



**BOARD OF HEALTH MATTERS:**

**PUBLIC COMMENTS:**

**EXECUTIVE SESSION: (if necessary)**

**ADJOURN**

Motion to adjourn.

**NOTICE**

**\* This Agenda is subject to change by order of the Harmony Township Committee before, and / or during the scheduled meeting \***

MICHAEL B. LAVERY  
MICHAEL S. SELVAGGI\*  
LAWRENCE P. COHEN\*  
KATHERINE E. INGRASSIA\*  
JAMES F. MOSCAGIURI  
RICHARD W. WENNER\*  
WILLIAM H. PANDOS\*  
PAUL D. MITCHELL  
WADE T. BALDWIN  
IGOR V. BYKOV  
JOSEPH D. GREER

\*CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
\*MEMBER OF NJ AND PA BAR  
\*MEMBER OF NJ AND NY BAR

LAW OFFICES  
**LAVERY, SELVAGGI & COHEN**

A PROFESSIONAL CORPORATION  
1001 ROUTE 517  
HACKETTSTOWN, NEW JERSEY 07840  
(908) 852-2600  
FAX (908) 852-8225  
WWW.LSACLAW.COM

23 CATTANO AVENUE  
AT CHANCERY SQUARE  
MORRISTOWN, NJ 07960  
Telephone (973) 285-1281  
Facsimile (973) 285-0271

OF COUNSEL:  
JAMES A. COURTER  
JOEL A. KOBERT  
ROBERT V. STILES

SENDER'S DIRECT EMAIL  
[IBYKOV@LSACLAW.COM](mailto:IBYKOV@LSACLAW.COM)

**MEMO**

TO: Harmony Township Committee  
FROM: Igor V. Bykov, Esq.  
DATE: November 25, 2024  
RE: Attorney's Report | December 3, 2024, Township Committee Meeting

---

**I. Lead-Based Paint Ordinance**

As was discussed at the November Township Committee meeting, I prepared and circulated the requested Lead-Based Paint Ordinance with the Committee. The draft that was provided by the contractor was an ordinance adopted by the Borough of Freehold was not as extensive as the Township may desire. As such, and instead, I prepared the subject ordinance using the document adopted by Lopatcong Township earlier this year.

It is my understanding that the Township does not wish to impose any inspection fees onto the person requesting/needing such inspection. As a result, the Ordinance was further amended to remove all fee-related provisions, with the exception of the twenty-dollar (\$20.00) fee required by the State of New Jersey to be deposited into the State Lead Hazard Control Assistance Fund.

Should the Committee believe the Ordinance is ready for introduction, it may do so at the December meeting (as it is my understanding that the composition of the Committee is not changing) to be adopted in January.

**II. COAH**

As a continuation of our last month's discussion, I again wish to inform the Committee of the upcoming January 31, 2024, deadline for the Township's Fourth Round Affordable Housing obligations.

As a reminder, the Township will need to pass a binding resolution by January 31, 2025, that outlines and establishes the Township's affordable housing unit commitment. Failure to adopt this binding resolution and transmit same to the Department of Community Affairs within 48 hours of its adoption will subject the Municipality to potential exclusionary zoning litigation.

As was mentioned previously, any interested party has the ability to challenge the Municipality's numbers by February 28, 2025. If by March 1, 2025, no challenges are filed, then the numbers provided by the Municipality's January 31, 2025, Resolution are established by default.

It has been our office's advice to all of our municipal clients that before the January 31, 2025, deadline, the Township should hold a executive-session discussion with its planner, CFO and Affordable Housing Liaison to establish a *gameplan* so the necessary deadline may be met.

As a side note, the New Jersey Institute of Local Government Attorneys is in the process of lobbying for a change to the legislation for a more common-sense approach to the issue. Although it is difficult to tell whether their efforts will be meritorious, the Institute's aim is to significantly lower every municipality's obligation. If the Committee desires, I can share all correspondence and/or report(s) that have been provided to me. Despite the lack of guarantee for the proposed legislation to be adopted, several municipalities have contacted the State officials in hopes of giving the proposed legislation additional support.

### **III. ELT**

At the last meeting, the Committee requested that I investigate ELT's obligation to pay its taxes. Having reviewed the Post Closing Agreement, I regret to inform you that the Document, dated February 17, 2011, contains no express provisions requiring the Purchaser (ELT Harmony, LLC) to stay current on its tax-related obligations. Paragraph 2 of the Agreement, entitled "Purchaser's Post-Closing Obligations" outlines ELT's obligations in regards to the property following the transfer of ownership.

On the topic of taxes, the Agreement states that the Indemnitors (defined by the Agreement as ELT and Commercial Development Company, Inc.) are not liable to the Township for "(viii) any liability for taxes arising as a result of Seller's operation of its business or ownership of the Property prior to the Closing Date." Granted, this provision discusses the liability for tax-related purposes during the Township's ownership and/or operation of the Property, there are no other provisions that pertain to liability for unpaid taxes.

One important item to note is Paragraph 2(e) of the Agreement, which requires the Purchaser to "market the Property for sale and/or lease, in whole and/or in part[. . .]" As the Committee may already be aware, even if the Property is to be sold, ELT's remediation-related obligations are not discharged following the sale of the Property. As such, if the Committee so desires, a letter can be prepared and forwarded to ELT's counsel inquiring as to their efforts regarding marketing and making the Property available for sale and/or lease.

### **IV. Application for Cable Television Municipal Consent in Harmony Twp. by Service Electric Cable T.V. of Hunterdon, Inc.**

At the time of drafting this report, the Township received an email from Martin C. Rothfelder, Esq. regarding Service Electric Application for Renewal of its Municipal Consent for the provision of services in the Township. I will be working with Kelley to ensure that the Township needs are met.



**TO:** Mayor Brian Tipton and Township Committee Members **VIA EMAIL ONLY**  
**FROM:** Michael S. Finelli, P.E., P.P., C.M.E.  
**DATE:** November 26, 2024  
**RE:** **Harmony Township Engineer's Report for the December 3, 2024 Committee Meeting**  
*FCE No. 10951.MU.0023*

---

### HARMONY SAND AND GRAVEL QUARRY

- Our office has notified HS&G and RMS Environmental by email, dated August 14, 2023 of the requirement to perform the additional soil testing recommended by Slack Environmental. They were also reminded of the requirement for testing of the water Pit 2. Results have not yet been received.
- There has been some recent activity at Pit 2 associated with the grading of the slopes. Fill has been brought in and spread throughout. We are in the process of coordinating with HS&G relative to slope compliance although the areas surrounding the Pit appear to meet the slope requirements. Topsoiling and seeding still need to be placed. I will attempt to get a timeframe from them for this outstanding work.
- Very recently, we were advised of material being delivered to the site and distributed in certain areas. We were not advised by HS&G or Earth Efficient of any fill activity going forward. We reached out to Earth Efficient and had one of our inspectors visit the site and talk to one of the equipment operators. We voiced our displeasure over the lack of notification and the need for certification for the material being delivered which was believed to be topsoil. As of the date of this report we have not been supplied with this information but have been advised that it will be forthcoming. We will continue to coordinate with both Earth Efficient and HS&G regarding this material and the work being conducted at the site.
- During the month of August, there has been an increase in the level of activity at the HS&G site. Per the topsoil deliveries and placement as referenced above, we have received quite a bit of information from Earth Efficient and HS&G's contractor, HardRock Trucking. We have received lab data regarding the topsoil which was delivered to the site. We are currently evaluating said data.
- Based upon the increase in the level of activity, we scheduled a field meeting with Rich Hummer and representatives of his contractors. A field meeting was held on 8/21/24 where we discussed the recent work done at Pit 2 and other work that was still outstanding in an effort to complete the reclamation of Pit 2. We are presently waiting for the water testing results to be forwarded to our office, which we understand has been completed and found to be satisfactory.
- The final stages of work at the site are approaching with HS&G's intent to complete the site clean-up, final landscaping, and the seeding for stabilization of the slopes in the next couple of months. We will continue to monitor the activity at the site.



