

Municipal Building, Harmony, NJ,
February 1, 2005-7:30 p.m.

Regular
Preside The year end/regular meeting of the Township Committee of Harmony Township Warren County, New Jersey was called to order by Mayor John H. Burdge. Mayor Burdge made the following announcement: "Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to The Star-Gazette, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk." The Pledge of Allegiance to the American Flag was led by Mayor Burdge.

Roll call Present were Mayor John Burdge, Committeewoman Abigail Postma, Committeeman Louis Mattei, Attorney William Edleston, Engineer Nevitt Duveneck, and Zoning/Code Enforcement/Public Officer John S. Fritts.

R:05-30 TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-31

EXECUTIVE SESSION RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances present exist.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified matter.

2. The general nature of the subject matter to be discussed is as follows:

potential litigation

3. It is anticipated at this time that the above stated matter will be made public at such time as deemed appropriate.

4. This Resolution shall take effect immediately.

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on February 1, 2005.

Kelley D. Smith
Municipal Clerk

There being no further discussion, the meeting was reopened to the public at 7:45 p.m.

Logo
Contest The logo contest winner, Kody Rolason was announced and presented with a \$250.00 AMEX gift check, a proclamation, and a framed picture of the winning logo that he submitted.

Read
Across
America Mrs. Vicki Pede, Harmony Township School Chief School Administrator, spoke to the committee and audience about the Reasd Across America program. The committee presented Mrs. Pede with a proclamation supporting this program in our township.

Public
Comment Mr. Robert Shandor requested an executive session in the past but was denied, he put it in writing and still no answers. Mr. Shandor noted that he had a meeting with Mayor Burdge, thought things were resolved but does not see anything on the

agenda. He feels it is his constitutional right to address the committee. Mayor Burdge stated that he is working on getting things resolved based on their meeting but has not had sufficient time to follow up on everything and will be continuing to meet with Mr. Shandor.

Municipal
Engineer

The municipal engineer reported on the following items:

- ROTONDI / HARMONY COMPOST
Engineer Duveneck will be inspecting the site in the near future. He noted that he would still like to have settling and retention ponds installed in the back of the site. He stated that there should not be any composting taking place on Lot 12 unless storm drains are installed. It was noted that the township committee needs to discuss the request for expansion by the county by the next meeting.
- MERRILL CREEK ROAD STOP SIGN
Our office has forwarded a copy of the Ordinance along with an engineering narrative requesting approval of the location of the proposed stop sign to the NJDOT (refer to our December 22, 2003 correspondence). Our office has received confirmation that the request is being processed by the NJDOT. We will keep the Committee apprised, as more information becomes available.
- RIDGE ROAD SPEED LIMIT
Our office developed a traffic report and forwarded same to the NJDOT for consideration of the proposed speed limit on Ridge Road (see September 2, 2004 corresp). On Thursday, January 20, 2005, our office discussed the speed limit request with John Jaimeson of the traffic investigation section of the NJDOT. He indicated they would be performing their investigation soon and would be communicating with our office regarding same. Our office shall keep the Committee apprised, as new information is available
- MARBLE HILL ROAD SPEED LIMIT
Our office has is in receipt of a December 22, 2004 correspondence from the NJDOT regarding the speed limit for Marble Hill Road. The NJDOT has recommended a 40 MPH speed limit in both directions on Marble Hill Road for its entire length from Brainards Road to the municipal boundary with Lopatcong. Our office has coordinated with Jim Fox regarding the number of signs to purchase and will be assisting him with the correct placement of same. In addition there we will coordinate with Jim Fox regarding the placement of curve warning signs. Our office is currently coordinating with attorney Edleston regarding development of a speed limit Ordinance for passage by the Committee. When the Ordinance has been passed, the Marble Hill Road speed limit should be included in the new Traffic Section being considered for adoption to the Township Code.

- 2004/2005 JUNKYARD LICENSE (Shandor's Junkyard)
It is our understanding that the municipal court case regarding the violations of the 2004 Junkyard Permit has been postponed for the present time. Mr. Shandor has submitted an application for a 2005 Junkyard Permit. The mayor has met with Mr. Shandor and is currently attempting a resolution to the Township concerns at the operation.

- TAJALMA FARMLAND PRESERVATION SURVEY
Our office received a correspondence from the SADC with comments from their review of the survey. Additional certifications have been added to the survey as requested. Before closing on the property, there will be a final review of the survey by the state prior to certification. Our office will continue to coordinate with the Township attorney as necessary.

- WITCO SITE EVALUATION
French and Parrello Associates has provided the Committee with their review and recommendations in a July 12, 2004 correspondence. This agenda item has been within a number of our engineer's reports and action has been deferred. We look to the Committee for direction on this project.

