

Meeting The Regular Meeting of the Harmony Township Committee was called to order by Mayor Tipton. Mr. Tipton 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 and The Express-Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk.” The Pledge of Allegiance to the American Flag was led by the Mayor.

Roll Call Present Mayor Tipton, Deputy Mayor Yamrock and Committeeman Cornely.

Consent Agenda Motion by Yamrock, seconded by Cornely and carried unanimously to approve the following items as discussed under the consent agenda:

Road Department Report

W.C. Health Department

Zoning Report

Attorney Report: Executive Matters

Engineer’s Reports: HS&G has provided a renewed bond. Mr. Weber went out to inspect in late November. A photo was provided. He said it looked better than expected. He said it was reasonable. Mrs. Yamrock said an email was received stating they couldn’t do a lot of work due to wet soil. She noted that there hasn’t been any rain. She didn’t understand their position. Mr. Weber said that there has been a few days that they may have been able to do something and they didn’t. He said that the day before Thanksgiving when he visited the site that was the first he was able to actually walk on the site. He said the soil seems to hold the moisture. Mayor Tipton said he has seen activity and sees slow progress. Mr. Weber said the work now is on the steep slope so they have to be careful. Mayor Tipton stated if it takes the cover, they will have to go back to the ordinance. Mr. Weber said he expected to see a surface that was not level but he felt it was easily traversable.

Mr. Weber discussed the Highlands stormwater management work. They want them to devise a conceptual mitigation plan for stormwater management. The current stormwater management ordinance if you are a major development you have to deal with water quality, recharge, increase peak flows and if you can’t do that the ordinance says the board can grant waivers from those provisions but only if they provide some kind of mitigation. If they can’t do it on their own site it would have to be done somewhere else. That’s what the ordinance provides for now but only in the general form. The Highlands want actual sites defined and some type of conceptual plans for a developer to use to mitigate. Mr. Weber said the most likely place to do that is on municipally owned lands that you control otherwise it’s not a guarantee a developer could mitigate on private property. He suggested a school or somewhere the township owns. He was thinking of providing some type of mitigation plan on the municipal building site or the rec fields or the DPW site.

R:15-46

Harmony Township

Warren County, New Jersey

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

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

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

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

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

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

1. Harmony Township hereby appoints Michael Smith as its local Risk Management Consultant.
2. The Municipal Clerk (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2016 in the form attached hereto.

Attest:

Name of Entity: Harmony Township

Name and title: Brian Tipton, Mayor

C e r t i f i c a t i o n

I, Kelley D. Smith, Clerk of the Township of Harmony, County of Warren, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on December 1, 2015.

Clerk

Witness my hand and seal of the Township of Harmony.

This 1st day of December 2015.

2016 FUND YEAR STATEWIDE INSURANCE FUND

RISK MANAGEMENT CONSULTANT’S AGREEMENT

THIS AGREEMENT entered into this 1st day of January 2016, among the Statewide Insurance Fund (“FUND”), a joint insurance fund of the State of New Jersey, Harmony Township (“MEMBER”) and Michael Smith (“CONSULTANT”) through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

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

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

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

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

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

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

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) ~~FUND~~ perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
 - (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular

elections.

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

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

- 3. The term of this Agreement shall be from **January 1, 2016 to January 1, 2017**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
- 4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
- 5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Member Representative

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

**EXHIBIT A
STATEWIDE INSURANCE FUND**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)**

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

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

- (a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

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

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

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

COMPANY: Harmony Township

SIGNATURE:

PRINT NAME: Kelley Smith

TITLE: Municipal Clerk

DATE: December 1, 2015

HARMONY TOWNSHIP
WARREN COUNTY, STATE OF NEW JERSEY
R:15-47

RESOLUTION OF THE TOWNSHIP OF HARMONY, COUNTY OF
WARREN AND STATE OF NEW JERSEY AUTHORIZING REDEMPTION
OF TAX SALE CERTIFICATE NO. 2013-008 ON BLOCK 47.01 LOT 25.13

WHEREAS, at the Harmony Township Municipal Tax Sale held on
October 16, 2013 a lien was sold on Block 47.01 Lot 25.13 also known as 3
Unami Lane for 2012 delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate No. 2013-008 was
sold to FWDSL & Associates LP for a premium of \$15,100.00 and recorded
with the Warren County Clerks Office December 18, 2013 on Book 5973 Page
163; and