- Some additional topsoil has been received at the site. Our office has been in contact with the applicant's engineer regarding the need for receipt of a final grading plan and the water testing results. As of the date of this report, we have not received that information.
- **Our office has recently contacted representatives from HS&G regarding the outstanding items referenced above. I have spoken with Ron Panicucci, PE, who confirmed that the water test results would be forthcoming. We recently received a water testing report from RMS Environmental, but the report goes back to December, 2023. I will be reviewing same and providing a response to HS&G. Additionally, we will be requesting a more current report from HS&G. I believe that Igor has also been in contact with their Attorney, Scott Wilhelm, regarding the final few items that remain outstanding.**

#### **SHANDOR'S USED AUTO PARTS / JUNKYARD LICENSE**

##### **(No Change from last month)**

- Shandor's 2023 Junkyard License application has not been received as of February 3, 2023.
- The 2023 Shandor Junkyard License Application was received via email from K. Smith on March 1, 2023. Our office will be providing a review of the application for the April 4, 2023 Committee meeting.
- We have been advised by K. Smith that an additional application fee in the amount of \$650 is due from the applicant prior to consideration of the 2023 Junkyard License. The applicant was notified by letter and G. Weber contacted Mr. Riddle by phone on March 27, 2023 regarding the fee. A report on the 2023 license application has been provided by our office under separate cover.
- A draft Resolution for approval of the 2023 junkyard license has been prepared by our office and submitted to K. Smith for possible adoption at the May 2, 2023 Committee meeting. The Committee should ensure that all fees and taxes have been paid along with the owner's consent to file the application.
- The approval resolution for the Junkyard License was adopted by the Committee at the May 2, 2023 meeting.
- The 2024 Junkyard License Application was received. Our office is conducting a site inspection of the facility on April 5, 2024. We hope to be providing a report to the Township Committee in advance of the April 11<sup>th</sup> Committee meeting.
- The 2024 Junkyard License Application was discussed and approved at the April 11, 2024 TC meeting. The Resolution was approved at the May 7, 2024 TC meeting.

#### **Ridge Road Section 2 (2022 NJDOT Grant Project)**

##### **(No Change from last month)**

- The Township was notified by the State that they received a grant in the amount of \$131,600 for the resurfacing of Ridge Road Section 2.
- A Budget Memo was sent to the Township which showed a significant shortfall for this work. A shortened section of Ridge Road was also presented in the budget memo for the Township to



evaluate and discuss. Obviously, Kathleen will need to be involved in these discussions from an overall budgeting perspective for 2022.

- Based upon the Budget Memo referenced above, it is our understanding that the Township is evaluating some options for proceeding with this project. The Township will need to advise our office regarding how they would like to proceed with this project for 2022 based upon the fairly significant shortfall of Grant monies (\$131,600.00 vs. the estimated cost of the project).
- The Township has decided to proceed with the full length of roadway. FCE is in the process of surveying the road and creating the base mapping.
- FCE has completed the field survey work and is in the process of developing the base mapping for the project.
- Base mapping has been created, however in response to the Asphalt Price adjustment and Fuel price adjustment FCE is waiting for confirmation on the limits of work.
- As per the escalated costs associated with projects of this type which were evident in conjunction with the Fox Farm Road, Section 2 project, the TWP. Committee has decided not to proceed with Ridge Road, Section 2 this year. We will continue to monitor the cost increases and advise the Committee accordingly.
- FCE is in the process of preparing the bid documents for receipt of bids associated with the pipework portion of the project for potential construction over the winter months.
- FCE has completed the plans for the pipework and will be meeting with the DPW to review the project before requesting bids.
- FCE has requested and received 3 bids for the pipework. All 3 bids have come in well over the bid threshold. We have attached the 3 proposals and associated estimates to this report. Based upon the fact that we do not have an estimate under the bid threshold, the project will need to be publicly bid.
- FCE has put out “to Bid” the drainage work which was previously out “for quotes”, but needed to be Bid as it did not fall under the Bid threshold. Twelve contractors picked up the Bid and the Bid Opening occurred on February 2. A recommendation letter will be forwarded to the Township, under separate cover.
- The Drainage work was awarded to ADS Contractors LLC, at the February 7, 2023 Committee meeting. They have executed the contract and are preparing the balance of the paperwork required. As per our most recent conversation with ADS, they plan to start the work in April.
- The roadway construction plans for Section 2 are nearly complete and will be forwarded to the NJDOT very soon.
- A preconstruction meeting was held on March 27 for the drainage improvement project. Construction is scheduled to begin sometime in mid-April.
- The roadway construction plans will go to the NJDOT during the first week of April.



- The drainage improvement project has been completed. Please see the invoice (under separate cover) for the payment due the Contractor, ADS.
- The roadway construction plans have been sent to the NJDOT.
- The drainage improvements have been completed. However, the contractor has been contacted to repair a sink hole that has developed near two of the inlets.
- The NJDOT has approved the plans and has authorized the Township to go to bid. The Resolution of Award (R:23-20) has been sent to the Township and should be executed at the June 6, 2023 TC meeting in order for the paving to be scheduled thru the Co-Op.
- The contractor, ADS, has returned to the project and has made the necessary repairs to the previously installed drainage improvements.
- A new Resolution of Award needs to be passed at the August 8, 2023 meeting as the Morris County Co-Op Awarded the District 3 Paving Bid to Tilcon for the remainder of the year. A pre-con meeting was held Monday July 31, 2023. Since the drainage repairs are complete, paving of Section 2 will be scheduled. We are anticipating that the roadway paving work will be completed in the very near future (prior to the end of August).
- Milling was completed on August 29, 2023 and paving is scheduled for September 1<sup>st</sup> and 5<sup>th</sup>.
- We have requested the drainage work contractor (ADS) to return to the job site and repair the lawn which was damaged. A 1 year maintenance bond will be required of ADS.
- The 1-yr maintenance bond was received from ADS. ADS is scheduled to return to repair the lawn area, but we do not have a firm commitment date at this time.
- Paving was completed on September 6, 2023. Center line striping was also completed but we are waiting for the striping contractor to return and paint a Stop Bar at the Swamp Road intersection. We are also waiting for the results of pavement coring/testing.
- ADS returned and repaired the lawn area.
- The coring results have been received and have resulted in a 2% penalty based upon not meeting the air voids requirement. A 2% penalty will be assessed to Tilcon for this line item.
- This project is now complete. We still need a final inspection from DOT, but are waiting for Section 3 to be complete so we can schedule both Inspections concurrently.
- FCE has requested a final inspection from the DOT.

### **Ridge Road Section 3 (2023 NJDOT Grant Project)**

- The Township was notified by the State that they received a grant in the amount of \$160,630 for the resurfacing of Ridge Road, Section 3. A Budget Memo was prepared and discussed at the December 6<sup>th</sup>, 2022 TC meeting. No action was taken at the December 6th meeting. With the total of both State grants (\$292,230.) for Sections 2 and 3 and input from Kathleen, the Township





authorized our office to proceed with both Sections 2 & 3 at the January 10, 2023 meeting. We will continue to keep the Township apprised as we move forward with this project.