- STATE STORMWATER MANAGEMENT REGULATIONS
 - The regulations have been adopted and were effective as of February 2, 2004. The Township had previously received their Municipal Stormwater Regulation Program Requirements package from the NJDEP. Our office, on behalf of the Township, forwarded the completed Request for Authorization (RFA) form and Grant Application to the NJDEP on March 2, 2004. We have received our approved stormwater general permit from the NJDEP. Our Effective Date of Permit Authorization (EDPA) is April 1, 2004. The Township is now "on the clock" relative to compliance with the new regulations. The first step will be to adopt a Stormwater Management Plan within one (1) year of the effective date of the Township's permit from the State or April 1, 2005.

 - Harmony Township has been designated as a Tier B municipality which requires less responsibilities versus Tier A municipalities.

 - Our office is currently developing a stormwater management plan that is required to be adopted by the March meeting.

- UNITED TELEPHONE COMPANY OF NEW JERSEY UTILITY ROW AGREEMENT

Our office has coordinated with attorney Edleston regarding a petition by United Telephone Company of NJ to continue to utilize the public rights-of- ways for the location of their telephone poles and equipment. We look to attorney Edleston for an update on the request from the utility company.

- UNIFIED ENVIRONMENTAL (HYDROPRESS) ENVIRONMENTAL CONCERNS

French and Parrello Associates has submitted a report dated, December 2, 2004 that evaluated the site for environmental concerns. The report makes specific recommendations regarding soil sampling and other observations. It is our understanding that the Harmony Township Environmental Committee has petitioned the NJDEP to perform soil testing at this site and the adjacent Harmony Dale Farms. If the NJDEP does not test the site, it would be our recommendation that the Township request that French and Parrello perform the recommended testing at the site. Our office looks to the Committee for your direction in this matter.

- ROXBURG HILL ROAD REPAIR
The repair of the damaged drainage pipe and roadway on Roxburg Hill Road has now been completed. The trench paving has been performed however, as a result of the extensive damage to the top course paving on the road, our office has determined that the roadway should be overlaid. This work shall be completed in the spring along with restoration of the disturbed areas. Our office has processed a second voucher for payment on the project.
- HARMONY STATION/GOAT FARM ROAD
Our office determined that these damaged areas of the Township required immediate emergency repair. The Township passed a Resolution declaring an emergency for these two projects. Warren Materials has submitted a price for the repair of the two damaged areas. The price for the work at Harmony Station is \$40,462.10 and \$53,964.50 for Goat Farm Road. These two projects have qualified for repair under the disaster relief associated with Hurricane Ivan. Our office has coordinated directly with the contractor to start this repair work. They should begin the projects in the near future. Both of these projects require stream encroachment permits from the NJDEP. It is our understanding that the stream encroachment permit application may run concurrently with the construction work to be completed as a result of the emergency nature of the situation as it relates to public safety. As a result of discussions with FEMA representatives, a portion of the costs related to the required stream encroachment permits would be covered by the disaster relief funds from FEMA. Our office looks to the Committee for authorization to prepare the required stream encroachment permits for Harmony Station and Goat Farm.
- FEMA FLOOD MITIGATION GRANT PROGRAM
Our office attended a Flood Mitigation Grant Program meeting with representatives of FEMA and the NJOEM. The meeting was held to inform the residents regarding the program and the financial benefits for elevation of homes. As a result of the meeting, at least 13 homeowners signed up for the program. It appears that the extent of the damage to the homes may be a deciding factor in the “Cost Benefit Ratio” that FEMA utilizes for the grant program. It would be prudent for the individual homeowners to submit a “Pre-application” package to the Township which we could review with the FEMA cost benefit assignors and gain a “Pre-approval” to determine the eligibility of the homes that are considered for elevation. Our office will continue to coordinate with the residents regarding funding under this program.
- GROUP STREAM ENCROACHMENT PERMIT
Our office received authorization from the Committee to coordinate with the residents, the foundation design engineer and the surveyor regarding submission of this project. Our office has reviewed the submitted documentation and will be meeting with the NJDEP to review all applications that are part of the “group application.” It is our intention that both the stream encroachment permit and the variances for the dwellings will be approved for early in March.

- GROUP VARIANCE
Our office received authorization from the Committee to prepare a group variance application on behalf of residents seeking to reconstruct their homes as a result of the flood damage where variances are required. Our office is processing variance application from ten (10) residents. Our office has been coordinating with John Fritts, Lyn Aaroe, Esq, Doug Mace and Anne Viebrock regarding the application. The Township has agreed to pay the professional fees associated with the application. The residents would fund the cost for the public notice requirements. This application is slated to be handled at the Land Use Board's Thursday, February 17, 2005 LUB meeting.
- HUTCHINSON RIVER ROAD SPEED LIMIT
It is our understanding from discussions with the Warren County Engineer's Office that a request for speed limit confirmation has been sent to the NJDOT. As we have experienced, we do not know when that review will be performed and recommendations received. As new information is available, our office will keep the Committee informed.
- NEW JERSEY MUNICIPAL TRUST FUND GRANT PROGRAM
Our office submitted two (2) projects for 2005 funding consideration, which were Decker Road and Montana Road drainage. Recently office received a list of the funded projects for 2005. Unfortunately Harmony Township was not selected for this funding round. It is our understanding that the Trust Funding may be in jeopardy of losing its funding unless the governor and the legislature provide a funding mechanism. From discussions with the NJDOT there will be an annual roadway project applications accepted as usual for a 2006 funding round.
- TAFFNER DRAINAGE ISSUE
Our office is in receipt of a memorandum from attorney Edleston regarding an existing drainage problem on Ms. Taffner's property. It should be noted, the Township DPW, in consultation with our office, had previously performed drainage work to solve a ponding problem near an inlet to the rear of the property. We look to attorney Edleston for an update regarding the responsibilities of the Township as it relates to the drainage above this inlet.
- STECKLE PROPERTY INVESTIGATION
As requested, our office performed research to determine the status of the property and potential value of same. Please refer to our January 20, 2005 correspondence.

