

# Harrison Township, New Jersey

## PRELIMINARY INVESTIGATION

Route 322 Interchange, including:

BLOCK 34, LOTS 43 and 44;

BLOCK 34.04, LOT 43;

BLOCK 57, LOT 1;

former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive  
(relocated)

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## Acknowledgements

### MAYOR

Louis Manzo

### TOWNSHIP COMMITTEE

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Dennis Clowney, Deputy Mayor  
Don Heim  
Robert Shearer  
Matt Diggons

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Susanne H. Rhudy

### LAND USE BOARD SOLICITOR

Kevin Van Hise, Esquire

### LAND USE BOARD ENGINEER

Hugh Dougherty, PE

### LAND USE BOARD PLANNER

Robert F. Melvin, PP/AICP

prepared by:



Robert F. Melvin, AICP/PP  
NJ Planner License No. 04018

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# Table of Contents

- 1.0 Introduction ..... 1
  - 1.1. Study Authorization ..... 1
  - 1.2. Summary of Findings..... 1
  - 1.3. Condemnation ..... 1
- 2.0 Redevelopment Law ..... 3
  - 2.1. Purpose of the Act..... 3
  - 2.2. Redevelopment Procedure..... 3
- 3.0 Existing Conditions..... 5
  - 3.1. Description of Site Area..... 5
  - 3.2. Environmental Constraints ..... 5
- 4.0 Statutory Criteria..... 6
- 5.0 Applicability of Statutory Criterion “D” ..... 8
  - 5.1. Introduction ..... 8
  - 5.2. Block 34, Lot 44..... 8
  - 5.3. Block 34.03, Lot 43; Block 57, Lot 1; and the former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) ..... 9
  - 5.4. Block 34, Lot 43..... 11

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# 1.0 Introduction

## 1.1 Study Authorization

Harrison Township through Resolution No. 58-2014 has requested that Group Melvin Design perform a Preliminary Investigation into Block 34, Lots 43 and 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (RT. 322) and Theresa Drive (relocated) to ascertain whether this area qualifies under N.J.S.A. 40A:12A-5 as an “Area in Need of Redevelopment”

*Map 1* identifies the location and surrounding environs of the Investigation Area

## 1.2 Summary of Findings

The analysis presented within this document serves as the basis for the recommendation that Block 34, Lot 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (RT. 322) and Theresa Drive (relocated), qualify as an Area in Need of Redevelopment. Based on the information available at the time of this report, Block 34 Lot 43 does not qualify as an Area in Need of Redevelopment.

This report finds that Block 34, Lot 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (RT. 322) and Theresa Drive (relocated) are a detriment to the safety, health, morals, and welfare of the community because of their faulty layout and limited accessibility, therefore satisfying Statutory Criterion D. This report concludes that these factors are sufficient to declare the area in Need of Redevelopment.

Additionally, the Phase 1 Environmental Assessment conducted on Block 34.03 Lot 43 in September 2013 recommends further investigation into two areas of concern. The Assessment recommends the collection of surface soil samples from directly beneath the waste piles on site for analysis of asbestos content and metals, and the completion of a subsurface soil investigation in the vicinity of the former gasoline tank to determine whether it has impacted site soils and/or groundwater. This should be investigated for Block 34.03 Lot 43 and Block 57 Lot 1.