- The roadway construction plans for Section 3 are nearly complete and will be forwarded to the NJDOT very soon.
- A field meeting was held on site on March 17 to finalize guiderail requirements on the County structures. The roadway construction plans will go to the NJDOT during the first week of April.
- The roadway construction plans have been sent to the NJDOT.
- The NJDOT has approved the plans and has authorized the Township to go to bid. The Resolution of Award (R:23-21) has been sent to the Township and should be executed at the June 6, 2023 TC meeting in order for the paving to be scheduled thru the Co-Op.
- A new Resolution of Award needs to be passed at the August 8, 2023 meeting as the Morris County Co-Op Awarded the District 3 Paving Bid to Tilcon for the remainder of the year. A pre-con meeting was held Monday July 31, 2023. Since the drainage repairs are complete, paving of Section 3 will be scheduled. We are anticipating that the roadway paving work will be completed in the very near future (prior to the end of August).
- Milling was completed on August 29, 2023 and paving is scheduled for September 1<sup>st</sup> and 5<sup>th</sup>.
- Paving was completed on September 5, 2023. Center line striping was also completed but we are waiting for them to come back and paint a Stop Bar at the Roxburg Hill Road intersection.
- We have received a quote from KDP Developers, Inc for the repair work on Ridge Road. Please reference correspondence sent under separate cover.
- RSS will be out to upgrade the Guiderail as required. We are waiting for the results of pavement coring/testing.
- We are waiting for confirmation when RSS will return to complete the upgrade of the Guiderail as required. At the October 3, 2023 TC meeting, KDP was awarded a contract for \$149,200.00 for the Ridge Road improvements resulting from the July storm damage. As soon as the Guiderail work is completed, they will be mobilizing to do the required repair work at the subject location.
- The coring results have been received and have resulted in a 2% penalty for one of the lots in Section 3 based upon not meeting the air voids requirement. A 2% penalty will be assessed to Tilcon for this line item.
- We have contacted RSS several times but still do not have a date when the necessary guiderail will be installed. As you know, the roadway work and storm damaged section of Ridge Road cannot be repaired until the guiderail is installed.
- We recently have been contacted by RSS and they have scheduled the work for the week of January 15<sup>th</sup>. We anticipate that KDP will be able to schedule their work on the Ridge Road repairs immediately subsequent to the completion of the guiderail.



- As of the date of this report, RSS is working on the Guiderail and the work should be completed by weeks end. We are expecting KDP to begin their work shortly.
- RSS has completed the guiderail work.
- As discussed with the Township Committee at the March 5<sup>th</sup> Committee meeting, KDP is now able to perform the repair work as the balance of the Ridge Road Section 3 project (through the 2023 NJDOT Grant) has been completed. We are working on scheduling and the coordination of the work with KDP.
- A Meeting with KDP took place on April 30<sup>th</sup>. They are slated to begin work the week of May 6<sup>th</sup>. If the Township cannot do the traffic Control, KDP will need to provide.
- KDP has completed the bank stabilization work. They have a few punch list items to complete. Our office has contacted the Morris Co. CO-OP contractor, Riverview Paving, to schedule the paving work, but as of the date of this report, no date has been confirmed.
- KDP has completed all work, their invoice is on the bill list to be paid in full. Riverview Paving has not returned our calls to set up a date for paving.
- Riverview Paving continues to fail in returning our calls to set up a date for the paving.
- Riverview Paving has finally called us back and given us a tentative paving date of late September to early October.
- We have recently been given a tentative paving date of October 17<sup>th</sup>.
- Riverview paved the final area of the roadway on October 17, 2024. Striping has been requested and should be completed very soon.
- **Striping was completed and a final inspection from the NJDOT has been requested.**

**MS4 Municipal Separate Storm Sewer System General Permit**  
**(No Change from last month)**

- The Township received a July 1, 2022 letter from NJDEP indicating that the Township is being reassigned as a Tier A Municipality. It is currently and has been a Tier B. The letter explains that the main reason for the change is the level of pollutants which are found to be present within many of the streams and waterways within the Township. It is our understanding that all Tier B Townships within the County and many around the State are being upgraded to Tier A. The upgrade imposes more responsibilities on the Township to conform to its NJDEP General Stormwater Permit, including, but not limited to, additional responsibilities for the DPW, preparation of Township wide storm sewer outfall maps, preparation of a Stormwater Pollution Prevention Plan (SPPP), etc. At this point we are not certain whether this decision can be appealed. We will continue to monitor the “situation” and keep you informed. For your information and interest, please take note that all of the Municipalities we represent in Warren County that were originally designated as Tier B, have all been upgraded to Tier A.



- On August 24<sup>th</sup>, Gene Weber and I attended a virtual meeting hosted by the NJDEP for the Township MS4 Tier B Reassignment. Further instructions, schedule, and Grant availability will be provided to the Township in the near future. We will continue to advise the Township as the Reassignment process moves forward.
- A copy of the Township's 2023 MS4 General Stormwater Permit was received from NJDEP last week. The permit, effective January 1, 2023, has re-assigned Harmony Township as a Tier A municipality. Our office will be preparing a memo to the Committee summarizing changes from the previous 2018 Tier B Permit and documenting additional responsibilities placed upon the Township.
- FCE provided a memo, dated February 14, 2023 to the Committee listing additional Township responsibilities under its new Tier "A" designation and MS4 Permit. There is substantial work required to comply with the new permit. I am happy to report that we have been advised by NJDEP that grants of up to \$75,000 will be available through the end of 2023. With the Committee's authorization, our office will obtain the grant information and prepare the Grant application.
- A grant application in the amount of \$75,000 was submitted to NJDEP on March 9, 2023.
- The Township was approved for a \$75,000 NJDEP grant. Our office intends to provide the Committee with a budget estimate for completion of the tasks which are required pursuant to the new 2023 MS4 Permit.
- Our office began preparation of a draft Stormwater Pollution Prevention Plan (SPPP) as required by the new MS4 Permit and provided the draft to R. Hoffman to provide information which is required to be contained within the plan. Also, we believe the CFO has already received an initial grant payment of \$25,000 from the state.
- The Highlands Council has just advised that funding is being made available to aid in compliance with the new MS4 requirements. Our office will keep you advised as more details become available.
- Unless directed to the contrary by the Committee, our office will be preparing a request for additional funds from the Highlands Council.
- The Letter to the Highlands Council Requesting additional funds has been forwarded to the Township in order for the Township to send it to the Highlands Council. The required Ordinances have been sent to the Township for a first Reading in January. The DEP has scheduled the required site inspection for December 6, 2023.
- The Highlands Council has received the request for additional funds and requested additional information, we are preparing the reply and it will be sent out in the near future. The SPPP plan has been submitted to the State, we are waiting for final acceptance of the plan.
- FCE is working with the DPW to respond to the Highlands Council. The DEP has sent additional comments on the SPPP plan which will be addressed by our office.



- The revised SPPP plan was sent to the DEP. The DEP has now approved the plan and thus the Township was approved for the remaining \$50,000 in grant money.
- The revised letter to the Highlands Council requesting additional Grant monies has been sent and we are awaiting their approval of same.
- The Annual Report was submitted on April 30, 2024.
- The additional Grant funds from the Highlands Council in the amount of \$32,000.00 were received by the Township on May 7<sup>th</sup>. These additional funds will assist the Township in supplementing the costs for compliance with the “new” MS4 regulations.
- FCE has started the survey work for the mapping requirements.
- FCE continues to perform the survey work for the mapping requirements.
- The Survey work required in conjunction with our MS4 Permit has been completed and FCE is presently working towards submissions to both the NJDEP and the Highlands.

#### **2024 State Municipal Aid Applications (River Road)**

- Applications have been submitted for the 2024 State Municipal Aid Grants. The Township submitted an application for River Road and Marble Hill Road. Resolutions for the submission of the Grants have been sent to the Township to be passed at the July 11<sup>th</sup> TC meeting.
- The Resolutions were uploaded to PMRS before the July 31 deadline.
- NJDOT has sent out a Notice thru PMRS, that Harmony Township has received a Grant in the amount of \$136,782.00 for the River Road Resurfacing Project.
- Our office received authorization from the Township Committee at the December 5, 2023, TC Meeting, to proceed with the project. Please see the attached Budget Memo for the 2024 project.
- At this time, this project is on hold until more information is received from FEMA for the pipe replacement project which is located approximately in the middle of the section of River Road slated for improvements.
- A field meeting was held on the Garrison End of River Road to look at the drainage issues that need to be addressed. FCE will proceed with preparation of plans and specs for submittal to DOT for this section of River Road.
- FCE has completed the field survey work for the section of River Road to be resurfaced.
- We have been proceeding forward with the project design and the development of construction plans for the project.
- A final check of the plans with the DPW was conducted on July 23<sup>rd</sup>. The plans have been sent to the NJDOT for their final review prior to the project going to construction.



