

HARMONY TOWNSHIP COMMITTEE
SPECIAL/REGULAR MEETING

March 4, 2025 @ 5:00 p.m.

A G E N D A

CALL TO ORDER BY MAYOR

**OPEN PUBLIC MEETINGS
STATEMENT**

PLEDGE OF ALLEGIANCE

ROLL CALL:

BUDGET REVIEW

- Text My Gov presentation
- Budget Information Review
- Schedule Next Budget Meeting

EXECUTIVE SESSION: Negotiations/Potential Litigation

CONSENT AGENDA:

**MOTION TO APPROVE THE CONSENT AGENDA WHICH INCLUDES THE
FOLLOWING WHEN AVAILABLE**

Reports: Attorney Report Minutes: December 30, 2024
 Engineer Report February 4, 2024

Resolutions: R:25-13; Resolution To Support Publishing Legal Notices On Official
Government Websites.

R:25-14; Resolution of Award, Resurfacing of River Road Drainage work
in the amount of \$39,899.65 to K&A Paving Contractors, LLC

R:25-15; Resolution of Award, Resurfacing of River Road work in the
amount of \$102,523.01 to Morris County Cooperative Pricing Council of
Contract #6: Road Resurfacing, Tilcon, NY, Inc

R:25-16; Resolution of Award, Resurfacing of River Road for individual
construction items in the amount of \$4,207.00 to Morris County
Cooperative Pricing Council vendor, Dan Swayze & Son, Inc.

R:25-17; Reserve Transfer Resolution

Raffles: RA:2025-02; Harmony Township Volunteer Fire Company Tricky Tray
 March 30, 2025
 RA:2025-03; Harmony Township Volunteer Fire Company 50/50 March
 30, 2025

CORRESPONDENCE:

1. NJ EDA; Garden State C-PACE Program Opportunity
2. NJ EDA; Notice of funding sent in the amount of \$141,104.81 for the Former Transmix Sand & Gravel Quarry Project
3. Warren County Division of Aging; Search for Outstanding Sr. Citizen of WC Award and Older American's Month in May
4. Township of Lopatcong; Notice of public hearing on Ordinance 2025-03
5. WC Commissioners; Resolution #109-25; Calling upon Governor Murphy and AG Platkin to uphold their oaths of office
6. WC Commissioners; Resolution #110-25; To oppose A919/S-1518 concerning privatization contracts

NEW BUSINESS:

1. SWAC Representative Appointment
2. Motion to authorize Mayor and Clerk to execute an agreement with The Land Conservancy of New Jersey in the amount not to exceed \$11,000.00
3. Ordinance amendments (Attorney discussion)
4. Himansu H Patel Cannabis Inquiry/Request for supporting resolution to operate at 2108 Belvidere Road in Harmony Township
5. T-Mobile Hometown Grant Opportunity
6. Cross Acceptance process reporting requirements/deadlines

OLD BUSINESS:

1. FEMA Update
2. Harmony Station Overgrown Lot Clean Up Quotes
 - K&H Excavating \$12,580.00
 - Tom Bartha & Son Excavating \$20,750.00
 - K&A Paving Contractors \$17,500

BOH NEW BUSINESS:

1. Approval of Food Handlers Licenses
 - Pudgy's Famous Fries LLC
 - Clam Jam Boil & BBQ
 - M3 Harmony (Traditions)
 - Harmony Township Recreation Snack Stand.

VOUCHERS: Approve payment of Vouchers

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
NICHOLAS C. DeFURIA

*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

SENDER'S DIRECT EMAIL
IBYKOV@LSACLAW.COM

MEMO

TO: Harmony Township Committee
FROM: Igor V. Bykov, Esq.
DATE: February 27, 2025
RE: Attorney's Report | March 4, 2025, Township Committee Meeting

Please accept this report as a recap of the matters handled by our office since the February meeting.