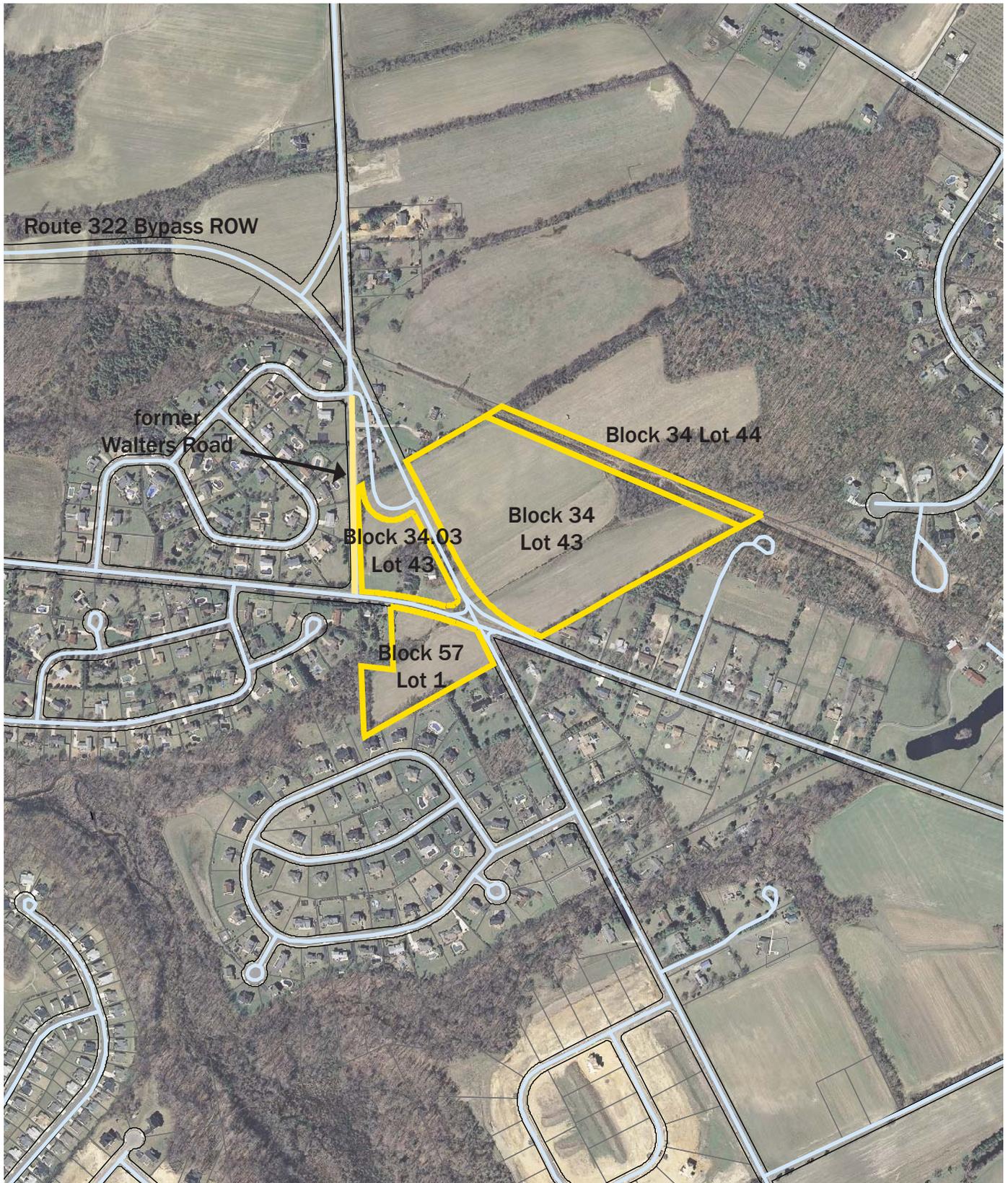
Block 34 Lot 43 does not qualify as an Area in Need of Redevelopment given the current definition and with the information available at the time of this report. Group Melvin Design recommends further investigation into the site conditions to determine if Block 34 Lot 43 does indeed qualify.

## 1.3 Condemnation

Block 34, Lot 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (RT. 322) and Theresa Drive (relocated) shall be a “Condemnation Redevelopment Area.”

As of 2013, the Legislature requires that Preliminary Investigations state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including eminent domain. Those Redevelopment Areas where the municipality declares it will use eminent domain are referred to as “Condemnation Redevelopment Areas.”

