

**GREEN TOWNSHIP COMMITTEE  
MINUTES OF THE REGULAR MEETING  
JULY 15, 2019**

**CALL TO ORDER**

Mayor Conkling called the July 15, 2019, meeting of the Green Township Committee to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ADEQUATE NOTICE:** Mr. Zschack read the statement of adequate notice.

**ROLL CALL:** Present: Mr. James Chirip, Mrs. Margaret “Peg” Phillips, Mr. Bader Qarmout, Mrs. Virginia “Ginnie” Raffay and Mayor Daniel Conkling

Also present: Mrs. Ursula Leo, Township Attorney; Mr. Mark Zschack, Township Clerk; and Mrs. Patty DeClesis, Deputy Clerk

**OPEN PUBLIC SESSION #1** Mayor Conkling opened the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided.

Mayor Conkling announced that Miss Green 2019 is in the audience and would like to introduce herself. Miss Isobel Costello, introduced herself and thanked the Committee for the opportunity to represent Green Township and stated that she is very excited. Miss Costello also provided an update on her Weekend Bag Program.

The Committee congratulated Miss Costello and wished her well at the Queen of the Fair.

There being no further comments, Mayor Conkling closed open public session #1.

**CONSENT AGENDA:**

1. **RESOLUTIONS:** (Approval of the Following)
  - a. Resolution 2019-123 - Authorize Cancellation of Balance to the Current Fund - Fund Balance
2. **CORRESPONDENCE:** (Acceptance for Filing of the Following)
  - a. Resolution Adopted by Township of Vernon on May 30, 2019, Requesting the Resignation of Kerry Pflugh, Michael Hasty and Commissioner Catherine R. McCabe from the New Jersey Department of Environmental Protection
  - b. Resolution Adopted on June 26, 2019, by the Board of Chosen Freeholders Regarding Submittal of a Sussex County Wastewater Management Plan Amendment, Entitled Appendix G: Septic System Management Plan, to the New Jersey Department of Environmental Protection for Preliminary Approval
  - c. Notice of Newton Planning Board Public Hearing to review and consider a Master Plan Reexamination Report Pursuant to N.J.S.A. 40:55D-89
3. **REPORTS:** (Acceptance for Filing of the Following)
  - a. Animal Control Report - May 2019
  - b. Sussex County Department of Public and Environmental Health Services - 05/01-31/2019
  - c. Recreation Advisory Committee Minutes - April 16, 2019
  - d. Land Use Board Minutes - May 9, 2019
  - e. Sussex County Planning Board Minutes - April 1, 2019
  - f. Sussex County Water Quality Management Policy Advisory Committee Minutes - May 2, 2019
  - g. Sussex County Agriculture Development Board Minutes - May 20, 2019
  - h. Treasurer’s Report - May 31, 2019
  - i. Tax Collector’s Report - June 2019
  - j. Building Permit Fee Log Report - June 2019
  - k. Environmental Advisory Committee Meeting Minutes - June 4, 2019
  - l. Shared Municipal Courts of Town of Newton and Township of Green - June 2019

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**4. APPLICATIONS: (Approval of the Following)**

None

Mr. Chirip motioned to move the Consent Agenda

Seconded: Mr. Qarmout

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

**DISCUSSIONS:** None

**OLD BUSINESS:**

- a. Public Hearing Ordinance 2019-10 - To Amend the Revised General Ordinances of the Township of Green, Sections 30-50.3 and 30-82.18, To Permit Medical Cannabis Growing, Production and Manufacturing as a Conditionally Permitted Use in the AI-10 Zone

Mayor Conkling opened the meeting for public comments.

Mrs. Josephine Fracasso, 111 Hibler Road, thanked the Committee for the detailed job in presenting the Ordinance.

Mrs. Phillips motioned to close Public Hearing and adopt the Ordinance

Seconded: Mrs. Raffay

Discussion: Mr. Chirip asked if the Land Use Board needs to review the Ordinance. Mayor Conkling explained that a subcommittee of the Land Use Board has reviewed the Ordinance. The Township Attorney reviewed the recommended changes in a memo dated July 12, 2019, from the Land Use Board Attorney. The Land Use Board recommends changing the term medical "cannabis" to medical "marijuana". The Township Attorney stated that this change is minimal and the Committee may adopt the Ordinance. The Ordinance will be sent to the Land Use Board for the full Board's review.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- b. Public Hearing Ordinance 2019-12 - Amending Ordinance 2019-06 Appropriating \$25,000.00 from the General Capital Fund Balance for Improvements to Hibler Road to Increase the General Capital Fund Balance Reserve Appropriation from \$25,000.00 to \$45,000.00

Mayor Conkling opened the meeting for public comments.

Mrs. Phillips motioned to close Public Hearing and adopt the Ordinance.

Seconded: Mrs. Raffay

Discussion: Mr. Qarmout questioned the need for the additional expense. Mr. Zschack confirmed the additional cost is for police trafficking during the Hibler Road improvement project.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			



# GREEN TOWNSHIP COMMITTEE

## MINUTES OF THE REGULAR MEETING

### JULY 15, 2019

Mayor Conkling stated that no action will be taken on Ordinance 2019-13 for Soil Importation. The first draft is for the Committee's review only at this time.