WHEREAS, Ocwen Financial Corporation, mortgage company for
homeowner, has satisfied the redemption amount on Certificate No.2013-008 in
the amount of \$19,940.84

NOW, THEREFORE, BE IT RESOLVED on this 1st day of December
2015 that the Chief Financial Officer is authorized to issue a check in the amount
of \$30,040.84 for the redemption of Tax sale Certificate No. 2013-008 to:

FWDSL & ASSOCIATES LP
5 COLD HILL RD S STE 11
MENDHAM, NJ 07945

CERTIFICATION

I, Kelley D. Smith, Municipal Clerk of the Township of Harmony, County
of Warren and State of New Jersey do hereby certify the foregoing to be a true
and correct copy of a Resolution adopted by Township Committee at a meeting
held on Tuesday, December 1, 2015.

Kelley D. Smith

**TOWNSHIP OF HARMONY
WARREN COUNTY, STATE OF NEW JERSEY
R:15-48
BUDGET TRANSFER**

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

Account:	From:	To:
Road Maintenance OE	\$25,000.00	
Engineering OE	\$48,000.00	
Liability Insurance OE	\$976.00	
Admin OE	\$644.00	
Buildings and Grounds OE	\$10,000.00	
Audit OE		\$644.00
Workers Compensation		\$976.00
Road Maintenance S&W		\$15,000.00
Legal OE		\$68,000.00
TOTALS	\$84,620.00	\$84,620.00

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 December 1, 2015.

Kelley D. Smith
Municipal Clerk

Bingos & Raffles:

- B:16-1; Harmony Township Volunteer Fire Company
- R:16-1; Harmony Township Volunteer Fire Company

- Corresp-
dence
- Letter from NJ Chapter Community Associations Institute; Recommending Ordinance for upkeep of foreclosed and vacated properties in the Township.
Attorney Campbell will follow up
 - Letter from NJ Agriculture Development Committee; regarding NJ Right to Farm Act and Agricultural Mediation Program.
 - Letter from State of NJ Highlands Council; regarding Module 2 completeness.
 - Letter from State of NJ Department of Agriculture; regarding report of no major infestations of gypsy moth egg in the Township.

- New
Business
1. Letter from Green Acres regarding non-compliance of Open Space Properties – Discussion ensued.
 2. Discussion of Land Use Board Appointments/Positions – 2 openings
 3. Discuss Reorganization Meeting Date/Time. The meeting was set for January 4, 2016 at 5:30pm.

- Old Business
1. Consideration of R15-26; Resolution of memorialization Harmony Sand And Gravel 2015 Quarrying Permit. This has been carried to January's Regular meeting due to lack of reclamation work being completed.
 2. Consideration of Ordinance No 15-3; An Ordinance Appropriating the Sum of not more than \$58,000.00 from the Capital Improvement Fund of the General Capital Account in connection with the costs Attributable to the Paving of but not limited to Railroad Avenue, Pine Street, Alpha Street and Third Avenue in the Village of Brainards.
 - Motion by Yamrock, seconded by Cornely and all if favor to open public hearing.
 - There were no public comments.
 - Motion by Yamrock, seconded by Cornely and all if favor to close public hearing.
 - Motion by Yamrock, seconded by Cornely and carried unanimously to adopt Ordinance No. 15-3.

3. Consideration of a Resolution Dedicating Recreational Field in Memory of Nathaniel Haggerty. (Jason Curreri to follow up)

Vouchers Motion by Tipton, seconded by Yamrock and carried unanimously to approve vouchers recommended for payment by the CFO.

Public Comments No public comments at this time.

DPW It was noted that an advertisement for a seasonal snow plow driver was done. To date there have not been any applicants.

Motion to by Tipton, seconded by Yamrock to adopt the following resolution:

Executive TOWNSHIP OF HARMONY
 COUNTY OF WARREN
 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:
 - Matters of 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 December 1, 2015.

Kelley D. Smith
Municipal Clerk

COAH Motion by Tipton seconded by Yamrock and carried unanimously to post on our website a summary regarding the accessory apartment ordinance to make residents aware of the ordinance to potentially utilize it toward our efforts towards COAH compliance.

Adjourn Motion to adjourn made by Yamrock , seconded by Cornely and carried unanimously.

Respectfully submitted by

Kelley D. Smith, Municipal Clerk