I. Signature Estates

The Township Engineer and I met independently before being joined by the Mayor and Clerk to discuss the issues raised by the residents surrounding the contemplated development. Following a brief meeting, it was requested that a letter be forwarded to Dr. Farouk Barakat, informing him of the Township's position and alerting him of the alleged violations of the Developer's Agreement and the attendant Land Use Board Resolution. The mailed letter, which was also sent electronically to the Doctor, is attached hereto for the Committee's convenience.

As soon as a response is received, I will inform the Township and will share whatever correspondence is submitted.

II. Stormwater Management Ordinances

The Township Clerk received correspondence from the General Code Company, alerting her of a few issues with the Tree Removal and the Stormwater Control Ordinances. From the look of it, the majority of the flagged concerns were relatively minor (e.g., missing adoption date, County Clerk's Office address, and the like). One item the Township will need to consider is the penalty provision under Section XI of the latter Ordinance.

As a final note regarding this issue, the Township will need to pass a remedying ordinance that accepts the changes before same can be adopted by the General Code and subsequently inserted into the Township Code.

For the Committee's convenience and review, both amended ordinances are provided herewith.

III. HS&G

The Township received a Restoration Performance Bond from HS&G. Having reviewed the document, there was language that I did not believe was accurate. This issue was flagged to the attention of Scott Wilhelm, Esq., who advised that he will confer with his client and will get back to me. It is also my understanding that certain reports remain outstanding, as the ones received at the conclusion of last year were – in my opinion – outdated. Should the Committee determine that the receipt of updated reports is necessary, either the Engineer or I can request the updated report(s).

IV. Resolution of Support

The Township Clerk received an inquiry from a gentleman named Himansu Patel, requesting a Resolution of Support for the operation of a Class I, II, and V cannabis business in the municipality. I am attaching a signed LOI received by our office in regards to the sale/anticipated use of the Property, should the Committee wish to review it before making its decision.

BOND NO. 60112355



RESTORATION PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we, **Harmony Sand & Gravel, Inc.**, PO Box 277, Belvidere, NJ 07823 as Principal, and **THE OHIO CASUALTY INSURANCE COMPANY**, an New Hampshire corporation having an office and place of business at 275 Grandview Avenue, Camp Hill, PA 17011, as Surety, are held firmly bound unto **Harmony Township, Warren County, New Jersey** as Oblige, in the sum of **Seven Hundred Fifty Thousand and 00/100 Dollars (\$750,000.00)** lawful money of the United States of America, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally firmly be these presents.

SIGNED, SEALED AND DATED THIS 1st DAY OF January 2025.

Whereas, the Principal has entered into a restoration agreement with the **Harmony Township** as Oblige, guaranteeing that the Principal will complete restoration work as per the Letters and Cost Estimates accepted at **Harmony Township public meeting in December 2024.**

Now, therefore, the condition of this obligation is such, that if the Principal shall carry out all the terms of said agreement relating to the restoration work only and perform all the work as set forth therein, then this obligation shall be null and void, otherwise to remain in full force and effect.

No party other than the Oblige shall have any rights hereunder as against.

The aggregate liability of the Surety on the Bond Obligation shall not exceed the sum thereof for any cause or reason whatsoever.

This bond will remain in effect for the period beginning on the 1st day of January, 2025 and ending on the 31st day of December, 2025. Bond may be cancelled by either Principal or Surety, at least sixty (60) days written notice to Oblige prior to the date that such action is to be taken. No cancellation shall take effect until a period of at least sixty (60) days has elapsed from the date of the notice.

Witness:

Judy Malcolm

Harmony Sand & Gravel, Inc.
PRINCIPAL

By:

Richard Harmon



Witness:

Mark R. Grandinetti
Mark R. Grandinetti

The Ohio Casualty Insurance Company
SURETY

By:

Ronald J. Grandinetti
Ronald J. Grandinetti, (Attorney-in-fact)





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8201794-970784

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Ronald J. Grandinetti; Mark R. Grandinetti

all of the city of Bethlehem state of PA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 8th day of August, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By:

David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 8th day of August, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 26, 2021
Member, Pennsylvania Association of Notaries

By:

Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 6. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of January, 2025.