Moved by Burdge, seconded by Mattei to accept the engineer's report. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.

Zoning
Officer

The Zoning officer's report was verbally given for the month of January 2005. It included the following items:

- A temporary C.O. was issued for Blk 9, Lot 20.01
- Court appearance for the Shandor Junkyard Violation
- Returned numerous phone calls regarding the group variance for flood victims.
- Miscellaneous phone calls followed up on.

Moved by Burdge, seconded by Postma to approve the Zoning officer's verbal report. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

Road
Supervisor

The road supervisor's report was submitted and reviewed for the month of January 2005.

Moved by Burdge, seconded by Postma to approve the Road Supervisor's report as submitted. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

2005 Moved by Burdge, seconded by Postma to adopt the following resolution:
Budget Harmony Township
Introduction Warren County, New Jersey

Resolution No. R:5-21
Municipal Budget of the Township of Harmony,
County of Warren, for the Fiscal Year 2005

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2005;

Be it Further Resolved, that said Budget be published in the "Star Gazette" in the issue of February 17, 2004;

The Governing Body of the Township of Harmony does hereby introduce the Budget for the year 2005, that includes

- o Total Anticipated General Revenues in the amount of \$2,676,217.00.
- o Total Anticipated General Appropriations in the amount of \$2,676,217.00.

This 2005 budget, as presented necessitates a local tax levy of \$.137 per \$100 assessed valuation, which is equal assessed valuation from the 2004 budget.

RECORDED VOTE:

| | | |
|--------|-------|------------|
| Ayes: | Nays: | Abstained: |
| Burdge | None | None |
| Postma | | |
| Mattei | | |

Notice is hereby given that the introduction of the Budget and Tax Resolution was approved by the Township Committee of the Township of Harmony, County of Warren, on February 1, 2005.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on March 1, 2005 at 8:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2005 may be presented by taxpayers or other interested persons.

* * * * *

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 February 1, 2005.

Kelley D. Smith
Municipal Clerk

Consent Moved by Burdge, seconded by Postma to adopt the following items in the
Agenda consent agenda:

Minutes of January 4, 2005 executive
Minutes of January 4, 2005 reorganization
Minutes of January 4, 2005 regular

| | | |
|-------------------|-------------------------|-----------------------|
| Reports filed by: | Animal Control | Municipal Court |
| | Chief Financial Officer | Historical Commission |
| | Tax Collector | |

The following vouchers were approved:

| Ck. No. | Description | Amount |
|---------|-----------------------|-----------|
| 174 | Sabo, Jeff | 11.72 |
| 175 | A&S Hydraulics, Inc. | 105.00 |
| 176 | AT&T | 168.66 |
| 177 | Ahart, Frinzi & Smith | 13,063.00 |