#### NEW BUSINESS:

- a. Minutes ready for approval - May 20, 2019, regular and executive sessions and June 17, 2019 Regular Session

Motion: Mrs. Phillips

Seconded: Mr. Qarmout

Discussion: None

All were in favor, with an abstention by Mr. Chirip

- b. Resolution 2019-121 - Approval to Submit a Grant Application and Execute a Grant contract with the New Jersey Department of Transportation for the Whitehall Road Improvement Project

Motion: Mr. Qarmout

Seconded: Mr. Chirip

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- c. Resolution 2019-122 - Authorize Public Right-of-Way Use by Planet Networks, Inc. for Fiber Optic Cabling

Motion: Mr. Chirip

Seconded: Mrs. Phillips

Discussion: The idea is to improve services in town.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- d. Resolution 2019-124 - Bills List (06/12/2019 to 07/10/2019)

Motion: Mr. Qarmout

Seconded: Mrs. Raffay

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- e. Resolution 2019-125 - Developers Escrow Trust (06/12/2019 to 07/10/2019)

Motion: Mr. Chirip

Seconded: Mrs. Phillips

Discussion: None

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	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- f. Ordinance 2019-14 - Amending Section 5-8.3 and 9.4 of the Green Township Code Regarding Dogs and Permitting Leashed Dogs Along EverGreen Trail and the County Connector Rail to Trail**

Mrs. Phillips motioned to introduce the Ordinance and move to Public Hearing on August 19, 2019

Seconded: Mrs. Raffay

Discussion: Mr. Qarmout suggested adding the word "certified" to guide or seeing eye dog in Section 2 9-4. Mrs. Phillips asked to have a sign "No Dog Waste" into the garbage receptacles at the park.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- g. Bond Ordinance 2019-15 - To Authorize the Undertaking of the Coating of the Undercarriage of the Lake Tranquility Bridge (Bridge G-15) in, by and for the Township of Green, in the County of Sussex, State of New Jersey, to Appropriate the Sum of \$100,000.00 to Pay the Cost Thereof, to Make a Down Payment, to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds**

Mrs. Phillips motioned to introduce the Ordinance and move to Public Hearing on August 19, 2019

Seconded: Mr. Qarmout

Discussion: Mr. Zschack stated that the money needs to be in place in order to move forward with the project.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- h. Resolution 2019-126 - Accepting Banking Services Proposal from SB One Bancorp.**

Motion: Mr. Qarmout

Seconded: Mrs. Raffay

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- i. Resolution 2019-127 - Amendment to the Capital - Lake Tranquility Bridge**

Motion: Mrs. Raffay

Seconded: Mrs. Phillips

Discussion: Mr. Zschack noted that the capital budget needs to be amended at the State.



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	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

**MATTERS FROM THE GOVERNING BODY:** Mr. Chirip stated that he has asked the Township Engineer to look into the new DEP and environmental regulations about the design of rivers and waters as C1. Restrictions are put in place if the rivers are trout producing. Green Township is not entered as C1. Mr. Chirip will confirm the official designation.

Mr. Qarmout stated that he is very proud of the young lady, Miss Costello representing Green Township. Mr. Qarmout has been hearing positive feedback concerning the upcoming paving projects.

Mrs. Raffay stated that she recently attended another municipality's meeting on a very hot topic and thanked the Township Attorney, Mrs. Leo, for the way she conducts herself at the Green Township Committee Meetings.

Mrs. Phillips feels the "No Knock" sign is quite large and asked if there could be a more reasonable size available. Mr. Zschack will look into. Mrs. Phillips stated that there is a big push for "clean" recyclables and learning what is appropriate recycling. This should be taken into consideration as the Township will be preparing to renegotiate a new contract for garbage and recycling.

Mayor Conkling commented that the Road Department is doing a tremendous job with the mowing of EverGreen Park. Mayor Conkling inquired about the timeline for the repair of potholes. Mayor Conkling asked about speed radar machine. Mr. Zschack is in the process of researching the cost. Mayor Conkling commented on the two big trees that are still down in by Wesley Field.

**MATTERS FROM THE TOWNSHIP CLERK:** Mr. Zschack made the following comments:

- Municipal Appointment to Sussex County Solid Waste Advisory Council (SWAC) - The Green Township position on SWAC is still vacant. With the current garbage contract expiring in March 2020 it could be important to have representation. Please submit names to the Mayor for consideration.
- Outstanding Older American - Please submit names for consideration of the Outstanding Older American Award for 2019.
- Lake Tranquility Bridge - The Township Engineer is looking to have specifications ready in early August and receive bids during the week of August 19<sup>th</sup> or 26<sup>th</sup>. An award can be made at the September 4<sup>th</sup> or 16<sup>th</sup> Committee meeting. The specifications will then state a completion date by October 30<sup>th</sup>.
- Road Resurfacing Projects - Work on all projects within Green Township are scheduled to begin on Monday, July 22. Streets to be reconstructed include: Hibler Road, Terhune Road, Spruce Drive Birch Lane and the upper portion of Scenic Drive. The exact order of construction is yet to be determined but once the work begins Tilcon will remain in Green Township until all work is completed, approximately 6-7 days total.
- Elizabethtown's gas main extension in Andover has been pushed back two weeks and will start on or about July 24<sup>th</sup>. This might push back the scheduled gas main extension on Lower White Hall Road.