By:

Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary



TO: Mayor Brian Tipton and Township Committee Members **VIA EMAIL ONLY**
FROM: Bryce D. Good, P.E., CPESC
DATE: February 28, 2025
RE: **Harmony Township Engineer's Report for the March 4, 2025 Committee Meeting**
FCE No. 10951.MU.0033

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. We 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. We will be reviewing same and providing a response to HS&G. Additionally, we will be requesting a more current report from HS&G. We believe that Igor has also been in contact with their Attorney, Scott Wilhelm, regarding the final few items that remain outstanding.
- **We have been working with Igor on the submission of a Restoration Performance Bond that references false information. Igor has requested clarification from their attorney.**

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 11th 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)

- 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 1st and 5th.
- 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.
- The project passed final inspection and FCE is working at submitting the final close out documents to DOT.
- We are working on the closeout with NJDOT and are waiting for back up documentation from the Township.
- **We are in the final steps with the State and should receive the final reimbursement soon.**

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 6th, 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 1st and 5th.
- 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 15th. 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 5th 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 30th. They are slated to begin work the week of May 6th. 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 17th.
- 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.
- The project passed final inspection and FCE is working at submitting the final close out documents to DOT.
- We are working on the closeout with NJDOT and are waiting for back up documentation from the Township.
- **We are in the final steps with the State and should receive the final reimbursement soon.**

MS4 Municipal Separate Storm Sewer System General Permit

- 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 24th, 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 7th. 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.
- FCE met with DPW to review completed mapping and have a second meeting set up to figure out plan to complete mapping.
- FCE and DPW continue to work together to complete the mapping requirements.
- **FCE and DPW completed the field investigation. FCE is working to complete the mapping for submittal to DEP and 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 11th 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 23rd. 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.
- The committee chose to solicit quotes. FCE is revising the plans to reflect just the drainage work then quotes will be solicited.
- FCE requested quotes from three contractors and received quotes from two of the contractors. Please see the attached quotes and the recommendation of award letter.
- **Resolutions of award are to be signed at the March meeting. FCE will set up a preconstruction meeting for early March.**



2025 NJDOT Municipal Aid Applications

(No change from last month)

- 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.
- DOT has denied the River Road Section 2 grant request. Awaiting directions from the Committee concerning the Budget memo for Marble Hill Road provided previously.

Signature Estates

- We have been working Igor to review the Developer's Agreement to compile a list of items that appear to be deficient and determine a path forward. We have also been working with Igor to issue a letter to the developer concerning the same.
- The developer has requested an audience at the March meeting.

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

HARMONY TOWNSHIP
WARREN COUNTY, NJ
R:25-13
RESOLUTION TO SUPPORT PUBLISHING
LEGAL NOTICES ON OFFICIAL GOVERNMENT WEBSITES

WHEREAS, the sunset provision of March 1, 2025 imposed under P.L. 2024 c.106 is fast approaching in what was a temporary solution that allowed local governments to comply with the public notice requirements under the law in time for annual reorganization meetings in January; and,

WHEREAS, local government officials serve as the stewards of property taxpayer dollars and should no longer be required to subsidize the newspaper industry with revenues collected from publishing legal notices in the press; and,

WHEREAS, long before NJ Advanced Media's announcement that it was terminating daily print publications in January of 2025, local government officials found it increasingly difficult to comply with the public notice requirements under the law as the media has become almost exclusively digitized and struggled to retain staff, resources, and publications; and,

WHEREAS, legislation that will authorize local governments to publish legal notices on a local government's official website will streamline an antiquated and overly burdensome process and save valuable time, resources, and property taxpayer dollars; and,

NOW, THEREFORE, BE IT RESOLVED that Harmony Township, Warren County, does in fact, hereby urge state leaders to pass legislation that will authorize municipalities, counties, school districts, and all local governments to publish legal notices in a clear, transparent, and timely manner on a local government's official website.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, Senator Douglas Steinhardt, Assemblymembers John DiMaio, Erik Peterson, and the New Jersey State League of Municipalities.

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Harmony Township Committee at a meeting held on March 4, 2025.