- We continue to wait for the NJDOT's approval of our plans and spec.'s which will put us in a position to go out to bid.
- The DOT has recently approved the plans and the project will be out to bid in November, 2024. The Bid Opening is set for November 21, 2024 so the contract for the project can potentially be awarded at the December 3, 2024 TC meeting.
- **Only one contractor picked up the bid packages. Unfortunately, no one submitted a bid for the November 21, 2024 Bid opening. The Committee could choose to go out to bid again with the identical project, or we could try to solicit quotes for the drainage work only and hope that the quotes come in under the threshold, as allowed with a QPA. We could then proceed with doing the paving work through the Co -Op in the spring of 2025.**

#### 2025 NJDOT Municipal Aid Applications

- Applications are now being accepted for the 2025 NJDOT Municipal Aid Grants. The Township may submit two applications. Last year the Township submitted applications for River Road and Marble Hill Road. Only half of River Road is going to be constructed this year. Therefore, I would suggest we submit applications for River Road Section 2 as our Number 1 application and Marble Hill Road as Number 2 for 2025.
- The applications were submitted. The Resolutions for the applications are on the agenda for the July meeting and must be uploaded to PMRS.
- The application and Resolutions have been accepted by the NJDOT.
- **The Township received a grant for the Marble Hill Road Resurfacing Project in the amount of \$179,046.00. This was our #2 choice with River Road, Section 2, as our #1 choice. As of the date of this report, PMRS has not indicated whether the River Rd., Section 2, application has been awarded or denied. We hope to have an update for the December 3, 2024 Committee meeting.**

#### River Road Culvert Replacement

- The Township has been working with FEMA to secure mitigation funding to replace the culvert. FCE has completed the survey work for the culvert replacement.
- Clarification is needed regarding whether or not this is an in-kind replacement or mitigation utilizing a larger pipe. FCE has begun the design for this project; it is important to note that the existing pipe does not convey the entire 100-yr storm.
- FCE is continuing to work on the bid plans and specs for this project. The same size pipe but HDPE will convey the 100-year storm.
- The project is presently out to bid with a bid opening date set for September 12, 2024.
- This Project, as outlined in a separate correspondence from our office, should be awarded to Tom Bartha & Sons Excavating at the October 1<sup>st</sup> TC meeting.



- The pre-construction meeting was held for this project on October 23, 2024 and construction has commenced as of October 30, 2024. Due to the significant excavations that are required for this project, River Road was required to be Closed and will remain Closed until the new pipe is installed and backfilled. We do not anticipate that this will be any significant amount of time. Our office has been inspecting and coordinating the construction phase of the project with the contractor, Tom Bartha & Sons Excavating.
- **This project is nearly 100% complete with the last portion of work for the contractor to complete is the guiderail installation which should be completed by the end of this week.**

cc: Kelley Smith, Clerk, via email only  
Kathleen Reinalda, CFO, via email only  
Randy Hoffman, DPW, via email only  
Igor Bykov, Esq., via email only

**FINELLI CONSULTING ENGINEERS  
HARMONY TOWNSHIP  
ZONING OFFICER LOG**

January 1, 2024 – November 30, 2024

<b>DATE</b>	<b>NAME</b>	<b>LOCATION</b>	<b>DESCRIPTION</b>
1/8/24	Millie Toscano	528 Harmony Brass Castle Rd. B21, L16	Issued a Zoning Permit # 2024-01 to install a Generator.
1/10/24	Brainards – Logs & Firewood	Block 44, Lot 24	Inspection of site. Photos taken. Site has not changed much since the August 24, 2023, Inspection. The site of Lot 24 is still a log and firewood processing facility. It appears the logs are trucked in and not harvested on site.
1/17/24	Shelly Ackerman	4 Grist Mill rd. B 9, L 2.01	Inspection of site. Photo's taken. Camper trailer has electric hooked up w/ an extension cord plugged into the detached garage. No dogs seen or heard on the site. Less refuge/junk at site compared to the last inspection. Talked to owner who claims the house has been sold and he will be moving shortly.
1/23/24	Walter Knittle / Brett Young	1003 Harmony Station Rd. B 37, L 12	Follow-up inspection of Site from 12.20.23 NOV. Photo's taken. Both Mr. Young and Mr. Knittle cleaned up the property and are continuing to remove scrap and junk. We spoke directly with Mr. Knittle and he is working on getting a few final things cleaned up.
2/5/24	N/A	2649 Belvidere Road B 35, L 8	Logging complaint - Meeting with Inspector Drew K. -- researching the issue.
2/28/24	N/A	1 Roxburg Hill Road B 10, L 9	Received e-mail from Kelley regarding another complaint about the "junk" on the property. On 2/28 Drew K., of our office inspected the subject property and took some photos. A letter will be issued shortly advising the property owner of the required cleanup.
3/1/24	Brainards – Logs & Firewood	Block 44, Lot 24	Site inspection with photos. Ongoing firewood processing operation, logs are dropped off by outside contractors, then cut and split into firewood.

**FINELLI CONSULTING ENGINEERS  
HARMONY TOWNSHIP  
ZONING OFFICER LOG**

January 1, 2024 – November 30, 2024

3/5/24	Heather Konya	1142 Ridge Road B 11, L 4.02	Issued Permit # 2024-02 to replace existing garage that is not structurally fit.
3/8/24	Rob (LMR)	9 South Foul Rift Rd Block 3, Lot 1	Complaint of dirt on roads. MSF went to site. Met & spoke to owner regarding required cleanup and necessary site improvements. Inspected various buildings at different levels of construction.
3/25/24	Jose (Owner) KMW VILLACORTA TRUCKING LLC	1 Roxburg Hill B 10, L 9	MSF went to site due to trucks /trailers on site & reports from animal control regarding dogs escaping trailer. Inspection & photos taken. No dogs present, no one on site.
3/28/24	Donald Quick	798 Marble Hill Road	Complaints of junk and Debris. Inspector went out to site. Photos taken. Direct follow-up with Mr. Quick forthcoming.
3/28/24	N/A	40 Harmony Brass Castle Road	Complaint of family living in camper. Inspector went out to site. Photos taken. Home being renovated.
4/9/24	EMT Renewables for Home owner Christina Gunderman	15 Harmony Terrace Block 49, Lot 53	Issued Zoning Permit # 2024-03 for a roof mounted solar system/ panels.
4/12/24	Manny Escalera	2783 River Road B 39, L 31.01	Issued Zoning Permit # 2024-04 for solar panels moved from main dwelling to detached garage.
4/12/24	James McLain	415 Harmony Station Rd. B 44, L 15	Issued Zoning Permit # 2024-05 for a Machinery Shed
4/19/24	Brian Tipton	3231 Belvidere Rd. B 4, L 4	Issued Zoning Permit # 2024-06 for a fence
4/19/24	Jacqueline Cameron	3090 Hutchinson River Rd. B 6, L 3	Issued Zoning Permit # 2024-07 for a 12x16 Storage Shed
4/19/24	Glenn Fohr	488 Allens mills Rd. B 20, L 2	Issued Zoning Permit # 2024-08 for an Agricultural Equipment storage shed
5/7/24	Jose (Owner) KMW VILLACORTA TRUCKING LLC	1 Roxburg Hill B 10, L 9	Inspection of site- Tractors still on property, no one living there and no dogs present