**MATTERS FROM THE TOWNSHIP ATTORNEY:** Mrs. Leo noted no matters for discussion.

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**MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD:** Not in attendance

**OPEN PUBLIC SESSION #2:** Mrs. Josephine Fracasso, 111 Hibler Road - Mrs. Fracasso commented that service dog documents from the internet should not be considered as certified. Mrs. Fracasso asked about paying for the Lake Tranquility dam/bridge. Mayor Conkling explained that there has been a rusting problem under the bridge that was not supposed to occur. After lengthy discussions, the Township received a contribution from the former Township Engineer towards correcting the problem. Mrs. Fracasso commented that there is a tree limb hanging on wires on Kennedy Road just past the DPW entranceway. Mrs. Fracasso feels the traffic speed signs are not helpful in slowing cars down. Mrs. Fracasso asked what was decided about opening and closing the park gates. Mr. Zschack stated that when the contract is nearing expiration, the Committee will consider all the options. Mrs. Fracasso inquired about any decision made on the Trinca Airport property. Mayor Conkling explained that ideas have been received and the Committee is in the process of exploring options.

**EXECUTIVE SESSION:** Resolution ES2019-09 - Personnel Matters - DPW Personnel; Contract Negotiations - QPA Services; and Personnel Matters - Municipal Clerk

Mr. Qarmout motioned to enter into Executive Session at 8:03 p.m.

Seconded: Mrs. Phillips

All were in favor.

Mayor Conkling noted that action may or may not be taken.

Mayor Conkling announced the next Green Township Committee Meeting is scheduled for Monday, August 19, 2019.

The Committee returned to Public Session.

Mrs. Raffay motioned to close Executive Session and return to Public Session at 8:52 p.m.

Seconded: Mr. Chirip

Discussion: None

All were in favor.

Resolution 2019-128 - Authorize the Award of a Professional Services Contract Without Competitive Bidding to Sean Canning of the Canning Group, LLC to Perform Qualified Purchasing Agent (QPA) Duties

Motion: Mrs. Phillips

Seconded: Mr. Qarmout

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

Resolution 2019-129 - Appointing a Qualified Purchasing Agent (QPA) and Increasing the Bid and Quote Thresholds Accordingly

Motion: Mr. Chirip

Seconded: Mrs. Raffay

Discussion: None



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	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

Resolution 2019-130 - Authorize Increase to Mark Zschack for Public Works Manager Certification

Motion: Mr. Chirip

Seconded: Mr. Qarmout

Discussion: The Committee congratulated Mr. Zschack on his completion of the CPWM Certification.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

**ADJOURNMENT:**

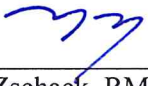
Mrs. Raffay motioned to adjourn at 8:55 p.m.

Seconded: Mr. Chirip

Discussion: None

All were in favor.

\*ALL RESOLUTIONS AND ORDINANCES ARE ATTACHED TO AND MADE PART OF THESE MINUTES

  
\_\_\_\_\_  
Mark Zschack, RMC  
Township Clerk

Date Approved: August 19, 2019

**AUTHORIZE CANCELLATION OF BALANCE TO THE  
CURRENT FUND - FUND BALANCE**


**BE IT RESOLVED** that the Township Committee of the Township of Green authorizes the CFO to cancel the following balance in the amount of \$20,427.35 in the Trust Fund as a Dedication by Rider, Uniform Fire Safety Act Penalty Moneys to Fund Balance.

FROM:	Uniform Fire Safety Act Penalty Moneys	\$20,427.35
	19-290-56-300-2	

TO:	Fund Balance	\$20,427.35
	01-400-65-000	

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
Mark Zschack, Township Clerk

**Record of Vote:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	√		√			
Mrs. Phillips			√			
Mr. Qarmout		√	√			
Mrs. Raffay			√			
Mr. Conkling			√			



**ORDINANCE NO. 2019-10**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP OF GREEN, SECTIONS 30-50.3 AND 30-82.18, TO PERMIT MEDICAL  
MARIJUANA GROWING, PRODUCTION AND MANUFACTURING AS A  
CONDITIONALLY PERMITTED USE IN THE AI-10 ZONE**

**BE IT ORDAINED** by the Township Committee of the Township of Green that Chapter 30 of the Revised General Ordinances of the Township of Green, being the Zoning Chapter, shall be and is hereby amended to allow medical marijuana growing, production and manufacturing in the AI-10 Zone, as follows:

**Section 1.** Section 30-50.3, Conditional Uses, shall be revised by addition of a new subparagraph 30-50.3(h) as follows:

(h) Medical Marijuana Growing, Production and Manufacturing, in the AI-10 Zone only, subject to the requirements of Section 30-82.18.

**Section 2.** A new Section 30-82.18, Medical Marijuana Growing, Production and Manufacturing shall be adopted as follows:

30-82.18 Medical Marijuana Growing, Production and Manufacturing in the  
AI-10 Zone only

- (a) Minimum lot size: Fifteen (15) acres
- (b) Access and Setback: Access shall be provided via a driveway located on a County road, with all growing, production and/or manufacturing structures setback a minimum of four hundred (400') feet from the road.
- (c) Landscaped Buffer: A minimum landscaped buffer at least one hundred (100') feet in width shall be established and maintained, adjacent to any County road. In addition, a landscaped buffer shall be required in the event that there is not a natural buffer between the property and any dwelling unit such natural buffer to be consistent with Township Ordinance 30-15(c)(5) and 30-17.3C, Landscape Standards;
- (d) Fencing: All structures utilized for any growing, production or manufacturing shall be enclosed by a fence at least seven (7') feet high.
- (e) Security: All structures shall be designed, using safety and security barriers, to prevent the unlawful and unauthorized entry into the structures.
  - a. 24-hour human security shall be provided on site.
  - b. There shall be no direct sales to the public from the property.
  - c. There shall be controlled access to the site, with on-site video monitoring.
- (f) Maximum number of buildings: Ten (10). Each greenhouse shall be considered a separate building.
- (g) Maximum building height: Thirty-five (35') feet
- (h) Compliance: All growing, production and manufacturing shall be in compliance with all applicable New Jersey State requirements, licenses and permits. All medical

ORDINANCE NO. 2019-10  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

marijuana grown shall cultivated organically.

