerk of the Township of Harmony shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance coupled with filing of the Code in the office of the Township Clerk as provided in § 1-2 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-4. Severability.**

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-5. Repealer.**

All ordinances or parts of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the effective date of this ordinance, except as hereinafter provided.

**§ 1-6. Ordinances saved from repeal.**

The adoption of this Code and the repeal of ordinances provided for in § 1-5 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- 1. A. Any ordinance adopted subsequent to November 2, 2021.

- B. Any right or liability established, accrued or I incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- 2. C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- 3. D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- 4. E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- 5. F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- 6. G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Township's indebtedness.
- 7. H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- 8. I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- 9. J. The dedication of property or approval of preliminary or final subdivision plats.
- 10. K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- 11. L. Any ordinance adopting or amending the Zoning Map.
- 12. M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

**§ 1-7. Changes in previously adopted ordinances.**

- 14. A. In preparing the revision and codification of the Township's ordinances pursuant to N.J.S.A. 40:49-4, certain minor grammatical and non-substantive changes were made in one or more of said ordinances. It is the intention of the Township Committee that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.
- 15. B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)
- 16. C. Nomenclature changes. Throughout the Code, the following titles have been updated as follows:
  - (1) References to "Planning Board or Board of Adjustment," "Planning Board," and "Planning Board and Board of Adjustment" are amended to read "Land Use Board."

- (2) References to "the appropriate Board," "either Board" or "each Board," which refer to both the Planning Board or Board of Adjustment, are amended to read "Land Use Board."
- (3) References to "Harmony Township Municipal Court" and "Municipal Court of the Township of Harmony" are amended to read "Municipal Court."
- (4) The terms "fireman" and "firemen" are amended to read "firefighter" and "firefighter," respectively.
- (5) The Map Filing Law, N.J.S.A. 46:23-9.9 et seq. (L. 1960, c. 141) was repealed by L. 2011, c. 217. References to the repealed law are updated to refer to N.J.S.A. 46:26B-1 et seq.

**§ 1-8. Titles and headings; editor's notes.**

- 17. A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- 18. B. Editor's notes indicating sources of sections, giving other information, or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

**§ 1-9. Altering or tampering with Code; violations and penalties.**

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the Township of Harmony to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to one or more of the following penalties: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

**§ 1-10. When effective.**

- 19. This ordinance shall take effect immediately upon final passage and publication as provided by law.

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on first reading by the Harmony Township Committee as its budget meeting held on October 4, 2022, 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 November 1, 2022, which shall commence at 6:00 p.m. at the Harmony Township Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey.

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Kelley D. Smith, RMC  
Municipal Clerk

Old

Business

- 1. Flood Damage Prevention Ordinance Revision Recommendation From NJDEP has been tabled to the Township Committee November Meeting
- 2. Follow up on Brainards properties at the December Township Committee Meeting
- 3. Warren County vacated Belvidere Road (off shoot) maintenance to

Harmony Township. Mr. Cornely explained that Warren County had dedicated this portion of Route 519 to the Township in the 70's so it is ours to maintain.

4. Need to confirm if funds are available for Disc Golf – Walking Path at the Recreation Site. Kelley will forward the information to the Township Attorney and CFO to determine if the Open Space/Preservation fund use is appropriate.
5. Motion by Tipton, seconded by Yamrock and carried by all in favor to refer the Ordinance to amend Chapter 165 Zoning to permit solar production facilities within Industrial Zones to Harmony Township Land Use Board for review.

6. 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 Township Committee November Meeting

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

Other                              Mr. Cornely suggested that the Committee think about putting a 3<sup>rd</sup> person on the Road Department. He has asked the CFO to come up with what our costs are now to send things out for repairs and the amount of costs to have season help all the time.

Public                              Elaine Beers asked about the walking path. Mayor Tipton replied  
Comments                      that we are working on getting grants or funding it other ways.

Jane Nemeth asked about the vacant property in Brainards next to the Habitat parcel.

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