**FINELLI CONSULTING ENGINEERS  
HARMONY TOWNSHIP  
ZONING OFFICER LOG**

January 1, 2024 – November 30, 2024

5/7/24	Brainards – (Hydro-Press) Logs & Firewood	Block 44, Lot 24	Inspection of site-Same as last inspection on 3/1/24. Gate closed and locked
5/7/24	Donald Quick	798 Marble Hill Road	Inspection of site- The road is cleaner. Gate closed; no animals. Same as last inspection on 3/28/24.
5/7/24	N/A	2649 Belvidere Road B 35, L 8	Inspection of site – no change since last inspection.
5/10/24	Habitat for Humanity	Alpha Street B 42, L 17	Issued Zoning Permit # 2024-09 for a Driveway.
5/17/24	James & Sharon Fox	949 Brass Castle Road B 13, L 5	Complaint about building construction without a permit. Our inspector went out on 5/17 took photos. Will follow-up with Mike.
5/13/24	Johhny Freeze	1001 Ridge Road B 9, L 20.02	Issued Zoning Permit # 2024-10 for new solar PV array on roof.
5/13/24	Crown Castle USE Inc.	1355 Strykers Road B 31, L 8.01	Issued Zoning Permit # 2024-11 for Verizon Wireless to add/replace antennas & equipment.
5/13/24	Janis Kels	200 Reeder Road B 8, L 1	Issued Zoning Permit # 2024-12 for an additional equipment storage (40'x50' addition).
5/13/24	James Fox	155 Buttonwood Lane B 46, L 4.05	Issued Zoning Permit # 2024-13 for a storage shed (10'x16')
5/29/24	Realty Co of PA/Talen Generation 2929 Allen Parkway 22 <sup>nd</sup> Floor Houston, TX 77019	10 Davidson Lane B 1, L 2	Complaint about high grass/weeds and tree limbs. Our inspector went out on 5/29 to take pictures, the house is abandoned. We will issue a letter to the property owner.
6/13/24	Thunder Ridge Farms LLC (Power Energy Solutions, LLC)	160 Esposito Road B 44, L 20.01	Issued Zoning Permit # 2024-14 for roof mounted solar installation

**FINELLI CONSULTING ENGINEERS  
HARMONY TOWNSHIP  
ZONING OFFICER LOG**

January 1, 2024 – November 30, 2024

6/13/24	Scott Hawkins	590 Montana Road B 17, L 2	Issued Zoning Permit # 2024-15 for residence addition.
6/21/24	LaVerde	0 Fiddlers Elbow B 11, L 28	Issued Zoning Permit # 2024-16 for agricultural equipment storage bldg.
6/21/24	Habitat for Humanity	Alpha Street B 42, L 17	Issued Zoning Permit # 2024-17 for a residential dwelling
6/24/24	Chris Albertson	2757 River Road	Received e-mail from Township regarding a wood structure being built. Our Inspector went out to the property on 6/24 and took photo's. A Gazebo was built without a permit. Albertson since has submitted an application to receive a permit for it.
7/18/24	John O'Mahoney Applicant – EMT Renewables	355 Brainards Road B 35, L 1.01	Issued Zoning Permit # 2024-18 to install a roof mounted solar system
7/18/24	Bret Cavanaugh	80 Swamp Road B 11, L 62.01	Issued Zoning Permit # 2024-19 to install a workshop storage building
7/18/24	Paula Kiceniuk	1028 Broad Street B 42, L 4	Issued Zoning Permit # 2024-20 to install a privacy fence.
7/31/24	Chris Albertson	2757 River Road B 39, L 28.01	Issued Zoning Permit # 2024-21 to install a Gazebo.
8/1/24	Robert Grafer	1151 Ridge Road B 9, L 17	Issued Permit # 2024-22 to install a 24'x30' garage.
8/20/24	Vijay Kumar	3095 Belvidere Rd. B 8, L 10.01	Issued Permit # 2024-23 for a residential structure and also the issuance of a driveway Permit.
8/20/24	Zoning Hours at Municipal Bldg.		3 Visitors, permit issued to Vijay Kumar – see above
8/27/24	Zoning Hours at Municipal Bldg.		4 Visitors, no Permits issued; many questions answered
9/3/24	Sergey Mamedov	1039 Harmony Station Road B 37, L 10.03	Issued Zoning Permit # 2024-24 for 6' fence in rear yard.

**FINELLI CONSULTING ENGINEERS  
HARMONY TOWNSHIP  
ZONING OFFICER LOG**

January 1, 2024 – November 30, 2024

9/10/24	Zoning Hours at Municipal Bldg.		4 Visitors, no Permits issued; Answered many questions. Brett Young (1003 Harmony Station Rd.) & neighbor Lea & James Ginocchio (1005 Harmony Station Road) regarding complaint about the property (junk & debris).
9/10/24	Brett Young (Knittle property)	1003 Harmony Station Road	9/9/24 we received photos with a complaint from concerned neighbors regarding the Knittle Property. Brett Young called our office on 9/9/24 to explain why some items are outside of house to be brought to the dump yard. On 9/9/24 the Health Department opened up a complaint file on the property. They will send someone out to do an inspection.
9/11/24	Mick Amey	11 Hilltop Lane B 11, L 37.02	Issued Zoning permit # 2024-25 to install a 24'X40' Garage.
9/24/24	Zoning Hours at Municipal Bldg.		3 visitors, two permits issued. See below.
9/24/24	Laura Rupp	513 Harmony Brass Castle Rd. B 11, L 54.02	Issued Zoning Permit # 2024-26 to install full home generator
9/24/24	Gary & Linda Rowe	109 Garrison Road B 35, L 5	Issued Zoning Permit # 2024-27 to Increase the size of deck.
10/1/24	Zoning Hours at Municipal Bldg.		3 visitors, No Permits issued.
10/8/24	Zoning Hours at Municipal Bldg.		No Visitors. No permits issued.
10/8/24	Joseph Vella	234 Brainards Road B 44, L 11.02	Issued Zoning Permit # 2024-28 to install 3 Tesla power walls (energy storage systems)
10/15/24	Zoning Hours at Municipal Bldg.		No Visitors. No permits issued.
10/22/24	Zoning Hours at Municipal Bldg.		No Visitors. No permits issued.

**FINELLI CONSULTING ENGINEERS  
HARMONY TOWNSHIP  
ZONING OFFICER LOG**

January 1, 2024 – November 30, 2024

10/29/24	Zoning Hours at Municipal Bldg.		2 visitors, one permit issued.
10/29/24	Morgan Smith	35 Ridge Road B 9, L 107	Issued Zoning Permit # 2024-29 to install 2 propane tanks for home furnace.
11/1/24	Virtual Court Hearing	1 Harmony Terrace	Scheduled for December 3, 2024.
11/6/24	Zoning Hours at Municipal Bldg.		2 Visitors, one permit issued
11/6/24	Mabel Cook	2787 River road B 39, L 32	Issued permit # 2024-30 to install 30'x50' pole building
11/7/24	Leah Bitton	70 Swamp Road B 11, L 58	Issued permit # 2024-31 to install a PV Solar system mounted on roof.
11/7/24	Crown Castle USA	1355 Strykers Road B 31, L 8.01	Issued permit # 2024-32 to install a new tower extension to existing telecommunication tower.
11/12/24	Zoning Hours at Municipal Bldg.		No permits issued.

Consent

R:24-43

Resolution Approving LEW environmental

WHEREAS, as the Township of Harmony is seeking professional services for staffing to support management of lead testing of rental units in the Township in order to comply with N.J.A.C. 5:28A; and

WHEREAS, LEW Environmental Services has submitted a proposal , a copy of which is attached hereto and incorporated herein by reference, setting forth the terms and conditions of the lead testing; and

WHEREAS, the Township of Harmony will not incur any fee from LEW Environmental as all fees re billable and payable by the property owner; and

WHEREAS, The Township Administrator and Township Attorney have reviewed the proposal submitted by LEW Environmental , a copy of which is attached hereto, and recommends the approval of same; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Committee of Harmony Township that the proposal for professional services for staffing to support management of lead testing of rental units in the Township, submitted by LEW Environmental Services, a copy of which is attached hereto and incorporated herein by reference, is hereby approved; and

BE IT FURTHER RESOLVED, the Township of Harmony will not incur any direct fee as same is billable and payable by the property owner; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to take all steps necessary to effectuate the intent of this resolution; and

BE IF FURTHER RESOLVED, that the Township Administrator is hereby authorized and directed to forward a copy of the resolution together with the professional agreement and signed proposal to LEW Environmental Services upon its passage.

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 December 3, 2024.