- (i) Noise: All Medical Marijuana Growing, Production and Manufacturing operations shall operate in compliance with State and local noise laws and regulations.
- (j) Odor: All Medical Marijuana Growing, Production and Manufacturing operations shall utilize available technology to recirculate air, so that odors are not emitted outside of any structure(s).
- (k) Location: All Medical Marijuana Growing or manufacturing buildings shall be located at least four hundred (400') feet from the nearest dwelling, and a minimum of one thousand (1,000) feet from a school building.
- (l) AI-10 Zone Requirements: All newly constructed Medical Marijuana Growing, Production and Manufacturing structures shall abide by all setback and Code requirements in effect for the AI-10 Zone.
- (m) Generator: All Medical Marijuana Growing, Production and Manufacturing operations shall have a backup generator, which shall maintain all electronic security systems in the event of a power failure.
- (n) Signs: Medical Marijuana Growing, Production and Manufacturing operations shall only be permitted to have one sign, displaying the site address only, in compliance with sign requirements for the AI-10 Zone.
- (o) Lighting: No light generated by any Medical Marijuana Growing, Production or Manufacturing structures shall result in measurable light changes at the nearest property boundary to each structure. Interior light shades may be required by the Board on greenhouse structures to manage potential lighting impacts. Lighting shall be subject to a Township Engineer night lighting test.

**Section 3.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

**Section 4.** All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**Section 5.** The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Land Use Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**Section 6.** This Ordinance shall take effect after publication and passage according to law.

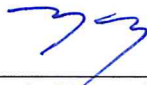


ORDINANCE NO. 2019-10  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**NOTICE**

The above entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on May 20, 2019 and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on July 15, 2019.

ATTEST:

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

  
\_\_\_\_\_  
Daniel Conkling, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout			√			
Mrs. Raffay		√	√			
Mr. Conkling			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout			√			
Mrs. Raffay		√	√			
Mr. Conkling			√			

INTRODUCED: May 20, 2019

ADVERTISED INTRODUCTION: May 24, 2019

PUBLIC HEARING: July 15, 2019

ADOPTED: July 15, 2019

ADVERTISED ADOPTION: July 19, 2019

**ORDINANCE NO. 2019-12**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY**

**ORDINANCE AMENDING ORDINANCE 2019-06**  
**APPROPRIATING \$25,000.00 FROM THE GENERAL**  
**CAPITAL FUND BALANCE FOR IMPROVEMENTS TO**  
**HIBLER ROAD TO INCREASE THE GENERAL CAPITAL**  
**FUND BALANCE RESERVE APPROPRIATION FROM**  
**\$25,000.00 TO \$45,000.00**

**WHEREAS**, Ordinance No. 2019-06 of the Township of Green appropriated a total of \$305,000.00, with \$25,000.00 from the General Capital Fund Balance, \$208,000.00 from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2019 Municipal Aid Program, and \$72,000.00 from the General Capital Reserves, for road improvements to Hibler Road; and

**WHEREAS**, The Township Committee has determined that Ordinance No. 2019-06 should be amended to appropriate an additional \$20,000.00 from the General Capital Fund Balance, thereby increasing the total appropriate amount from the General Capital Fund Balance to \$45,000.00 for road improvements to Hibler Road; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in the General Capital Fund Balance in an amount not to exceed \$45,000.00 for this purpose; and

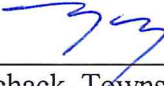
**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Green, in the County of Sussex, New Jersey as follows:

1. Ordinance 2019-06 is hereby amended to appropriate an additional \$20,000.00, for a total of \$45,000.00 from the General Capital Fund Balance for road improvements to Hibler Road.
2. This Ordinance shall take effect after publication after final adoption, as provided by law.

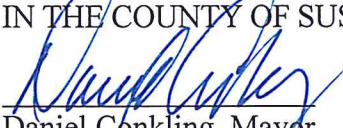


ORDINANCE NO. 2019-12  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ATTEST:

  
Mark Zschack, Township Clerk

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

  
Daniel Conkling, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip						√
Mrs. Phillips	√		√			
Mr. Qarmout		√	√			
Mrs. Raffay			√			
Mr. Conkling			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout			√			
Mrs. Raffay		√	√			
Mr. Conkling			√			

INTRODUCED: June 17, 2019

ADVERTISED INTRODUCTION: June 30, 2019

PUBLIC HEARING: July 15, 2019

ADOPTED: July 15, 2019

ADVERTISED ADOPTION: July 19, 2019

**RESOLUTION 2019-121**  
**TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN**  
**SUSSEX COUNTY, NEW JERSEY**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT**  
**CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**  
**FOR THE**  
**WHITEHALL ROAD IMPROVEMENT PROJECT**

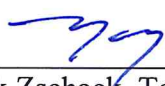
**NOW, THEREFORE, BE IT RESOLVED** that the Green Township Committee of the Township of Green, County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Administrator/Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Whitehall Road Improvements-00275 to the New Jersey Department of Transportation on behalf of Green Township.