Kelley D. Smith
Municipal Clerk

R:25-14
HARMONY TOWNSHIP
WARREN COUNTY/STATE OF NEW JERSEY

A RESOLUTION OF AWARD, RESURFACING OF RIVER ROAD

Be it resolved, that on March 4, 2025 the Township Committee of the Township of Harmony adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Drainage Improvements and Resurfacing of River Road, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$137,782.00

Be it further resolved, that the Township Committee of the Township of Harmony does hereby award unit prices for individual construction items based unit prices obtained through soliciting quotes for the Drainage work on River Road with a total cost of \$39,899.65. The award is made to K & A Paving Contractors, LLC

ATTEST:

Kelley Smith
Municipal Clerk

Brian Tipton
Mayor

I, Kelley Smith, Municipal Clerk of the Township of Harmony, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Harmony on March 4, 2025.

Kelley Smith

R:25-15
HARMONY TOWNSHIP
WARREN COUNTY/STATE OF NEW JERSEY

A RESOLUTION OF AWARD, RESURFACING OF RIVER ROAD

Be it resolved, that on March 4, 2025 the Township Committee of the Township of Harmony adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Drainage Improvements and Resurfacing of River Road, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$137,782.00

Be it further resolved, that the Township Committee of the Township of Harmony does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$102,523.01. The award is made to the Morris County Cooperative Pricing Council winner of Contract #6: Road Resurfacing, Tilcon, NY, Inc.

ATTEST:

Kelley Smith
Municipal Clerk

Brian Tipton
Mayor

I, Kelley Smith, Municipal Clerk of the Township of Harmony, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Harmony on March 4, 2025.

Kelley Smith

R:25-16
HARMONY TOWNSHIP
WARREN COUNTY/STATE OF NEW JERSEY

A RESOLUTION OF AWARD, RESURFACING OF RIVER ROAD

Be it resolved, that on March 4, 2025 the Township Committee of the Township of Harmony adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Drainage Improvements and Resurfacing of River Road, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$137,782.00

Be it further resolved, that the Township Committee of the Township of Harmony does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$4,207.00. The award is made to the Morris County Cooperative Pricing Council vendor, Dan Swayze & Son, Inc.

ATTEST:

Kelley Smith
Municipal Clerk

Brian Tipton
Mayor

I, Kelley Smith, Municipal Clerk of the Township of Harmony, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Harmony on March 4, 2025.

Kelley Smith

**TOWNSHIP OF HARMONY
WARREN COUNTY, STATE OF NEW JERSEY**

**R:25-17
BUDGET TRANSFER – APPROPRIATION RESERVES**

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

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

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

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Planning Board O/E	\$1,322.00	
Gasoline O/E	\$2,332.00	
Road Maintenance O/E	\$4,652.00	
Financial Admin. O/E		\$371.00
Legal Services O/E		\$75.00
Engineering Services O/E		\$1,198.00
Buildings & Grounds O/E		\$1,781.00
Maintenance of Parks O/E		\$46.00
Electricity O/E		\$2,008.00
Telephone O/E		\$543.00
Fuel Oil O/E		\$2,284.00
TOTALS	\$8,306.00	\$8,306.00

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Harmony Township Committee at a meeting held on March 4, 2025.

Kelley D. Smith
Municipal Clerk

Warren County Department of Human Services
Division of Aging & Disability Services
Wayne Dumont Jr. Administration Building
165 County Rte. 519 So.
Belvidere, New Jersey 07823-1949

Steve Unger
Executive Director



Toll-Free: 877-222-3737
Telephone: 908-475-6591
Fax: 908-475-6588

February 21, 2025



To: DHS Advisory Councils
Senior Services Provider Network
Warren County Libraries
Warren County Senior Clubs
Warren County Municipal Clerks

From: Steve Unger, Executive Director

RE: 2025 Mary Louise Christine Outstanding Senior Citizen of Warren County

Older Americans Month is a time for our nation to celebrate older adults and their contributions to our communities. Each May, this annual observance offers a special opportunity to learn about, support, recognize and celebrate our nation's older residents. The national theme for Older Americans Month 2025 is **"Flip the Script on Aging"**, which focuses on transforming how society perceives, talks about, and approaches aging.