---

Kelley D. Smith  
Municipal Clerk

Consent

R:24-44  
Harmony Township  
Warren County, NJ

A Resolution Accepting A Grant From The Hazardous Discharge Site Remediation Fund Public Entity Program Through The New Jersey Economic Development Authority And The New Jersey Department Of Environmental Protection

WHEREAS, Harmony Township has applied for and has been awarded a grant in the amount of up to \$141,104.81 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the new Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Preliminary Assessment and Site Investigation of the Former Trans Mix Sand & Gravel Quarry property;

NOW, THEREFORE, BE IT RESOLVED by the governing body of Harmony Township that the above referenced grant is hereby accepted and the Administrator is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for Harmony Township.

BE IT FURTHER RESOLVED that a comprehensive plan exists specifically for the development or redevelopment of suspected or confirmed discharge of a hazardous substance or hazardous waste in the host municipality or can otherwise demonstrate its commitment to the Authority that the Project Site will be developed or redeveloped within a three-year period from the completion of the remediation.

BE IT RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

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 December 3, 2024.

(seal)

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

Attest:

\_\_\_\_\_  
Municipal Clerk

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

WB #2

**ORDINANCE NO. O:24-18**

**ORDINANCE OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING CHAPTER 290 ENTITLED “LEAD-BASED PAINT INSPECTIONS” TO REQUIRE LEAD-BASED PAINT INSPECTIONS IN CERTAIN RESIDENTIAL DWELLINGS, AS MANDATED BY P.L. 2021, C. 182.**

**WHEREAS**, the State of New Jersey enacted P.L. 2021, c. 182, codified under N.J.S.A. 52:27D-437.1, et seq., establishing lead-based paint testing programs for certain residential rental properties; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every single-family, and two-family, and multiple rental dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and,

**WHEREAS**, the Township Committee of the Township of Harmony determined it is in the best interests of Township residents to amend the Township Code at this time to require inspections for lead-based pain in certain residential rental dwellings to conform with State law.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Harmony, County of Warren, State of New Jersey, that Chapter 290 entitled “Lead-Based Paint Inspections” be created as follows:

**SECTION I**

**Chapter 290 – Lead-Based Paint Inspections.**

**§ 290-1. Definitions.**

**Commissioner** – the Commissioner of the Department of Community Affairs (DCA).

**Dwelling** – building containing a room or rooms, or suite, apartment, unit, or space, that is rented and occupied or intended to be rented and occupied for sleeping and dwelling purposes by one or more persons.

**Dwelling Unit** – means a unit within a building that is rented and occupied or intended to be rented and occupied for sleeping and dwelling purposes by one or more persons.

**Dust Wipe Sampling** – A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

**Lead Abatement** – Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

**Lead-Based Paint Hazard** – Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

**Lead Evaluation Contractor** – A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:171.1 et seq.

**Tenant Turnover** – The time at which all existing occupants vacate a dwelling unit(s) and all new tenants move into the dwelling unit.

**Visual Assessment** – A visual examination for deteriorated paint or visible surface dust, debris, or residue.

### **§ 290-2. Required Initial Inspection**

The owner, landlord, and/or agent of every single-family, two-family, and/or multiple dwelling unit(s) offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two (2) years of the effective date of the law, July 2, 2022, or upon tenant turnover, whichever is earlier.

### **§ 290-3. Required Recurring Inspection.**

After the initial inspection required by Section 290-2, the owner, landlord, and/or agent of such dwelling unit(s) offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three (3) years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner, landlord, and/or agent has a valid lead-safe certification.

### **§ 290-4. Option to Hire Lead Evaluation Contractor.**

The owner, landlord, and/or agent may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the New Jersey Department of Community Affairs to satisfy the requirements of Section 290-2 instead of the municipal inspection contemplated by Section 290-2. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor, the term “Township Code Enforcement Officer” shall also mean and include such lead evaluation contractor for purposes of this Chapter.

### **§ 290-5. Consultation with the Local Board of Health.**

The Township Code Enforcement Officer or such lead evaluation contractor with the duty to inspect single-family, two-family, and multiple rental dwellings pursuant to this Chapter, may consult with the local health board, the State of New Jersey Department of Health, or the State of New Jersey Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving a high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for the repair of dwellings containing lead paint.

### **§ 290-6. Standards.**

Inspection for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq., and N.J.S.A. 55:13A-1 et seq., as may be amended from time to time.



### **§ 290-7. Exceptions.**

A dwelling unit in a single family, two family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards, or for any fee(s) for such inspection or evaluation, if the unit:

- a. has been certified to be free of lead-based paint;
- b. was constructed during or after 1978;
- c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law", N.J.S.A. 55:13A-1, et seq.;
- d. is a single-family or two-family seasonal rental dwelling which is rented for less than six (6) months-duration each year by tenants that do not have consecutive lease renewals; or
- e. has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437.16(d)(2).

### **§ 290-8. Remediation.**

If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the dwelling shall remediate the hazards through abatement or lead-based paint hazard control mechanisms in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Township Code Enforcement Officer or his/her designee, as may be applicable, or the owner's private lead inspector, shall conduct an additional inspection of the unit(s) to certify that the hazard no longer exists.

### **§ 290-9. Lead-Safe Certification.**

If no lead-based paint hazards are identified, then the Township Code Enforcement Officer or his/her designee, or the owner's private lead inspector shall certify the dwelling as lead safe on a form prescribed by the Department of Community Affairs (DCA), which shall be valid for two (2) years and shall be filed with the Township's Code Enforcement Officer. The Township Code Enforcement Officer shall maintain up-to-date information on inspection schedules, inspection results, tenant turnover, and a record of all lead-free certifications issued pursuant to N.J.A.C. 5:17.

### **§ 290-10. Owner, Landlord, and/or Agent Responsibility.**

In accordance with N.J.S.A. 52:27D-437.16(e), the owner, landlord, and/or agent shall:

- a. provide evidence of a valid lead-safe certification and the most recent tenant turnover to the Township of Harmony at the time of the cyclical inspection carried out under the "Hotel

and Multiple Dwelling Law,” N.J.S.A. 55:13A-1, et seq., unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to § 290-7 hereof;

- b. provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to § 290-7 hereof, and shall affix a copy of such certification as an exhibit to the tenant’s or tenants’ lease; and
- c. maintain a record of the lead-safe certification which shall include the name or names of the unit’s tenant or tenants if the inspection was conducted during a period of tenancy, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to § 290-7 hereof.

**§ 290-11. Notification to the Commissioner of Community Affairs.**

If the Township Code Enforcement Officer finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this Chapter, then the Code Enforcement Officer shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with the “Lead Hazard Control Assistance Act,” N.J.S.A. 52:276D-437.8.

**§ 290-12. Inspections as a Result of Testing of Children of Six Years of Age or Younger.**

- a. If less than three percent (3%) of children tested in the Township, six (6) years of age or younger, have a blood lead level greater than or equal to five (5) ug/dL, according to the central lead screening database maintained by the State of New Jersey Department of Health pursuant to N.J.S.A. 26:2-137.6, or according to other data deemed appropriate by the commissioner (as such term is used in and for the purposes of N.J.S.A. 52:27D-437.16), then the Township Code Enforcement Officer may inspect a dwelling located therein for lead-based paint hazards through visual assessment.
- b. If at least three percent (3%) of children tested, six (6) years of age or younger, have a blood lead level greater than or equal to five (5) ug/dL, according to the central lead screening database maintained by the State of new Jersey Department of Health pursuant to section 5 of P.L.1995, c.328 (N.J.S.A. 26:2-137.6), or according to other data deemed appropriate by the commissioner, then the Township Code Enforcement Officer shall inspect a dwelling located therein through dust wipe sampling.
- c. If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three- dwelling units, then the Township Code Enforcement Officer shall inspect the remainder of the building’s dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint.

**§ 290-13. Fees.**

The Municipality shall assess a fee of twenty dollars (\$20.00) per unit inspected by a certified lead evaluation contractor or permanent local agency for the purposes of the "Lead Hazard Control Assistance Act," P.L.2003, c.311 (N.J.S.A. 52:27D-437.1 et al.) concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of twenty dollars (\$20.00) pursuant to the provisions of section 10 of P.L.2003, c.311 (N.J.S.A. 52:27D-437.10).