**BE IT FURTHER RESOLVED** that the Mayor and Administrator/Township Clerk are hereby authorized to sign the grant agreement on behalf of Green Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Vote of Record:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Chirip		√	√			
Mrs. Phillips			√			
Mr. Qarmout	√		√			
Mrs. Raffay			√			
Mr. Conkling			√			

My signature and Administrator/Township Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**ATTEST AND AFFIX SEAL**

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

  
\_\_\_\_\_  
Daniel Conkling, Mayor



**RESOLUTION 2019-122  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**AUTHORIZING PUBLIC RIGHT-OF-WAY USE  
BY PLANET NETWORKS, INC. FOR FIBER OPTIC CABLING**

**WHEREAS**, Planet Networks Inc. ("Planet Networks") is a provider of telecommunications services that is authorized by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout New Jersey; and

**WHEREAS**, Planet Networks has petitioned the Green Township for consent to use the public rights-of-way to place its telecommunication facilities, consisting of fiber optic cabling, aerially on existing and new utility poles and/or in underground conduit; and

**WHEREAS**, the Federal Communications Commission has held that that "an effective prohibition [under the Telecommunications Act of 1996] occurs where a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service. . . not only by rendering a service provider unable to provide an existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services." Declaratory Ruling and Third Report and Order, WT Docket No. 17-79; WC Docket No. 17-84, FCC-18-133A1, at para. 36, p. 15-16; and

**WHEREAS**, Planet Networks has or will enter into agreements with the utility companies for the use of their poles; and

**WHEREAS**, N.J.S.A. 48:3-19 provides that "[t]he consent of the municipality shall be obtained for the use by a person of the poles of another person unless each person has a lawful right to maintain poles in such street, highway or other public place;" and

**WHEREAS**, N.J.S.A. 27:16-6 provides, in part that "[t] he board of chosen freeholders shall not grant an easement, right of way, or use in, under or over, any portion of a county road in a municipality, unless the governing body of the municipality . . . shall consent thereto;" and

**WHEREAS**, N.J.S.A. 46:17-8 provides that "[a]ny telegraph or telephone company organized under the laws of this or any other State, or of the United States may erect, construct and maintain the necessary poles, wires, conduits, and other fixtures for its lines, in, upon, along, over or under any public street, road or highway, upon first obtaining the consent in writing of the owner of the soil to the erection of such poles, and through, across or under any of the waters within this State and upon, through or over any other land, subject to the right of the owners thereof to full compensation for the same."; and

RESOLUTION 2019-122  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ

**WHEREAS**, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal agency; and

**WHEREAS**, it is in the best interests of the Township of Green and its citizens to grant consent to Planet Networks for its expanding fiber optic network.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey that Planet Networks, Inc. is granted non-exclusive use of the public right-of-ways for the purposes of allowing it to install fiber optic cables and pole-mounted cabinets on existing utility poles within the public right-of-way in the Township of Green and to install new utility poles, upon the following terms and conditions:

- a) Planet Networks shall adhere to all applicable federal, State, and local laws in connection with its use of the public rights-of-way;
- b) Planet Networks shall obtain any applicable permits in connection with the installation of its facilities;
- c) All new utility poles located in the public right-of-way shall be subject to Township Engineer approval prior to construction and shall be similar in appearance, composition, size and height as the closest existing utility poles located on either side of the proposed utility pole and shall, to the extent practical, be located at the property line between two properties;
- d) Planet Networks shall indemnify, defend and hold harmless the Township of Green, its officials, agents, and employees, from and against any claim of liability, damages or loss resulting in bodily injury or property damage arising out of Planet Network's use of the public right-of-way, except to the extent such loss, injury or property damage is proven to have resulted from the acts or omissions of the Township of Green;
- e) Planet Networks shall procure and maintain, at its cost and expense, commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence, and provide a current copy for the Township, and shall include the Township of Green as an additional insured on said insurance policy;
- f) Planet Networks shall provide an escrow of \$750.00 and reimburse the Township of Green for the actual cost of any services rendered by the Township or its professionals in connection with the granting of this consent and use of the public rights-of-way;



RESOLUTION 2019-122  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ

- g) Planet Networks shall be responsible for the repair of any damage to pavement or any structure arising from its construction, installation or maintenance of its facilities; and
- h) Notwithstanding any provision contained herein, neither the Township of Green nor Planet Networks shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this consent.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute and the Township Clerk to attest documents necessary to effectuate the terms of this Resolution.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.



Mark Zschack, Township Clerk

**Record of Vote:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	√		√			
Mrs. Phillips		√	√			
Mr. Qarmout			√			
Mrs. Raffay			√			
Mr. Conkling			√			

**RESOLUTION 2019-124**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**BILLS LIST (06/12/2019 to 07/10/2019)**

**BE IT RESOLVED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the List of Bills dated from 06/12/2019 to 07/10/2019 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

cc: Linda Padula, CFO

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Chirip			√			
Mrs. Phillips			√			
Mr. Qarmout	√		√			
Mrs. Raffay		√	√			
Mr. Conkling			√			