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|-----|---------------------------------|--------------|
| 178 | Alexis Mattei | 18.75 |
| 179 | Allied Oil | 1,076.28 |
| 180 | Amanda Wojcik | 13.50 |
| 181 | Aramark Uniform Services | 301.76 |
| 182 | Ardito & Co., LLP | 3,738.00 |
| 183 | Beth Verile | 18.75 |
| 184 | Buchalski, Reynolds & Brodowski | 2,884.00 |
| 185 | Certified Laboratories | 218.49 |
| 186 | Costal Products Co. | 4,487.31 |
| 187 | County of Warren-Treasurer | 78,397.66 |
| 188 | County of Warren-Treasurer | 789,686.08 |
| 189 | Ellen Zukoski | 18.75 |
| 190 | French and Parello Assoc. | 4,429.45 |
| 191 | Finelli Consulting Engineers | 8,172.00 |
| 192 | Fox Bros. Alarm | 639.00 |
| 193 | Gary Sassaman | 450.00 |
| 194 | Gene & George Smith Sanitation | 655.82 |
| 195 | Harkers Hollow Golf Club | 250.00 |
| 196 | Harmony Hardware | 169.00 |
| 197 | Harmony Sand & Gravel | 1,925.18 |
| 198 | Harmony Twp General Fund | 225.00 |
| 199 | Harmony Twp. Board of Ed. | 1,216,719.00 |
| 200 | Hasler, Inc. | 305.00 |
| 201 | Hendershot's Garage | 84.32 |
| 202 | Home Depot | 19.97 |
| 203 | ITS Mailing Systems, Inc. | 100.00 |
| 204 | International Healthcare, Inc. | 111.00 |
| 205 | International Salt Co. | 8,647.92 |
| 206 | JCP&L | 556.46 |
| 207 | Jiorles Office Supplies | 237.23 |
| 208 | Keystone Business Products | 588.62 |
| 209 | Mace Consulting Engineers | 6,405.85 |
| 210 | Merkins Hoist and Equipment | 1,978.78 |
| 211 | Metz, Inc. | 1,065.00 |
| 212 | Modern Seely Equipment Co. | 76.32 |
| 213 | Municipal Software, Inc. | 1,704.75 |
| 214 | NAPA Auto Parts | 382.19 |
| 215 | NJ Division of Fire Safety | 449.00 |
| 216 | NJ League of Municipalities | 308.00 |
| 217 | NJEMA | 50.00 |
| 218 | NJEPA | 50.00 |
| 219 | NJN Publishing Co. | 323.30 |
| 220 | National Drug Screening | 150.00 |
| 221 | New Jersey Planning Officials | 265.00 |
| 222 | Nextel Communications | 198.62 |
| 223 | PNC Bank | 102.48 |
| 224 | Powerco | 116.50 |
| 225 | Powerco | 593.66 |
| 226 | Performance Tire Co. | 587.00 |
| 227 | Premier Oil Co. | 1,080.74 |
| 228 | QC Inc. | 56.25 |
| 229 | Raritan Valley Disposal | 1,050.00 |
| 230 | Rosenblum, Wolf & Lloyd | 16,299.65 |
| 231 | S.A. Communale | 3,212.00 |
| 232 | TCTA membership Services | 50.00 |
| 233 | Tax Collectors & Treasurers | 30.00 |
| 234 | The Express-Times | 1,149.84 |
| 235 | Tilcon, Inc. | 1,903.44 |
| 236 | Township of Randolph | 1,000.00 |
| 237 | Travel Centers of America | 49.99 |
| 238 | State of NJ Treasurer | 25.00 |

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|------|--------------------------------|-----------|
| 239 | Vernon Motors, Inc. | 1,057.12 |
| 240 | Vital Services Group | 101.70 |
| 241 | Warren Animal Hospital | 417.75 |
| 242 | Warren Materials | 2,999.44 |
| 243 | White Glove Treatment | 130.00 |
| 244 | William Edleston, Esq. | 2,488.75 |
| 245 | Wilson Products | 104.60 |
| 246 | Staples | 27.41 |
| 247 | Ahart, Frinzi & Smith | 53,647.00 |
| 248 | Allied Oil | 1,593.15 |
| 249 | Finelli Consulting Engineers | 13,877.50 |
| 250 | Franklin Township | 1,118.56 |
| 251 | Garden State Fireworks | 5,000.00 |
| 252 | Harmony Twp. Developers Escrow | 225.00 |
| 253 | Harmony Animal Hospital | 300.00 |
| 254 | Harmony Garage | 392.55 |
| 255 | Harmony Sand and Gravel | 3,586.99 |
| 256 | Hendershot's Garage | 1,493.88 |
| 257 | International Salt. Co. | 1,352.08 |
| 258 | J. Richard Collins | 41.00 |
| 259 | Karen Buckley | 151.73 |
| 260 | Kenna Pearson | 390.00 |
| 261 | Lowe's | 88.00 |
| 262 | Lyn Paul Aaroe, Esq. | 1,375.00 |
| 263 | Mace Consulting Engineers | 2,905.70 |
| 264 | Metz, Inc. | 1,216.59 |
| 265 | Modern Seely Equipment Co. | 793.33 |
| 266 | Municipal Clerk's Association | 175.00 |
| 267 | Municipal Software, Inc. | 225.93 |
| 268 | NAPA Auto Parts | 134.92 |
| 269 | NJAPZA | 40.00 |
| 270 | Nextel Commications | 194.86 |
| 271 | QC Inc. | 35.25 |
| 272 | Treasurer, State of NJ | 600.00 |
| 273 | Treasurer, State of NJ | 500.00 |
| 274 | Vital Services Group | 581.70 |
| 275 | William R. Edleston, Esq. | 2,328.75 |
| 276 | AT&T | 157.12 |
| 277 | JCP&L | 638.93 |
| 278 | Allied Oil | 549.36 |
| 279 | Peapack-Gladstone Bank | 66,278.45 |
| 280 | William Edleston, Esq. | 700.00 |
| 281 | Treasurer, State of NJ | 20.00 |
| 282 | Warren Materials | 59,885.64 |
| 4879 | Bonnie-Marie Dakis | 734.72 |
| 4880 | James Fox | 3,437.04 |
| 4881 | Randy Hoffman | 2,404.27 |
| 4882 | Frank McLain | 2,922.40 |
| 4883 | Kelley Smith | 2,314.11 |
| 4884 | Bonnie Marie Dakis | 370.22 |
| 4886 | Karen Buckley | 571.65 |
| 4887 | John Burdge | 884.90 |
| 4888 | J. Richard Collins | 324.14 |
| 4889 | Voided | |
| 4890 | Mary Dobes | 1,426.46 |
| 4891 | James Fox | 1,464.72 |
| 4892 | John Fritts | 687.48 |
| 4893 | Wesley Garrison | 301.72 |
| 4894 | Randy Hoffman | 1,047.25 |
| 4895 | Joseph Hriczak | 1,287.72 |
| 4896 | Louis Mattei | 864.39 |