To celebrate Older Americans Month, the Warren County Aging Services Advisory Council annually conducts a county-wide search for an older adult to honor with the **Mary Louise Christine Outstanding Senior Citizen of Warren County Award**. We seek your help in identifying a Warren County senior whose service to their community has benefited other residents to the extent that you feel they are deserving of this distinction.

In addition to the honoree's name being permanently memorialized on a plaque displayed in the Wayne Dumont, Jr., Administration Building, the 2025 Outstanding Senior Citizen of Warren County will be presented with a meritorious plaque by the Warren County Board of County Commissioners, and celebrated at a reception on May 22, 2025.

Each nominee for the award will receive a special Certificate of Appreciation and will be invited to attend the reception in May 2025.

If you have someone you would like to have honored, please complete the enclosed nomination form and forward it to the Division of Aging & Disability Services no later than **Monday, April 7, 2025.**

For your convenience, criteria and guidelines containing additional information regarding the Mary Louise Christine Outstanding Senior Citizen Award are attached.

Thank you for your assistance. As always, if you should have any questions or need additional information, please do not hesitate to contact this office at 908-475-6591 or toll free 1-877-222-3737.

ENCL: 2025 nomination form
 MLChristine Outst Sr Criteria

C: S. Buskirk, Human Services Director

Mary Louise Christine
Outstanding Senior Citizen of Warren County

Nominations shall include:

- Name, address and age of the nominee
- A narrative and/or list of accomplishments, and the reason(s) why the person is being nominated for the award. Limit narrative to less than 500 words
- Please also include the name, address and phone number of the person submitting the nomination
- Mail or deliver the nomination form and any supporting documentation to:
 - Warren County Division of Aging and Disability Services
Wayne Dumont, Jr. Administration Building
165 County Route 519
Belvidere, NJ 07823-1949
Fax: 908-475-6588

Eligibility criteria to be nominated:

- Be at least 60 years of age
- Be a resident of Warren County, NJ
- Be currently involved in a volunteer activity that demonstrates commitment to their local community or the County of Warren at large
- Promote an active living lifestyle and are passionate about what they do
- Have unselfishly and without regard to personal recognition, donated of themselves their skills and their time to benefit and impact upon all residents of the County of Warren
- Self-nominations will not be accepted
- If a person received this award previously, they may be nominated again, but may not receive the award more than twice

Judging Criteria:

- Previous award winners will evaluate applications submitted for this award
- All information will be held in confidence by judges
- Information submitted will not be returned unless a request is made

Judges will evaluate the following:

- Total scope of activities, including years of service and time commitment
- Innovative service to the community
- How this person has touched the lives of other people in the community
- Variety of services and involvement in organizations
- Services provided should be primarily performed in Warren County

**2025 Mary Louise Christine
Outstanding Senior Citizen of Warren County**

NOMINATION FORM

Name of Nominee for Outstanding Senior: _____

(PLEASE PRINT)

Address: _____

Mailing Address: _____

Phone: _____ Age: _____

***Name & Address of Person and/or Nominating Organization/Agency:**

_____ Phone: _____

Relationship to Nominee: _____

***Please note: You (or a representative from the nominating agency/organization) will be asked to attend the awards ceremony for the individual(s) you nominated.**

RATIONALE

Describe why this individual is being nominated for the award. Please outline all known civic and community involvements including volunteer, charity or any other activity, which distinguishes this person as an outstanding senior citizen. Information you provide will be used in the selection process. **Please be as specific as possible and use additional pages to list all accomplishments and activities. Please limit any additional narrative to 500 words.**

Criteria for the M.L. Christine Outstanding Senior Citizen of Warren County is attached.