Map 1. Aerial of Site



## 2.0 Redevelopment Law

### 2.1. Purpose of the Act

New Jersey's Local Redevelopment and Housing Law (LRHL), empowers municipalities and local governments with the ability to initiate a process that transforms underutilized or poorly designed properties into healthier, more vibrant, or economically productive land areas. The process has been used successfully across New Jersey to creatively improve properties meeting statutory redevelopment criteria. Projects approved for redevelopment are often eligible for certain types of technical and financial assistance from the State.

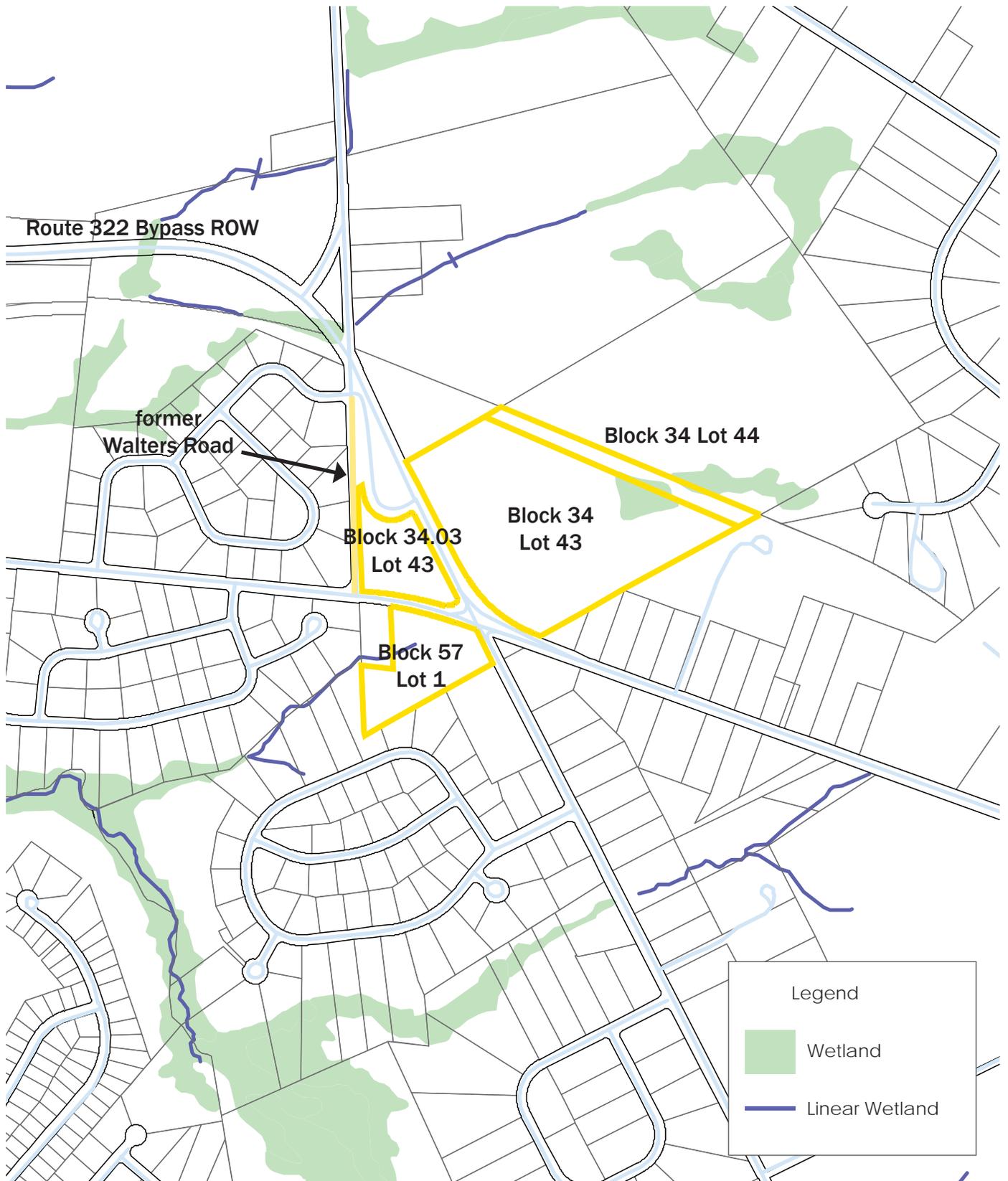
### 2.2. Redevelopment Procedure

The LRHL requires municipalities to perform a number of steps before it may exercise its Redevelopment powers. This process is meant, in part, to ensure that the Governing Body acts in concert with the goals and objectives of the Township's Master Plan. Recognizing the Planning Board's role as the steward of the Master Plan, these steps require the Planning Board to make recommendations to the Township Council. The required steps are as follows:

- A. The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5).
- B. The Planning Board must prepare and make available a map delineating the boundaries of the proposed redevelopment area, specifying the parcels to be included in it. This map should be accompanied by a statement setting forth the basis of the investigation.
- C. The Planning Board must then conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Governing Body.
- D. The Governing Body may act on this recommendation by adopting a resolution designating the area an "Area in Need of Redevelopment". The Governing Body must make the final determination as to the Redevelopment Area boundaries.
- E. A Redevelopment Plan must be prepared establishing the goals, objectives, and specific actions to be taken with regard to the "Area in Need of Redevelopment."
- F. The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the Township's Zoning Ordinance.

Only after completion of this process is the Township able to exercise the powers granted to it under the State Redevelopment Statute.