**§ 290-14. Violations and Penalties.**

In accordance with N.J.S.A. 52:27D-437.19, the penalties for a violation of this Chapter shall be as follows:

- a. If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given thirty (30) days to cure the violation.
- b. If the property owner has not cured the violation after thirty (30) days, the property owner shall be subject to a penalty not to exceed one thousand dollars (\$1,000.00) per week until the required inspection has been conducted or remediation efforts have been initiated.

**SECTION II: Repealer.**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION III: Severability.**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, inconsistent with the Code of the Township of Harmony, or is held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION IV: Effective Date.**

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Harmony held on December 3, 2024, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on December 30, 2024 at 4:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance, at the Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

---

Kelley Smith  
Township Clerk

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

500 MT. PISGAH AVENUE  
P.O. BOX 587  
OXFORD, NEW JERSEY 07863-0587

Jonathan Knittel  
Director

908-453-2174  
Fax: 908-453-4241  
Internet: www.pcfawc.com

NB #3  
Cover letter  
only

November 15, 2024

Mayor  
Harmony Township  
3003 Belvidere Road  
Phillipsburg, NJ 08865

RE: 2025 Interlocal Agreement

Dear Mayor:

The Pollution Control Financing Authority of Warren County (PCFAWC) appreciates Harmony Township interest in an interlocal agreement for disposal of solid waste at our landfill facility.

The PCFAWC will not be increasing the rate per ton for the 2025 disposal contracts and we will be terminating the 2024 contracts on December 31, 2024. The attached contract will be effective on January 1, 2025. Our contract terms run from January 1 through December 31.

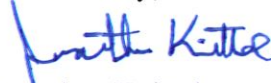
Enclosed you will find two (2) Interlocal Agreements.

In addition, the Pollution Control Financing Authority of Warren County reserves its right to enforce any and all portions of the attached Agreement at any time during the term of this Agreement. Prior to signing, please ensure that you fully understand all terms and conditions outlined within the Agreement and the Pollution Control Financing Authority's rights under this Agreement.

If the Agreement is acceptable, please sign both copies and return them to our office at your earliest convenience. Upon receipt, the Pollution Control Financing Authority of Warren County will consider the Agreement at the next scheduled meeting.

If you have any questions, please call me at (908) 453-2174 ext. 234.

Sincerely,



Jonathan Knittel  
Director



cc: PCFA Members  
Contract file 2025



*Welcome to*

**HISTORIC**

**HARMONY  
TOWNSHIP**





*Welcome to*

HISTORIC

**HARMONY  
TOWNSHIP**





*Welcome to*

**HISTORIC**

**HARMONY  
TOWNSHIP**



# Expenditure Budget

Activity to 12/02/2024

\* *ACTIVITY = Budget - (Balance + Encumbered)* (You can include the break out by journal from the report options)  
 Matching: 10510010 to 10699920

Account Number	Description	Budget	Activity	Encumbered	Balance
10510010	General Admin: S&W	47,000.00	39,074.71	-	7,925.29
10510020	General Admin: OE	40,000.00	20,341.26	2,633.69	17,025.05
10511010	Mayor and Council: S&W	18,349.00	15,288.30	-	3,060.70
10512010	Municipal Clerk: S&W	105,000.00	89,557.42	-	15,442.58
10512020	Municipal Clerk O/E	4,000.00	3,645.59	-	354.41
10513010	Financial Admin: S&W	25,005.00	-	-	25,005.00
10513020	Financial Admin: OE	11,000.00	9,948.79	-	1,051.21
10513520	Audit Services: OE	29,500.00	29,850.00	-	(350.00)
10514510	Rev Admin (Tax Col.): S&W	25,322.00	21,100.80	-	4,221.20
10514520	Rev Admin (Tax Col.): OE	12,000.00	13,195.49	-	(1,195.49)
10515010	Tax Assessment: S&W	25,230.00	21,023.30	-	4,206.70
10515020	Tax Assessment: OE	3,500.00	3,727.88	1,142.64	(1,370.52)
10515520	Legal Serv (Lgl Dept): OE	35,000.00	24,950.00	2,750.00	7,300.00
10516520	Engineering Services: OE	35,000.00	12,968.75	888.75	21,142.50
10517520	Historical Sites Office:OE(Commission)	10,000.00	5,005.58	125.00	4,869.42
10518010	Planning Board: S&W	20,642.00	17,200.00	-	3,442.00
10518020	Planning Board: OE	10,000.00	2,358.00	22.32	7,619.68
10518510	ZBOA S&W (Zoning and Public Officer)	17,289.00	14,628.24	-	2,660.76
10521020	Liability Insurance	49,340.00	49,340.00	-	-
10521520	Worker Compensation Insurance	28,906.00	28,904.00	-	2.00
10522020	Employee Group Insurance	68,892.00	64,912.65	-	3,979.35
10522520	Unemployment Insurance	1,000.00	306.56	-	693.44
10525210	Emergency Management: S&W	9,531.00	7,146.00	-	2,385.00
10525220	Emergency Management: OE	10,000.00	3,116.13	-	6,883.87
10525520	Aid to Volunteer Fire Companies	70,000.00	70,000.00	-	-
10526020	Contrib to First Aid Org	20,000.00	20,000.00	-	-
10527520	Munic. Prosecutor's Office: OE	1.00	-	-	1.00
10529010	Road Maintenance: S&W	223,664.00	224,990.32	-	(1,326.32)
10529020	Road Maintenance: OE	236,000.00	232,018.22	7,347.50	(3,365.72)
10531020	Buildings and Grounds: OE	90,000.00	71,694.84	4,374.26	13,930.90
10533510	Env Comm S/W	1.00	-	-	1.00
10533520	Environmental Health Serv:OE(Commission)	425.00	425.00	-	-
10534010	Animal Control Services: S&W	10,825.00	10,824.00	-	1.00
10534020	Animal Control Services: OE	1,000.00	-	-	1,000.00
10537510	Maintenance of Parks: S&W	600.00	-	-	600.00
10537520	Maintenance of Parks: OE	4,000.00	3,235.74	415.50	348.76
10537620	Community Day Events	15,000.00	1,250.00	9,437.32	4,312.68
10543020	Electricity	18,000.00	11,787.72	2,006.44	4,205.84

# Expenditure Budget

Activity to 12/02/2024

*ACTIVITY = Budget - (Balance + Encumbered) (You can include the break out by journal from the report options)*

*Matching: 10510010 to 106999.*

Account Number	Description	Budget	Activity	Encumbered	Balance
10543520	Street Lighting	1,000.00	106.48	8.79	884.73
10544020	Telephone (exclude equip acq)	12,000.00	11,030.77	1,016.22	(46.99)
10544720	Fuel Oil	25,000.00	21,247.16	796.62	2,956.22
10546020	Gasoline	35,000.00	6,525.96	303.88	28,170.16
10546510	Landfill/Solid Waste Disp.: S&W	3,892.00	2,918.25	-	973.75
10546520	Landfill/Solid Waste Disp.: OE	1,500.00	-	-	1,500.00
10546621	Interlocal Svcs - Municipal Court OE	34,000.00	31,457.55	-	2,542.45
10547120	Public Employees Retirement System	50,772.00	50,771.00	-	1.00
10547220	Social Security	45,000.00	34,078.26	-	10,921.74
10670120	Clean Communities Program: OE	13,824.02	-	-	13,824.02
10670122	Storm Water Grant	50,000.00	-	-	50,000.00
10670136	RECYCLING TONNAGE GRANT	1,107.49	-	-	1,107.49
10670146	NJDOT Grant - River Road	136,782.00	-	-	136,782.00
10687120	Emergency Authorization	200,000.00	-	-	200,000.00
10689920	RESERVE FOR UNCOLLECTED TAXES	801,362.37	-	-	801,362.37
10690020	Capital Improvement Fund	425,000.00	-	-	425,000.00
10699910	Bond Interest	43,975.00	22,762.50	-	21,212.50
10699920	Bond Principal	310,000.00	310,000.00	-	-
<b>TOTALS</b>		<u><b>3,521,236.88</b></u>	<u><b>1,634,713.22</b></u>	<u><b>33,268.93</b></u>	<u><b>1,853,254.73</b></u>