**List of Bills - CLEARING ACCOUNT (FUND 01 02 04 12 19)**

Meeting Date: 07/15/2019 For bills from 06/12/2019 to 07/10/2019

Check#	Vendor	Description	Payment	Check Total
8914	1993 - ACF Landscape Design, Inc.	PO 14072 2019 Mowing and Trimming	6,309.00	6,309.00
8915	528 - Allied Oil LLC	PO 13861 Diesel Fuel Delivery	900.42	
		PO 13926 Gas Delivery	699.76	1,600.18
8916	83 - American Wear, Inc.	PO 13965 Uniform Cleaning 2019	241.50	241.50
8917	1625 - Aqua New Jersey	PO 14071 Fire Hydrant Bill	3,058.30	3,058.30
8918	33 - AT&T	PO 13936 Long Distance	66.52	66.52
8919	1908 - Brady & Correale, LLP	PO 13947 Legal Services - Land Use Board	1,350.00	1,350.00
8920	1997 - Brian Harding	PO 14136 Reimbursement for background check	21.25	21.25
8921	236 - Cahills Farm	PO 13928 Opening & Closing of Park Gates	600.00	600.00
8922	1228 - Chelbus Cleaning Co., Inc.	PO 13817 Cleaning Service	395.00	395.00
8923	1738 - Cintas Fire Protection Inc.	PO 14208 Yearly Fire Ext. Emergency Light In	2,235.98	2,235.98
8924	1763 - Colleen McLean	PO 14152 Miscellaneous items for Ms. Green	59.00	59.00
8925	660 - D & E Service Center, Inc.	PO 13894 Truck Repair/Service	577.50	577.50
8926	1051 - Treasurer, State of New Jersey	PO 14066 Marriage Lic/Civil Union License	200.00	200.00
8927	1599 - Dover Brake & Clutch Co., Inc.	PO 13873 Truck Parts	261.78	261.78
8928	1380 - Garden State Labs Inc.	PO 13860 Water Test MB	60.00	60.00
8929	1846 - Gebhardt and Kiefer, P.C.	PO 14007 Green Twp (Holenstein) ads Wolosky,	129.64	129.64
8930	120 - Harold E. Fellow & Associates, Inc.	PO 14001 Engineering Services - Imp to Macke	82.50	
		PO 14003 Engineering Services - Municipal	1,267.50	
		PO 14169 Improvements to Hibler Rd	7,430.58	
		PO 14174 Engineering - Land Use Board	195.00	8,975.58
8931	188 - Home Depot Credit Services	PO 13879 Supplies	1,078.17	1,078.17
8932	1603 - J. Caldwell & Associates	PO 14182 Land Use Board - Planning Services	307.50	
		PO 14183 Housing Agent	354.00	661.50
8933	190 - JCP&L	PO 13927 Street Lighting	34.84	
		PO 14219 June Electric Bill 2019	773.57	808.41
8934	1628 - Kelly & Ward, LLC	PO 14025 Legal Services - Bridge	345.00	345.00
8935	1852 - Kelly Duda	PO 14223 Reimbursement for Background Check	21.25	21.25
8936	1632 - Laddey, Clark & Ryan LLP	PO 14212 Legal Services for May 2019	4,618.25	
		PO 14212 Legal Services for May 2019	85.00	4,703.25
8937	1047 - LCB Services	PO 14216 Webinar - P. DeClesis	35.00	35.00
8938	1349 - LifeSavers, Inc.	PO 14157 Battery and pads for defibrillator	136.00	136.00
8939	1153 - Lowe's	PO 13896 hardware	106.27	106.27
8940	20 - MGL Printing Solutions, LLC	PO 14195 Checks	254.00	254.00
8941	103 - Municipal Software, Inc.	PO 14192 3 year Anti Virus Software	314.78	314.78
8942	1960 - Navitend	PO 13810 2019 Agreement Office 365	800.00	800.00
8943	104 - Netcong Hardware, INC	PO 13867 Small Tools & Supplies	7.25	7.25
8944	90 - New Jersey Herald, Inc.	PO 14156 Legal Ads	142.50	142.50
8945	900 - NJAA	PO 14167 Membership 2019	100.00	100.00
8946	100 - Treasurer, State of NJ	PO 14078 DCA fees	3,275.00	3,275.00
8947	209 - NJ Division of Alcoholic Beverage	PO 14215 Liquor License Renewal	9.00	9.00
8948	41 - NJ Planning Officials	PO 14193 MLUL Book 2018 for Planning Board	21.00	21.00
8949	98 - NJ-Dept of Health and Senior Svs	PO 13955 Dog License fees	9.00	9.00
8950	1892 - PenTeleData	PO 13946 Internet Service for MB	99.95	99.95
8951	1778 - Prime Lube Inc.	PO 14194 Truck parts	336.90	336.90
8952	418 - R & L Data Centers	PO 13962 Payroll Services	340.14	340.14
8953	1992 - Raymond Vena	PO 14056 Reimbursement Background Check	21.25	21.25
8954	977 - Smith Motor Company, Inc.	PO 13870 Truck Parts/Repairs	2,409.13	2,409.13
8955	330 - State of New Jersey	PO 14207 2018 Unemployment Disability Assess	142.29	142.29
8956	1839 - Treasurer, State of NJ	PO 14097 Life Hazard inspections	191.00	191.00
8957	624 - Suburban Propane	PO 13850 Propane Delivery DPW	50.82	50.82
8958	440 - County of Sussex	PO 14221 Voting Machines	500.24	500.24
8959	97 - Sussex County Clerk	PO 14204 2019 Primary Election Expenses	413.41	413.41
8960	114 - Sussex County MUA	PO 13910 Municipal/Household Waste	9,216.00	9,216.00
8961	243 - The Printing Center, Inc.	PO 14205 Printing for the Election June 4, 2	2,278.36	2,278.36
8962	1703 - Town of Newton	PO 14134 Municipal Court - Shared Services	10,612.00	10,612.00
8963	1923 - Valley Physician Services PC	PO 14220 Onsite CPPO	150.00	150.00
8964	34 - Verizon	PO 14202 June Phone Bill	950.06	950.06
8965	29 - Verizon Wireless	PO 13958 Modem-OEM 2019	38.01	38.01
8966	1158 - W.B. Mason Co. Inc.	PO 14200 June Supplies Order 2019	172.71	172.71
8967	1774 - Waste Management of New Jersey	PO 13972 2019 Waste & Recycling Collection	14,116.00	14,116.00