## Map 2. Environmental Constraints



## **3.0 Existing Conditions**

### **3.1 Description of Site Area**

The study parcels are bisected by the new Route 322 Bypass and Mullica Hill Road. They are surrounded by farmland to the north and suburban-style development on all other sides. According to property tax records, the site is composed primarily of four farm parcels, all owned by Hazelton S / the Estate of c/o Erhardt C, which front onto the Route 322 Bypass and Mullica Hill Road. While the parcels were previously part of an active farm, they are no longer in use and lie vacant.

Due to the construction of the Route 322 Bypass, Block 34.03, Lot 43, a 3.25 acre area, is no longer in use. This parcel was the former site of the estate's farmhouse, which was cleared to make room for the Route 322 Bypass construction.

Block 57, Lot 1 sits at the juncture of the Route 322 Bypass, Mullica Hill Road, and Clems Run, a busy four-way intersection with many access ramps.

Block 34, Lot 43 is the largest and most accessible parcel at 19.5 acres.

Block 34, Lot 44, a 1 acre strip at the north edge of the site area, lies entirely within a high tension wire easement and is not currently accessible by any nearby roadways.

The former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) does not have a Block and Lot number but lies at the west side of these study parcels. This area is vacant and is the abandoned bed of a former roadway which was removed when the Route 322 Bypass was constructed.

The area in review falls primarily within residential zones. Block 34.03, Lot 43 lies within the R-1 zone, permitting primarily low density residential uses. Block 34, Lots 43 and 44 lie within the R-1 zone but fall under a PO overlay. Block 57, Lot 1 lies within the R-2 zone. The surrounding area is primarily residential. To the south and west are R-2 residential areas and to the east are R-1 residential areas. Directly north lies an institutionally zoned parcel. Mullica Hill's MSD Main Street District and Mullica Hill Historic District, zoning covering the Village of Mullica Hill, lie a few miles to the west of the study area along Mullica Hill Road. This area is intended to preserve the historic nature and unique character of the Village, while permitting a mix of uses appropriate to a traditional town center.