| | | |
|------|------------------------------|----------|
| 4897 | Frank McLain | 1,139.29 |
| 4898 | Richard Motyka | 1,095.13 |
| 4899 | Abigail Postma | 811.21 |
| 4900 | Kelley D. Smith | 1,372.60 |
| 4901 | Ann Viebrock | 741.34 |
| 4902 | Amanda Wojcik | 142.32 |
| 4903 | Bonnie Marie Dakis | 966.94 |
| 1013 | Hoyt Signs | 215.00 |
| 3250 | Mace Consulting Engineers | 3,699.00 |
| 3251 | Thonet | 612.50 |
| 3252 | Finelli Consulting Engineers | 553.50 |
| 3253 | Lyn Paul Aaroe, Esq. | 1,531.25 |
| 3254 | Mace Consulting Engineers | 4,663.70 |
| 1 | Finelli Consulting Engineers | 23.00 |
| 2 | Morris Land Conservancy | 2,500.00 |
| 3 | Warren County Treasurer | 100.00 |

The following raffle application was approved:

Raffle License Application R05-2; Harmony Township PTA on March 18, 2005 at the Harmony Twp. Fire House.

The following resolutions were approved:

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-15

A Resolution Establishing An Agreement For Special Counsel

WHEREAS, BRIAN D. SMITH, ESQ. has been duly appointed to the position of special counsel for the Township of Harmony to represent the municipality in its farmland preservation program and

WHEREAS, pursuant to the laws of the State of New Jersey a contract of employment is required in connection with said professional services;

NOW THEREFORE, the parties agree as follows:

1. NATURE OF SERVICES. In his capacity as special counsel, Brian D. Smith, Esq. shall perform all of the duties normally associated with the acquisition of development easements and other interests as may be necessary to effectuate the township's farmland preservation program.
2. COMPENSATION. Payment shall be made as listed on Schedule A attached hereto and incorporated herein by reference.
3. EXPIRATION OF AGREEMENT. This agreement will expire on December 31, 2005.
4. CONTRACTOR COMPLIANCE. Brian D. Smith, Esq. hereby agrees to comply with the requirements of N.J.A.C. 17:27 (Affirmative Action) and P.L. 2001, c. 134 (Business Registration) as set forth in Exhibit B attached hereto and incorporated herein by reference.

Schedule A

1. Hourly rate: \$100.00. No charge for travel time within Warren County.
2. Reimbursement for out-of pocket expenses:
 - a. postage: per rates established by the U.S. Postal Service
 - b. Photocopy: \$0.25 per page.

c. Mileage: no charge for mileage within Warren County; \$0.30 per mile for travel outside Warren County .

d. FedEx/UPS: per published rates.

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on February 1, 2005.

Kelley D. Smith
Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-16

A RESOLUTION AUTHORIZING THE TOWNSHIP OF HARMONY HEREINAFTER REFERRED TO AS "PARTICIPATING CONTRACTING UNIT" TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE COUNTY WARREN HEREINAFTER REFERRED TO AS THE "LEAD AGENCY" FOR THE CONDUCTING OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE WORK, MATERIALS, AND SUPPLIES FOR THEIR PRESPECTIVE JURISDICTIONS

BE IT RESOLVED, by the Township of Harmony in the County of Warren, and in the State of New Jersey:

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Hardwick.

Pursuant to the Provisions of N.J.S.A. 40A:11(5), the Township of Harmony is hereby authorized to enter into a cooperative Pricing Agreement with the Lean Agency or any other contracting unit within the County of Warren for the purchase of work, materials, and supplies.

The Lead Agency entering into this contract on behalf of the Township of Harmony shall be responsible for complying with the provisions of Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey.

All Resolutions or parts thereof that are inconsistent with this Resolution shall be hereby repealed.

This Resolution shall take effect immediately upon final passage and publication according to law.

John H. Burdge, III., Mayor
Township of Harmony

Dated February 1, 2005

ATTEST:

Kelley D. Smith, RMC
Township Clerk

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on February 1, 2005.

Kelley D. Smith
Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-17

A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NEW JERSEY STATE
HEALTH PROGRAM ACT OF THE STATE OF NEW JERSEY FOR SHBP DENTAL
PLAN COVERAGE

BE IT RESOLVED:

1. The Harmony Township Municipal Government Office is a participating employer in the State Health Benefits Program, hereby elects to participate in the SBHP Employee Dental Plans provided by the New Jersey Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.
2. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
3. As the employer I understand that the employer is responsible for at least 50% of the dental premium.
4. We hereby appoint the Municipal Clerk to act as Certifying Officer in the Administration of this plan.
5. This resolution shall take effect immediately and coverage shall be effective as of April 4, 2005 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

Number of Employees: 5 Full Time

Present Dental Plan Carrier: Healthplex

Employer's State Social Security Identification Number: 226001962000

CERTIFICATION

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on February 1, 2005.