NOMINATIONS DUE BY: **Monday, April 7, 2025**

Return to: Warren County Division of Aging & Disability Services
Wayne Dumont, Jr. Administration Building
165 County Rd. 519
Belvidere, NJ 07823-1949
FAX: 908-475-6588

Township of Lopatcong

OFFICE OF THE CLERK/Administrator

MARGARET B. DILTS, MMC, CMR



February 10, 2025

TO: Warren County Planning Board
Town of Phillipsburg
Township of Harmony
Township of Pohatcong
Township of Greenwich

FROM: M. Beth Dilts

Please find attached Ordinance 2025-03 which will be the subject of a public hearing to be held by the Lopatcong Township Council at a meeting scheduled for Wednesday, March 5, 2025 at 7:30 pm in the Court Room located at 232 S. Third Street, Phillipsburg, NJ.



232 S. Third Street, Phillipsburg, New Jersey 08865
(908) 859-3355 Ext. 224 • (908) 213-1037 Fax

ORDINANCE NO. 2025-03

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF LOPATCONG, CHAPTER 243, ZONING AND LAND USE, ARTICLE XIII, GENERAL REGULATIONS TO PERMIT AS A PRINCIPAL PERMITTED USE CERTAIN CANNABIS ESTABLISHMENTS IN DESIGNATED ZONE DISTRICTS AND CREATE CHAPTER [88] "CANNABIS REGULATION"

WHEREAS, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six classes of licenses for cannabis establishments, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

Section 3. The Code of the Township of Lopatcong is amended to establish Chapter [88], Cannabis Regulation, as follows:

§ 88-1 Purpose.

This Chapter is authorized pursuant to the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”, P.L. 2021, c.016, and the implementing regulations promulgated by the Cannabis Regulatory Commission (collectively, the “Act”), which are hereby incorporated herein by reference, and shall be controlling unless more restrictive standards are prescribed herein. If any provision of this Chapter is inconsistent with the statutes and/or regulations of the State of New Jersey, the Act shall govern.

§88-2 Definitions.

For the purposes of this Chapter, all terms shall be defined consistent with the Act. The following terms shall have the meanings indicated:

“Cannabis Consumption Area” means, as further described in section 28 of P.L.2019, c.153 (C.24:6I-21), a designated location operated by a licensed cannabis retailer or permit holder for dispensing medical cannabis, for which both a State and local endorsement has been obtained, that is either: (1) an indoor, structurally enclosed area of the cannabis retailer or permit holder that is separate from the area in which retail sales of cannabis items or the dispensing of medical cannabis occurs; or (2) an exterior structure on the same premises as the cannabis retailer or permit holder, either separate from or connected to the cannabis retailer or permit holder, at which cannabis items or medical cannabis either obtained from the retailer or permit holder, or brought by a person to the consumption area, may be consumed.

“Cannabis Cultivator” means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

“Cannabis Delivery Service” means any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

“Cannabis Distributor” means any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

“Cannabis Establishment” means a Cannabis Cultivator, Cannabis Manufacturer, Cannabis

of consumer purchases fulfilled by that cannabis retailer.

“License” means a license issued under P.L.2021, c.16 (C.24:6I-31 et al.), including a license that is designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license. The term includes a conditional license for a designated class, except when the context of the provisions of P.L.2021, c.16 (C.24:6I-31 et al.) otherwise intend to only apply to a license and not a conditional license.

“Licensee” means a person or entity that holds a license issued under P.L.2021, c.16 (C.24:6I-31 et al.), including a license that is designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license, and includes a person or entity that holds a conditional license for a designated class, except when the context of the provisions of P.L.2021, c.16 (C.24:6I-31 et al.) otherwise intend to only apply to a person or entity that holds a license and not a conditional license.

§88-3 Local Licensing Authority.

A. A local license shall be required to operate a Cannabis Retailer in the Township. The Township Clerk is hereby designated to act as the local licensing authority for the Township for all Cannabis Retailers.

B. Under no circumstances shall the Township Clerk receive or act upon any application for local licensing of a Cannabis Retailer if the Commission has not issued the appropriate State license. It is the intent of this Chapter that no Cannabis Establishment may lawfully operate in the Township absent the issuance of the appropriate State license and full regulatory oversight of the Cannabis Retailer by the Commission as well as that of the Township.

C. Under no circumstances shall the Township Clerk receive or act upon any application for local licensing of a Cannabis Retailer unless or until the applicant has obtained the appropriate zoning approval from the Township land use board with jurisdiction over the application and a Certificate of Zoning Compliance has been issued by the Zoning Officer.