### **3.2 Environmental Constraints**

This site includes two wetland areas as delineated by the NJDEP. These wetland areas are composed of stream corridors and their associated floodplains. There is currently wetland area on Block 34 Lots 43 and 44, and there is a linear wetland on Block 57 Lot 1. The presence of these wetlands, shown on Map 2, limits the developability of these parcels.

## 4.0 Statutory Criteria

A study area qualifies as being an “Area in Need of Redevelopment” if it meets at least one of the eight statutory criteria listed in Section 40A:12A-5 of the Local Redevelopment and Housing Law:

- A. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or poses any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- B. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- C. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- E. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- F. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- G. In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zones Act,” P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers

within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

- H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

N.J.S.A. 40A:12A-3 further states that "A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective development of the area of which they are a part." This is commonly referred to as the "Section 3 Criteria."

According to the Redevelopment Handbook, this section allows for the inclusion of properties that do not meet the statutory criteria but are,"essential to be included in the designation to effectively redevelop the area." Examples of such properties include properties located within and surrounded by otherwise blighted area, property that are needed to provide access to an area to be redeveloped, areas needed for infrastructure or utilities, or properties that otherwise could be determined to be critical to the area's successful redevelopment.

## 5.0 Applicability of Statutory Criterion “D”

### 5.1. Introduction

#### 5.1.a. Statutory Language

Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

#### 5.1.b. Conclusions

Block 34, Lot 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (RT. 322) and Theresa Drive (relocated) are all detrimental to the safety, health, morals, or welfare of the community due to their obsolete layout and faulty arrangement. These parcels are cut off from their surroundings, stagnant, and imposing a negative visual impact on residents. The change in lot condition (ie lot configuration and accessibility) due to the construction of the Route 322 Bypass has greatly affected the ability to utilize these parcels in question.

### 5.2. Block 34, Lot 44

#### 5.2.a. High Tension Wires

Block 34, Lot 44 lies entirely within a high tension wire right of way where high tension wires are in place and in active use. The size and configuration of this lot do not allow for development around or near the wires as there is insufficient space. Additionally, the lot is entirely cut off from all roads and access routes; access would need to be obtained through an adjacent lot.

#### 5.2.b. High Tension Wires: a detriment to the safety, health, morals, or welfare of the community

According to the World Health Organization:

Some studies have found statistical correlations between various diseases, including cancer, and living or working near power lines. Symptoms include dermatological symptoms, such as redness, tingling, and burning sensations, as well as neurasthenic and vegetative symptoms such as fatigue, dizziness, nausea, heart palpitations, and digestive disturbances. (*‘Electromagnetic Fields and Public Health’ Fact Sheet No. 322. World Health Organization. June 2007.*)

Additionally, according to the NERC:

Tree Growth Regulator and Herbicide Control Methods often used in transmission line right of ways may have health effects. (*Transmission Vegetation management NERC Standard FAC-003-2 Technical Reference. NERC.*)

These transmission lines are not only an eyesore, but their potential detrimental health impacts reduce the health, safety, and welfare of the community.

### 5.2.c. Conclusions

This report concludes that the high tension wires located on Block 34, Lot 44 are detrimental to the health, safety, morals and welfare of the community.

## 5.3. Block 34.03, Lot 43; Block 57, Lot 1; and the former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated)

### 5.3.a. Obsolete Layout and Faulty Arrangement

Both Block 34.03 ,Lot 43 and Block 57, Lot 1 were previously part of a larger, productive farm. As a whole, the original parcel was a productive peice of the larger community. However, the construction of the Route 322 Bypass severed Block 34.03 Lot 43 from its adjacent land, rendering it unusable and with limited accessability. Block 57 Lot 1 was severed from its adjacent land by Mullica Hill Road and was further isolated by the introduction of a major intersection with the construction of the Route 322 Bypass. The construction of the Route 322 Bypass isolated these parcels in a way that makes them prohibitively difficult to access and develop. These lots, Block 34.03 Lot 43 and Block 57 Lot 1, are small fragmented corners of a larger lot that at one time, as a whole, was productive. In their current severed state, these lots have limited accessibility and are onerously difficult to develop.