Kelley D. Smith
Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-18

A RESOLUTION FOR APPROPRIATION TRANSFERS DURING THE FIRST
THREE MONTHS OF THE YEAR

WHEREAS, it has become necessary to expend an amount in excess of the following Other Expense Appropriations of the 2005 Harmony Township Appropriation Reserve Budget: Road Maintenance, General Administration, Audit Services, Planning Board, Engineering Services and Liability Insurance OE;

NOW THEREFORE, BE IT RESOLVED, per N.J.S.A. 40A:4-58 that the Harmony Township Committee authorizes the Chief Financial Officer to transfer between line items of the 2005 Harmony Township Appropriation Reserve Budget, and that the transfers be as follows:

| | FROM | TO |
|-------------------------------------|-------------|-------------|
| General Government Functions: | | |
| General Administration | | |
| Other Professionals, Consultants - | \$6,550.00 | |
| Public Works Functions: | | |
| Road Maintenance – | | |
| Salary and Wages - | \$2,500.00 | |
| Utility Expense and Bulk Purchases: | | |
| Fuel Oil - | \$5,290.00 | |
| Landfill/Solid Waste Disposal - | \$6,000.00 | |
| General Administration OE - | | \$ 800.00 |
| Audit Services OE - | | 3,350.00 |
| Planning Board OE - | | \$2,190.00 |
| Road Maintenance OE - | | \$8,500.00 |
| Engineering Services OE - | | \$5,000.00 |
| Liability Insurance OE - | | \$ 500.00 |
| TOTAL: | \$20,340.00 | \$20,340.00 |

CERTIFICATION

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at a meeting held on February 1, 2005.

Kelley D. Smith
Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-22

RESOLUTION TO INCLUDE A
SPECIAL ITEM OF REVENUE FOR
THE GARDEN STATE PRESERVATION PROGRAM

WHEREAS, the 2005 Local Municipal Budget was introduced on the 1st day of February 2005; and

WHEREAS, during fiscal year 2005 the Township of Harmony has been allocated a State grant for the Garden State Preservation Program in the amount of \$17,025.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Harmony that petition be made herewith to the Director of the Division of Local Government Services that the 2005 Local Municipal Budget include a special item of revenue under the heading of “Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations: Garden State Preservation Program”, in the amount of \$17,025.00

ATTEST: _____
Kelley D. Smith, Municipal Clerk John H. Burdge, Mayor

AYES: Burdge
 Mattei
 Postma

NAYS: none
ABSTAIN: none

I, Kelley D. Smith, Municipal Clerk, of the Township of Harmony, do hereby certify the foregoing to be a true and accurate copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at its regular meeting held on February 1, 2005.

Kelley D. Smith, Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-23

RESOLUTION TO INCLUDE A
SPECIAL ITEM OF REVENUE FOR
THE FEMA REIMBURSEMENT PROGRAM

WHEREAS, the 2005 Local Municipal Budget was introduced on the 1st day of February, 2005; and

WHEREAS, during fiscal year 2005, the Township of Harmony has been allocated a State grant for the FEMA Program-Hurricane Ivan in the amount of \$348,298.00.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony that petition be made herewith to the Director of the Division of Local Government Services for the 2005 Local Municipal Budget include a special item of revenue under the heading of "Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services-Public and Private Revenues Offset with Appropriations: "FEMA Reimbursement Program", in the amount of \$348,298.00.

ATTEST:

Kelley D. Smith, Municipal Clerk

John H. Burdge, Mayor

AYES: Burdge, Postma, Mattei
ABSTAINED: NONE

NAYS: NONE

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true and accurate copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at its regular meeting held on February 1, 2005.

Kelley D. Smith, Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 05-24

RESOLUTION TO INCLUDE A SPECIAL ITEM OF REVENUE FOR
THE CLEAN COMMUNITIES PROGRAM

WHEREAS, the 2005 Local Municipal Budget was introduced on the 1st day of February, 2005; and

WHEREAS, during fiscal year 2005, the Township of Harmony has been allocated a State grant for the Clean Communities Program in the amount of \$6,925.00.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony that petition be made herewith to the Director of the Division of Local Government Services for the 2005 Local Municipal Budget include a special item of revenue under the heading of "Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services-Public and Private Revenues Offset with Appropriations: Clean Communities Program", in the amount of \$6,925.00.

ATTEST:

Kelley D. Smith, Municipal Clerk

John H. Burdge, Mayor

AYES: Burdge, Postma, Mattei
ABSTAINED: NONE

NAYS: NONE

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, do hereby certify the foregoing to be a true and accurate copy of a Resolution duly and unanimously adopted by the Harmony Township Committee at its regular meeting held on February 1, 2005.