TOTAL

81,006.88

**List of Bills - CLEARING ACCOUNT (FUND 01 02 04 12 19)**

Meeting Date: 07/15/2019 For bills from 06/12/2019 to 07/10/2019

Check#	Vendor	Description	Payment	Check Total
	Total to be paid from Fund 01 CURRENT FUND	69,770.80		
	Total to be paid from Fund 04 GENERAL CAPITAL	7,513.08		
	Total to be paid from Fund 12 ANIMAL FUND	9.00		
	Total to be paid from Fund 16 AFFORDABLE HOUSING TRUST FUND	439.00		
	Total to be paid from Fund 19 TRUST FUND	3,275.00		
		-----		
		81,006.88		

**Checks Previously Disbursed**

9999	State of NJ-Division of Pensions	PO# 13859	Active Employee Medical/Dental Ins	15,291.85	7/10/2019
9999	State of NJ Div of Pensions/Benefit	PO# 13858	Retiree Medical Insurance	5,019.55	7/10/2019
8913	Green Twp Board of Education	PO# 13823	School Tax	796,621.08	7/01/2019
8912	Public Employee Retirement System	PO# 14206	2018 Employer Share of Retro's 02-	899.70	6/27/2019
9999	Payroll Account		6/28/2019	39,731.22	6/17/2019
9999	Payroll Account		6/14/2019	32,684.03	6/13/2019
				-----	
				890,247.43	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	890,247.43	69,770.80	960,018.23
Fund 04 GENERAL CAPITAL		7,513.08	7,513.08
Fund 12 ANIMAL FUND		9.00	9.00
Fund 16 AFFORDABLE HOUSING TRUST FUND		439.00	439.00
Fund 19 TRUST FUND		3,275.00	3,275.00
		-----	
BILLS LIST TOTALS	890,247.43	81,006.88	971,254.31
			=====

**RESOLUTION 2019-125**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**DEVELOPERS ESCROW TRUST (06/12/2019 to 07/10/2019)**

**BE IT RESOLVED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the List of Bills for the Developers Escrow Trust dated from 06/12/2019 to 07/10/2019 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

cc: Linda Padula, CFO

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Chirip	√		√			
Mrs. Phillips		√	√			
Mr. Qarmout			√			
Mrs. Raffay			√			
Mr. Conkling			√			



**List of Bills - (1410101002) CASH - Developers Escrow-SB One Bank  
DEVELOPERS ESCROW TRUST**

Meeting Date: 07/15/2019 For bills from 06/12/2019 to 07/10/2019

Check#	Vendor	Description	Payment	Check Total
7417	1908 - Brady & Correale, LLP	PO 13983 LU1901 Pittenger	262.50	
		PO 14103 LU1903 Tommaso	112.50	375.00
7418	1937 - Harold E. Pellow & Associates, Inc.	PO 13831 SE1807 Airside, Inc.	103.19	
		PO 13940 LU1808 Airside Inc.	82.56	
		PO 13992 SE1212 Oak Run LLC	20.64	
		PO 14050 LU1901 Pittenger	149.88	
		PO 14052 LU1902 Forest Flats LLC	183.64	
		PO 14177 SE1904 Forest Flats, Inc.	41.28	
		PO 14178 LU1903 Tommaso	130.00	
		PO 14217 Inspections 5103 Crossed Keys	206.38	917.57
TOTAL				1,292.57
Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST			1,292.57	
			1,292.57	

**ORDINANCE NO. 2019-14**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE AMENDING SECTIONS 5-8.3 AND 9-4 OF THE  
GREEN TOWNSHIP CODE REGARDING DOGS AND  
PERMITTING LEASHED DOGS ALONG EVERGREEN TRAIL AND  
THE COUNTY CONNECTOR RAIL TO TRAIL**

**WHEREAS**, the Green Township Committee has considered revisions to the Green Township Code to allow leashed dogs along EverGreen Trail and County Connector Rail to Trail in the Township of Green.

**NOW, THEREFORE, BE IT ORDAINED** that Sections 5-8.3 and 9.4 of the Code of the Township of Green are revised as follows:

**SECTION 1.**

Section 5-8.3 shall be revised to add the following:

Additionally, per Green Township Code Section 9-4, no dog, leashed or unleashed, shall be permitted to enter upon EverGreen Park or any of the fields, playgrounds, basketball or tennis courts within the Township of Green.

**SECTION 2.**

Section 9-4 shall be deleted in its entirety and replaced as follows:

9-4. Animals.

Except for certified guide or service dogs assisting their owner, no person shall bring, possess or harbor any pet or domestic animal of any nature on or into any Township facility, unless specifically set forth in this section.

Dog owners are required to remove all dog waste, and shall not deposit dog waste into Township and/or Park garbage receptacles.

Leashed dogs shall be permitted only along EverGreen Trail and County Connector Rail to Trail (and not at EverGreen Park or any of the Park fields), as long as such dog is accompanied by a person over the age of twelve (12) years and is controlled by an adequate leash or no more than six (6') feet in length, per Township Code Section 5-8.3.