With the construction of the Route 322 Bypass, both Block 34.03 Lot 43 and Block 57 Lot 1 now lie at the crux of the major intersection, shown in Map 3, between the Route 322 Bypass, Mullica Hill Road, and Clems Run, a busy four-way intersection with three access ramps, multiple turning lanes, and a stoplight. All three roads have dividing medians leading up to the intersection, beyond the bounds of the study parcels. This intersection has heavy traffic, often with lines of vehicles backing up to pass through the area. It is unlikely that the NJDOT would permit additional full turning movement entrances into these parcels so close to an already congested intersection. The Route 322 Bypass, Mullica Hill Road, and Clems Run are all divided by dedicated left turn lanes adjacent to both parcels, further complicating access to these lots. This location makes these lots difficult to develop, unproductive, and obsolete in their current faulty design.

The former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) was also rendered unusable by the development of the Route 322 Bypass. The aforementioned section of Walters Road was removed when the Bypass was constructed. This area is not part of a Block or Lot and currently sits vacant. This strip of land is currently narrow and stuck between a residential subdivision and Block 34.03, Lot 43. This former roadway should be included in the redevelopment area with this block. Assembling these areas could allow for full movement in and out of Block 34.03, Lot 43, improving development opportunities for the two areas together.

### 5.3.b. Obsolescence / Faulty Design: a detriment to the safety, health, morals, or welfare of the community

The obsolete nature and limited accessibility of Block 34.03, Lot 43; Block 57, Lot 1; and the former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) has lead to vacant land that is an eyesore which is unhealthy for the surrounding community and residents. These parcels lie adjacent to vibrant neighborhoods, but because they remain undeveloped eyesores, they impede and discourage the undertaking of improvements on surrounding lots. This is detrimental to the health, safety, and welfare of the community.

Map 3. Route 322 Bypass Intersection



### **5.3.c. Environmental Assessment**

Phase 1 Environmental Assessment conducted on Block 34.03 Lot 43 in September 2013 recommends further investigation into two areas of concern. The Assessment recommends the collection of surface soil samples from directly beneath the waste piles on site for analysis of asbestos content and metals, and the completion of a subsurface soil investigation in the vicinity of the former gasoline tank to determine whether it has impacted site soils and/or groundwater. These areas would require further investigation to reach a conclusion in line with the current Statutory Criteria. Block 57 Lot 1 should also be studied as it was part of the original parent lot at the time of the gasoline tank construction and use. The presence of contamination would be detrimental to the health, safety, and welfare of the community and fall under Criteria D.

### **5.3.d. Conclusions**

This report concludes that the locations of Block 34.03, Lot 43; Block 57, Lot 1; and the former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated), which are cut off by a major intersection, are impeding potential for future improvements in the area and makes these lots detrimental to the health, safety, morals, or welfare of the community. Additionally, Block 34.03, Lot 43 was cut off from its surroundings by the Route 322 Bypass. The faulty configuration and limited accessibility of Block 34.03, Lot 43; Block 57, Lot 1; and the former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) are detrimental to the surrounding residents and community at large.

## **5.4. Block 34, Lot 43**

### **5.4.a. Further Study Needed**

We recommend further investigation into the site conditions to determine if Block 34, Lot 43 does indeed qualify as an Area in Need of Redevelopment. Given the information available at the time of this report, Block 34, Lot 43 does not qualify.

### **5.4.b. Conclusions**

Block 34, Lot 43 does not qualify as an Area in Need of Redevelopment given the current definition and with the information available at the time of this report. Further investigation into the site conditions is needed to determine its condition.