Kelley D. Smith, Municipal Clerk

TOWNSHIP OF HARMONY
COUNTY OF WARREN
RESOLUTION NO. 5-25

RESOLUTION AWARDING BID FOR INTEREST RATE ON
RENEWAL OF BOND ANTICIPATION NOTE

WHEREAS, the Township of Harmony heretofore enacted Bond Ordinance No. 2001-03 on March 6, 2001, which authorized the issuance of the sum of Three Hundred Twenty Thousand (\$320,000.00) Dollars in bonds or notes, in conjunction with the acquisition of a fire fighting apparatus (a fire truck and accessories); and

WHEREAS, pursuant to the aforementioned Ordinance, the Township of Harmony, in turn, issued a Bond Anticipation Note in the amount of Two Hundred Fifty Six Thousand (\$256,000.00) Dollars, dated February 7, 2003, bearing interest at a rate of 1.67% per annum, which matured February 6, 2004; and

WHEREAS, the Township has made principal payments on said note in the amount of One Hundred Twenty-Eight Thousand (\$128,000.00) Dollars, leaving a balance due thereon of One Hundred Twenty-Eight Thousand (\$128,000.00) Dollars; and

WHEREAS, the Township wishes to renew the balance due on said note pursuant to the award of a bid for the interest rate thereon;

NOW, THEREFORE, BE IT RESOLVED by the Harmony Township Committee on this 1st day of February, 2005, that the Township's Chief Financial Officer is hereby authorized to renew the Bond Anticipation Note with Peapack-Gladstone Bank, dated February 9, 2005, bearing interest at a rate of 1.19% and maturing on February 8, 2006, in the amount of One Hundred Twenty-Eight Thousand (\$128,000.00) Dollars, with interest accruing thereon.

ATTEST:
TOWNSHIP OF HARMONY

Kelley D. Smith, Municipal Clerk

John Burdge, Mayor

I hereby certify the foregoing to be a true and accurate copy of the Resolution duly adopted by the Harmony Township Committee at its regular meeting held on February 1, 2005 by a motion and vote as follows:

IN FAVOR: Burdge, Postma, Mattei
OPPOSED: None
ABSTAINING: None

Kelley D. Smith, Municipal Clerk
Township of Harmony

Motion made by Mattei, seconded by Burdge to approve all items in the consent agenda.
Roll Call: Ayes: Mattei, Burdge, Postma. Nays: None

Corres-
pondence

The following correspondence was reviewed:

Mayor's Fax Advisories; NJ State League of Municipalities

- Educational Programs on COAH 3rd Round Regulations
- New Jersey Appellate Division Invalidates Fee-Shifting Provisions of Fair Lawn Public Advocate Ordinance
- OEM Neighborhood Watch Training
- Power of Municipality to Issue NOV to Developer after CO Issued Upheld by the New Jersey Supreme Court in DKM Case
- Property tax reform
- Assembly voting session for 1/24/05
- CAP Relief
- CAP Relief
- Property Tax Reform Convention Bills
- Amends Condo Services Act, Speed Limits on Local Streets, Emergency Services

- Disability Pension Enhancement-*Sample Resolution*
- DEP Invites Municipalities to Apply for Open Space Preservation Funds

NJ Department of Environmental Protection

- Termination of Operations-Hydropress

NJ Department of Transportation

- Denial letter for 2005 Local Aid Application

First Hope Bank

- Irrevocable Standby Letter of Credit re Sanico, Inc.

Senator Leonard Lance

- Thank you letter

WC Planning Department

- Copy of Letter dated January 21, 2005 to Mayor Burdge re Rotundi & Sons 10,000 cubic yard limitation

WC Department of Public Safety

- Public Assistance/ Flood 2005 \$348,298.39 reimbursement amount

Robert Shandor

- Copy of Letter dated January 11, 2005 to Mayor Burdge re Goat Farm Rd. Repair
- Copy of Letter dated January 12, 2005 to John Fritts re Shandor Junkyard

Dawling Associates

- Copy of Letter dated January 18, 2005 to David Dech re S. Rotondi & Sons, Inc./Brush Capacity

Douglas J. Steinhart

- Copy of Letter dated January 19, 2005 to Gill Greene re Tjalma PIG Application

Gebhardt & Keifer

- Copy of Letter dated January 6, 2005 to Mayor Burge re Township Fair Share Affordable Housing Obligation-CENTEX Homes-Riverwalk Major Subdivision Application

Karen Buckley

- Copy of email dated January 11, 2005 to Harmony Twp. Committee re Zoning Ordinance

Harmony Twp. Farmland Preservation Committee

- Copy of Letter dated January 12, 2005 to Township Committee, William Edleston, and Douglas Steinhart re Tjalma PIG Application

Gilbert Greene

- Copy of Letter dated January 10, 2005 to Mayor and Committee re action taken on proposed zone densities

Merrill Creek

- Emergency Telephone Numbers

Public
Comment

Mr. Robert Shandor stated that he has in the past requested an executive session but had been denied. He thought matters were resolved but did not see anything on the agenda. He stated that it is his constitutional rights to address the committee. He asked about all the items in his letters. Mayor Burdge noted that he did meet with Mr. Shandor and was working on resolving some of the issues. Mr. Shandor asked if they will appear on the agenda. Mayor Burdge commented that he will be contacting Mr. Shandor for future discussion on the matters.