D. The Township Clerk, or his/her designee, shall be authorized to establish rules and regulations consistent with the intent of this Chapter.

§88-4 Local Licensing Application

A. Persons wishing to obtain a local license for a Cannabis Retailer shall file a license application with the Township Clerk, on a standardized form established by the Township and available in the Clerk’s office and on the Township’s website.

B. An application shall be deemed incomplete, and shall not be processed by the Township Clerk, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

- (1) The applicant shall submit proof of licensure by the Commission.

§88-7 Location Restrictions.

A. No building or structure associated with a Cannabis Retailer shall be located within 500 feet of any school property (including any property owned or leased by a public school board), or within 500 feet of the real property comprising a public park.

§88-10 Security and Reporting.

A. The Township Police Department shall be provided the name and phone number of a contact person to notify during suspicious activity during or after operating hours. Security staff is required on the premises during all hours of operation.

B. A burglarproof drop safe that regulates an employee's access to cash shall be used on the premises.

C. The exterior portion of a Cannabis Retailer, including parking areas, shall be well lit during business hours. Said lighting shall be designed so as to not unduly interfere with any neighbor's reasonable use and/or enjoyment of the property.

D. Security protocols shall be submitted to the Township Police Department for compliance review with all safety and security standards established by the State of Cannabis Retailers. The Township Police Department may, at their discretion and upon review of the proposed location, recommend or require additional safety and security measures.

§88-11 Storage of Products.

Cannabis plants, products, accessories, and associated paraphernalia shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. On-site storage of usable cannabis shall comply with applicable federal, state and local laws and regulations.

§88-12 Limitations on Consumption or Smoking on Premises.

No Cannabis Retailer shall permit the consumption of cannabis by means of smoking, vaping, or aerosolizing in a public place, including any indoor public place as the term is defined in N.J.S.A. 26:3D-57, without the approval by the Commission and the Township. Approved "Cannabis Consumption Areas," (as that term is defined by N.J.A.C. 17:30-1.2), shall comply with State and local laws, regulations, or requirements.

§88-13 Prevention of emissions and disposal of materials.

A. A Cannabis Retailer must provide sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting the Cannabis Retailer.

B. A Cannabis Retailer shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with State regulations.

C. A Cannabis Retailer must meet industry best practices for odor control.


D. All State law and regulations concerning ventilation systems shall be followed.

Section 5. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 6. This ordinance shall take effect as required by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on Wednesday, February 5, 2025 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 Council to be held on Wednesday, March 5, 2025 at 7:30 PM or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building located at 232 So. Third St., Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.


Margaret B. Dilts, MMC

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF WARREN**

Wayne Dumont, Jr. Administration Building
165 County Route 519, South
Belvidere, NJ 07823

RESOLUTION 109-25

On a motion by James Kern III, seconded by Lori Ciesla, the following resolution was adopted by the Board of County Commissioners of the County of Warren at a meeting held February 26, 2025.

**RESOLUTION CALLING UPON GOVERNOR MURPHY AND ATTORNEY
GENERAL PLATKIN TO UPHOLD THEIR OATHS OF OFFICE**

WHEREAS, the new administration under President Donald J. Trump has prioritized the need to enforce the federal immigration laws, and seeks to remedy the uncontrolled immigration policies that were in place over the prior four years; and

WHEREAS, it is incumbent upon Governor Murphy as the duly elected chief executive of the State of New Jersey to see to it that the laws of the State of New Jersey and of the United States are enforced, without political motivation or other ulterior motivation; and

WHEREAS, the Commissioners of Warren County are aware of their responsibilities to the citizens of Warren County, which includes ensuring that Warren County is a safe community, and operated with fiscal prudence; and

WHEREAS, it is the proper duty of law enforcement at all levels of government to apprehend persons who have violated the immigration laws of this nation, and specifically any persons who have willfully crossed the border without proper authorization and in defiance of their legal obligation to secure prior approval before entering this country; and