**RESOLUTION NO. 58-2014**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON  
AUTHORIZING THE JOINT LAND USE BOARD TO CONDUCT A PRELIMINARY  
INVESTIGATION TO DETERMINE WHETHER CERTAIN LOTS IN BLOCKS 34, 34.03, 57  
AND FORMER WALTERS ROAD (BETWEEN MULLICA HILL ROAD (RT. 322) AND  
THERESA DRIVE (RELOCATED)) ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF  
HARRISON QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT**

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**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the governing body of the municipality by Resolution, to cause its Planning Board to conduct a preliminary investigation to determine whether the proposed area is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the proposed Redevelopment Area (Block 34, Lots 43 and 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated)) determination shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area including eminent domain; and, as such, the Redevelopment Area shall be established and be referred to as a "Condemnation Redevelopment Area"; and

**WHEREAS**, the Township Committee of the Township of Harrison, Gloucester County, has determined that an investigation and inquiry should be made to see if said area is in need of redevelopment pursuant to the aforementioned State Statute; and

**WHEREAS**, the Township of Harrison governing body wishes to direct the Joint Land Use Board to undertake a preliminary investigation to determine whether the following properties identified as and consisting of Block 34, Lots 43 and 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) qualify as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Township Committee considers it to be in the best interest of the Township to direct its Joint Land Use Board to conduct such an investigation regarding said area/properties.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Harrison, County of Gloucester and State of New Jersey as follows:

1. The Joint Land Use Board of the Township of Harrison is hereby directed to undertake a preliminary investigation to determine whether Block 34, Lots 43 and 44; Block 34.03, Lot 43; Block 57, Lot 1; and former Walters Road between Mullica Hill Road (Rt. 322) and Theresa Drive (relocated) is a Condemnation Redevelopment Area such that the municipality may use all those powers provided by the Legislature for use in a Redevelopment Area, including the power of eminent domain, according to the criteria set forth in N.J.S.A. 40A:12A-1, et seq.; and

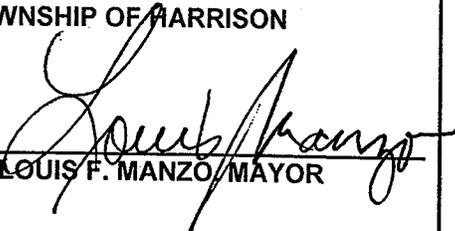
2. The staff of the Joint Land Use Board and its consultants are hereby directed to assist the Joint Land Use Board in conducting the area in need of redevelopment investigation; and

3. The Township Clerk shall forward a copy of this Resolution to the Chairman and Secretary of the Joint Land Use Board for immediate action; and

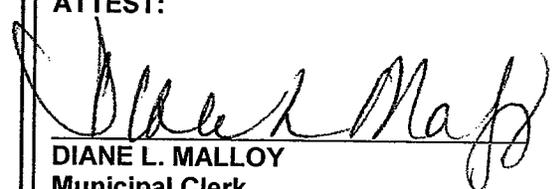
4. The preliminary investigation, once completed, shall be submitted to the Township Committee for review and approval in accordance with the provisions of the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

**ADOPTED** at a regular meeting of the Mayor and Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey held on January 22, 2014.

TOWNSHIP OF HARRISON

BY:   
LOUIS F. MANZO, MAYOR

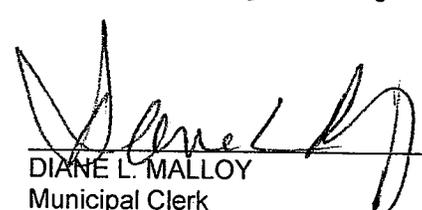
ATTEST:

  
DIANE L. MALLOY  
Municipal Clerk

ROLL CALL VOTE				
COMMITTEE MEMBER	AYES	NAYS	ABSTAIN	ABSENT
Manzo	✓			
Clowney	✓			
Diggons				✓
Heim	✓			
Shearer	✓			

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey, at a meeting held by the same on January 22, 2014 in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.

  
DIANE L. MALLOY  
Municipal Clerk