O:05-3 Moved by Postma, seconded by Mattei to introduce the following ordinance:

TOWNSHIP OF HARMONY
COUNTY OF WARREN

AN ORDINANCE SUPPLEMENTING CHAPTER 156 OF CODE OF
THE TOWNSHIP OF HARMONY ENTITLED "VEHICLES AND
TRAFFIC" BY ESTABLISHING THE SPEED LIMIT FOR MARBLE
HILL ROAD

BE IT ORDAINED that Chapter 156 of the Code of the Township of Harmony entitled "Vehicles and Traffic" is hereby supplemented as follows:

1. The speed limit for the entire length of Marble Hill Road in both directions from Brainards Road to the municipal boundary with Lopatcong Township shall be forty (40) miles per hour.
2. Transmittal to the Commissioner. Upon adoption of this Ordinance, the Municipal Clerk shall cause to be transmitted to the Commissioner of the Department of Transportation the following:
 - a. A certified copy of the adopted Ordinance, together with a copy of the Township Engineer's Certification which contains:
 - i. A statement of the reasons for the Engineer's decision to recommend the foregoing speed limit;
 - ii. Information as to the location of the aforesaid road affected by the designated speed limit;
 - iii. Any traffic court, accident and/or sampling data.
3. Posting. Upon approval of the Ordinance by the Commissioner, the Township shall give the public notice of its provision through the placement of signs.
4. Approval and Enforcement. This Ordinance, upon final adoption and publication according to law, approval by the Commissioner and the erection of regulatory and warning signs, conforming to the current manual on uniform traffic control devices for streets and highways, shall be enforced by the duly empowered law enforcement authority which, at this time, is the New Jersey State Police.

EFFECTIVE DATE: This Ordinance shall take effect following final passage and publication in accordance with law and following referral and approval of the Ordinance by the Commissioner of the Department of Transportation pursuant to N.J.S.A. 39:4-8.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading by the Harmony Township Committee at its regular monthly meeting held on February 1, 2005, which Ordinance shall be given further consideration for final passage following a public hearing to be conducted thereon at its regular monthly meeting to be held on March 1, 2005, which shall commence at 7:30 p.m. at the Harmony Township Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey 08865.

Kelley D. Smith, Municipal Clerk

Roll Call: Ayes: Postma, Mattei, Burdge. Nays: none.

EMC
Laptop

Moved by Burdge, seconded by Mattei to authorize the purchase of a laptop computer to be used by the Emergency Management/9-1-1 Coordinator. Amount not to exceed \$2,500.00. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.

Roxburg
Hill Road
Voucher #2

Moved by Burdge, seconded by Postma to authorize payment of Voucher #2 to Warren Materials in the amount of \$59,885.64. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none

Harmony Sand & Gravel 2005 Moved by Burdge, seconded by Postma to issue a temporary operating permit to Harmony Sand & Gravel until March 2, 2005. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

O:05-1 AN ORDINANCE TO ESTABLISH AN INDEX RATE FOR 2005 was called up for second reading by title only, a copy of said ordinance having been posted on the Township bulletin board and published in the Star Gazette, the official newspaper of the township and copies made available for inspection.

Public Comment Moved by Postma, seconded by Burdge that a hearing on the ordinance be opened to the public. Roll Call: Ayes: Postma, Burdge, Mattei. Nays: none.

There being no public comment, moved by Burdge, seconded by Mattei to close the public comment period on said ordinance. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none

Adoption Moved by Burdge, seconded by Postma that an ordinance entitled "An Ordinance To Establish An Index Rate For 2005" pass second reading and be adopted, be advertised in the Star Gazette and become effective according to law. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

O:05-2 AN ORDINANCE AMENDING CHAPTER 165 OF THE CODE OF THE TOWNSHIP OF HARMONY TITLED "ZONING" SO AS TO BE CONSISTENT WITH THE MASTER PLAN DATED JUNE 2004 was called up for second reading by title only a copy of said ordinance having been posted on the Township bulletin board and published in the Star Gazette, the official newspaper of the township and copies made available for inspection.

Public Comment Moved by Burdge, seconded by Mattei that a hearing on the ordinance be opened to the public. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.

Mayor Burdge asked that all comments be limited to approximately 4 minutes each and not be repetitive. He also noted a map that was displayed for review that highlighted all the preserved land and the Highlands area. Commenting that is more than half of the township and there are still approximately 5 farms pending farmland preservation, the overall impact is not that great.

Committeewoman Postma noted that the difference between the Land Use Board recommendations and what the committee is proposing is about 10% overall.

Mrs. Barbara Bruckman presented the committee with a petition with approximately 144 signatures obtained from residents. The petition supported the proposed zoning as stated in the Land Use Board's August 5, 2005 letter.

Mr. Dave Bruckman asked if the % of difference was based on the current figures.

Adjourn Moved by Burdge, seconded by Mattei to adjourn the meeting at 10:00 p.m. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.