**List of Bills - (100006) CASH CURRENT - VALLEY #6686  
Current Fund**

Check#	Vendor	Description	Payment	Check Total
2739	2200 - A&W SEPTIC SERVICE LLC	PO 20579 PORT-A-JOHNS	125.00	
		PO 20595 PORT-A-JOHNS	315.00	440.00
2740	2030 - AQUA NEW JERSEY	PO 20590 1040 3RD AVE	187.77	187.77
2741	2292 - BRT TECHNOLOGIES LLC	PO 20575 ASSESSMENT POSTCARD POSTAGE	1,142.64	1,142.64
2742	2104 - CINTAS	PO 20546 MEDICAL CABINET REFILL	80.71	
		PO 20563 MEDICAL CABINET REFILL	48.77	
		PO 20592 AED	237.00	366.48
2743	1719 - CINTAS CORPORATION #101	PO 20542 MATS/JANITORIAL	518.22	518.22
2744	1719 - CINTAS CORPORATION #101	PO 20564 MATS/JANITORIAL	518.22	518.22
2745	1581 - COURTNEY MORROW	PO 20580 MILEAGE FOR OPENING REC BLDG	100.50	100.50
2746	2198 - DE LAGE LANDEN FINANCIAL SERVICES INC.	PO 20593 COPIER LEASE	659.11	659.11
2747	273 - Denville Line Painting, Inc.	PO 20473 VARIOUS ROADS STRIPING	13,635.55	13,635.55
2748	2033 - ECKROTH EQUIPMENT COMPANY	PO 20551 DPW PARTS	5,953.35	5,953.35
2749	1356 - Finch Fuel Oil Co., Inc.	PO 20565 MUNI BLDG	796.62	
		PO 20566 1040 3RD AVE FUEL OIL	360.82	1,157.44
2750	2044 - GARDEN STATE LABORATORIES, INC.	PO 20556 WATER TESTING	100.00	100.00
2751	2271 - GREATAMERICA FINANCIAL SVCS	PO 20553 POSTAGE METER LEASE	189.00	189.00
2752	1108 - GRIFFITH ALLIED TRUCKING LLC	PO 20555 GASOLINE	303.88	303.88
2753	152 - Harmony Garage & Collision Repair LLC	PO 20584 DPW PARTS	266.72	266.72
2754	76 - Harmony Hardware	PO 20570 DPW HARDWARE	58.74	58.74
2755	163 - Harmony Twp. Bd. of Education	PO 20585 DEC SCHOOL TAX	542,355.41	542,355.41
2756	1676 - INTERNATIONAL FIREWORKS MANUFACTURING CO	PO 20578 FIREWORKS FOR COMMUNITY DAY	9,437.32	9,437.32
2757	2152 - J.C EHRlich	PO 20576 COAH UNITS - OCT SERVICE	109.08	
		PO 20596 DPW SERVICE NOV	161.76	270.84
2758	1094 - JCP&L	PO 20587 STREET LIGHTS	2,006.91	2,006.91
2759	1094 - JCP&L	PO 20588 FARMSTEAD	8.32	8.32
2760	1942 - LAVERY SELVAGGI & COHEN PC	PO 20571 LEGAL	2,826.50	2,826.50
2761	1979 - NJ ADVANCE MEDIA, LLC	PO 20561 LEGALS	37.84	37.84
2762	1979 - NJ ADVANCE MEDIA, LLC	PO 20577 LEGALS	666.80	666.80
2763	1979 - NJ ADVANCE MEDIA, LLC	PO 20589 RIVER RD BID	67.88	67.88
2764	40 - NJ League of Municipalities	PO 20562 2025 DUES	426.00	426.00
2765	90 - NJCM	PO 20547 2025 DUES	400.00	400.00
2766	400 - NORTHEAST PARTS GROUP LLC	PO 20582 DPW PARTS	10.82	
		PO 20594 DPW PARTS	72.94	83.76
2767	2111 - Office Concepts Group	PO 20572 OFFICE SUPPLIES	362.55	
		PO 20573 OFFICE SUPPLIES	5.47	368.02
2768	1903 - PenTeleData	PO 20597 CABLE	231.90	231.90
2769	627 - PRECAST MANUFACTURING COMPANY	PO 20483 CATCH BASINS - RIDGE	1,470.00	1,470.00
2770	1225 - Printplus	PO 20567 ENVELOPES	199.00	199.00
2771	290 - READYREFRESH by NESTLE'	PO 20537 BOTTLED WATER SERVICE	207.80	207.80
2772	2337 - RIVERVIEW PAVING INC.	PO 20545 RIDGE RD	22,944.88	22,944.88
2773	1311 - Sanico, Inc.	PO 20549 COAH UNITS - OCT	96.00	
		PO 20550 DPW DUMPSTER	744.17	840.17
2774	2180 - SERVICE ELECTRIC CABLE TV	PO 20538 long distance - NOV	16.52	16.52
2775	2175 - TRAINING UNLIMITED LLC	PO 20539 CEU WEBINARS	190.00	190.00
2776	1029 - TREASURER, STATE OF NEW JERSEY	PO 20581 3RD QTR MARRIAGE FEES	100.00	100.00
2777	642 - Treasurer, State of NJ	PO 20543 ANNUAL LIFE HAZARD - GARAGE	559.50	559.50
2778	2280 - UNIVERSAL TECHNICAL RESOURCE SERVICES IN	PO 20557 RIVER RD RESURFACING 2024 DOT GRANT	7,648.75	
		PO 20559 RIDGE RD RECONSTRUCTION PLANS	2,317.50	9,966.25
2779	2143 - VERIZON	PO 20583 TELEPHONES	250.16	
		PO 20591 TELEPHONES	63.04	313.20
2780	2284 - VOIP CARRIER SERVICES	PO 20574 TELEPHONES	686.50	686.50
2781	2230 - WARREN ASPHALT	PO 20552 BROKEN ASPHALT	69.93	69.93
2782	573 - White Glove Treatment	PO 20536 OCT CLEANING	350.00	350.00
2783	2310 - WIRELESS ELECTRONICS INC.	PO 20568 RADIO FOR TRUCK	915.00	915.00
TOTAL				623,613.87

**List of Bills - (100006) CASH CURRENT - VALLEY #6686  
Current Fund**

Check#	Vendor	Description	Payment	Check Total
--------	--------	-------------	---------	-------------

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
100006	CASH CURRENT - VALLEY #6686			0.00	623,613.87
100223	DUE FROM GENERAL CAPITAL FUND			38,050.43	
100224	DUE - COAH TRUST			830.17	
101170	DUE FEDERAL AND STATE GRANT FUNDS			562.50	
101172	Due to State - Marriage Fees			100.00	
101345	LOCAL SCHOOL TAX - PAYABLE			542,355.41	
10510020	General Admin: OE	2,587.44			
10515020	Tax Assessment: OE	1,142.64			
10515520	Legal Serv (Lgl Dept): OE	2,750.00			
10516520	Engineering Services: OE	888.75			
10517520	Historical Sites Office:OE(Commission)	125.00			
10529020	Road Maintenance: OE	7,347.50			
10531020	Buildings and Grounds: OE	4,374.26			
10537520	Maintenance of Parks: OE	415.50			
10537620	Community Day Events	9,437.32			
10543020	Electricity	2,006.44			
10543520	Street Lighting	8.79			
10544020	Telephone (exclude equip acq)	1,016.22			
10544720	Fuel Oil	796.62			
10546020	Gasoline	303.88			
10688020A	(2023) Emergency Authorization		8,515.00		
<hr/>					
TOTALS FOR	Current Fund	33,200.36	8,515.00	581,898.51	623,613.87
<hr/>					

Total to be paid from Fund 10 Current Fund

623,613.87

=====

623,613.87