WHEREAS, this nation has a long and proud history of welcoming immigrants who have followed the rules regarding entry to the United States; and

WHEREAS, the Attorney General of the State of New Jersey has directed law enforcement officials to take a "hands off" approach with regard to illegal aliens, except in very limited circumstances, and Governor Murphy has acquiesced in this unfathomable policy; and

WHEREAS, the Commissioners of Warren County cannot and will not remain silent as the Governor and the Attorney General refuse to allow law enforcement officials to undertake their solemn responsibility to enforce the law, thereby exacerbating a situation that exists solely because the prior administration in Washington neglected to see to it that the immigration laws are faithfully executed.

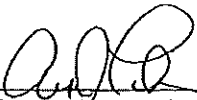
NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of the County of Warren that they call upon Governor Murphy and Attorney General Matthew J. Platkin to exercise their obligation under the laws of the United States and the State of New Jersey with regard to the unprecedented levels of illegal immigration that have inundated the State of New Jersey with persons with no legal right to be present in this State, and who have no intention of removing themselves from the State of New Jersey. This is not an extraordinary demand, as public officials take an oath to uphold the law and to do their duty, and there is no excuse for failure to do so. At the same time, the County Commissioners further proclaim that persons who immigrate to this nation and who do so legally, have "played by the rules" are welcome to come to New Jersey and to live and work here, and to become

citizens of this great nation.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to all Warren County municipalities and the clerks of the boards of county commissioners in all twenty-one counties.

RECORDED VOTE: James Kern III, Lori Ciesla, Jason Sarnoski: yes

I hereby certify the above to be a true copy of a resolution adopted by the Board of County Commissioners of the County of Warren on the date above mentioned.


_____, Clerk
Alex J. Lazorisak
(E1)

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF WARREN**
Wayne Dumont, Jr. Administration Building
165 County Route 519, South
Belvidere, NJ 07823

RESOLUTION 110-25

On a motion by James Kern III, seconded by Lori Ciesla, the following resolution was adopted by the Board of County Commissioners of the County of Warren at a meeting held February 26, 2025.

**RESOLUTION TO OPPOSE A-919/S-1518 CONCERNING
PRIVATIZATION CONTRACTS**

WHEREAS, The Board of County Commissioners of the County of Warren opposes A-919/S-1518 (*Reynolds-Jackson D-15/Wimberly D-35*)(*Turner D-15/Greenstein D-14*), which would establish certain procedures and standards concerning public services privatization contracts.

WHEREAS, this legislation would effectively prohibit the use of privatization contracts by requiring county governments to pay new employees' wages and benefits at a rate not less than the wages and benefits paid to displaced employees; and

WHEREAS, counties enter into privatization contracts to recognize important cost savings in salary, wage, pension, and health benefit costs that make up approximately 65% of overall operating budgets; and

WHEREAS, counties, municipalities, and school districts across the State are struggling to provide essential services in the wake of double-digit health benefit increases, pension payments, utility expenses, property and casualty insurance coverage, and the cost of goods and services; and

WHEREAS, this legislation would effectively eliminate one of the only mechanisms available for local governments to control the ever-increasing property tax burden; and


WHEREAS, this legislation would create an overly burdensome, adversarial, and unnecessary level of bureaucracy by requiring the Office of the State Comptroller (OSC) to review and approve privatization contracts as local governments should retain autonomy to enter into such agreements that they believe serve in the best interest of constituents; and

NOW, THEREFORE, BE IT RESOLVED that The Board of County Commissioners of the County of Warren does in fact oppose A-919/S-1518 (*Reynolds-Jackson D-15/Wimberly D-35*)(*Turner D-15/Greenstein D-14*), which would establish certain procedures and standards concerning public services privatization contracts.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, and the clerks of the boards of county commissioners in all twenty-one counties.

RECORDED VOTE: James Kern III, Lori Ciesla, Jason Sarnoski: yes

I hereby certify the above to be a true copy of a resolution adopted by the Board of County Commissioners of the County of Warren on the date above mentioned.


_____, Clerk
Alex J. Lazorisak
(E2)