**SECTION 3 - SEVERABILITY**

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

ORDINANCE NO. 2019-14  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**SECTION 4 - REPEALER**

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**SECTION 5: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

ATTEST:

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

\_\_\_\_\_  
Mark Zschack, Township Clerk

\_\_\_\_\_  
Daniel Conkling, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout			√			
Mrs. Raffay		√	√			
Mr. Conkling			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip						
Mrs. Phillips						
Mr. Qarmout						
Mrs. Raffay						
Mr. Conkling						

INTRODUCED: July 15, 2019  
ADVERTISED INTRODUCTION:  
PUBLIC HEARING: August 19, 2019

ADOPTED:  
ADVERTISED ADOPTION:



ORDINANCE NO. 2019-15  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE COATING OF THE UNDERCARRIAGE OF THE LAKE TRANQUILITY BRIDGE (BRIDGE G-15) IN, BY AND FOR THE TOWNSHIP OF GREEN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

BE IT ORDAINED by the Township Committee of the Township of Green, in the County of Sussex, New Jersey, as follows:

Section 1. The Township of Green, in the County of Sussex, New Jersey (the "Township"), is hereby authorized to undertake the coating of the undercarriage of the Lake Tranquility Bridge (Bridge G-15) in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$100,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof. Said sum so appropriated shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) the making of such improvement (hereinafter referred to as "purpose")

ORDINANCE 2019-15  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

is not a current expense of the Township, and (2) it is necessary to finance said purpose by the issuance of obligations of the Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$100,000, and (4) \$5,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$95,000, and (6) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$25,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$5,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$5,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$95,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter

ORDINANCE 2019-15  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$95,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in



ORDINANCE 2019-15  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$95,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Sussex, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes,

ORDINANCE 2019-15  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

ORDINANCE 2019-15  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST:

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

\_\_\_\_\_  
Mark Zschack,  
Township Clerk

\_\_\_\_\_  
Daniel Conkling  
Mayor, Green Township

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout		√	√			
Mrs. Raffay			√			
Mr. Conkling			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip						
Mrs. Phillips						
Mr. Qarmout						
Mrs. Raffay						
Mr. Conkling						

INTRODUCED: July 15, 2019

ADVERTISED INTRODUCTION: July 19, 2019

PUBLIC HEARING: August 19, 2019

ADOPTED:

ADVERTISED ADOPTION:



**RESOLUTION 2019-126**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**RESOLUTION ACCEPTING BANKING SERVICES PROPOSAL**  
**FROM SB ONE BANCORP.**

**WHEREAS**, N.J.S.A. 40A:11-1 et seq., the “Local Public Contracts Law” permits governing bodies to solicit proposal for banking services, and

**WHEREAS**, the Township of Green has a need for banking services, and;

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose, and;

**WHEREAS**, SB ONE BANCORP. (“Bank”) has provided a proposal dated May 14, 2019 to the Township of Green, a copy of which is on file in the Office of the Chief Financial Officer, and;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolutions authorizing the award of contracts for competitive bids must be publicly advertised.

**NOW, THEREFORE**, BE IT RESOLVED by the Township Council of the Township of Green as follows:

1. The proposal for banking services provided by SB ONE BANCORP. dated May 14, 2019 is hereby approved. The Mayor and Clerk are authorized to execute the documents that may be reasonably required by the Bank, provided that such documents are reviewed and approved by the Township’s Chief Financial Officer and the Township Attorney.

2. If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.


3. This resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township of Green Council at a meeting held on July 15, 2019.

RESOLUTION 2019-126  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Record of Vote:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips			√			
Mr. Qarmout	√		√			
Mrs. Raffay		√	√			
Mr. Conkling			√			

# Resolution 2019-127 Township of Green Amendment to the Capital Budget

WHEREAS, the local capital budget for the year 2019 was adopted on the 15th day of April, 2019; and  
WHEREAS, it is desired to amend said capital budget section,  
NOW, AND THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, that the following amendment(s) to the adopted capital budget section of General Capital be made

Recorded Vote (Insert Names)

(	(	(
(Chirip	(	Abstain (None
(Phillips	(	(
Ayes (Qarmout	Nays (None	
(Raffay	(	
(Conkling	(	Absent (None
(	(	(

Motion: Raffay  
Second: Phillips

CAPITAL BUDGET (Current Year Action)


		Planned Funding Services for Current Year 2019													2019		Total Funded	
1	Project	2	Project Num.	3	Est. Total Cost	4	Amt. Res. In Prior Years	5a	2019 Budget Appropriation Fund	5b	Capital Improvement Fund	5c	Capital Surplus	5d	Grants in Aid/Other Fund	5f	Debt Authoriz.	Total Funded In Future Year
	Lake Tranquility Bridge	8		\$	100,000.00					\$	5,000.00					\$	95,000.00	
	Total All Projects			\$	100,000.00	\$	-	\$	-	\$	5,000.00	\$	-	\$	-	\$	95,000.00	\$ -

YEAR CAPITAL PROGRAM 2019 TO 2024  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS  
5. Funding Amounts Per Year

1	Project	2	Project Num.	3	Est. Total Cost	4	Estimated Completion Time	2019	2020	2021	2022	2023	2024 & Future Years
	Lake Tranquility Bridge	8		\$	100,000.00	2019		\$ 5,000.00	\$ 23,750.00	\$ 23,750.00	\$ 23,750.00	\$ 23,750.00	
	Total All Projects			\$	100,000.00			\$ 5,000.00	\$ 23,750.00	\$ 23,750.00	\$ 23,750.00	\$ 23,750.00	\$ -

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
Mark Zschack, Township Clerk  
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**RESOLUTION ES 2019-09**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (N.J.S.A. 10:13-12) permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, N.J.S.A. 10:4-13 requires the adoption of a resolution prior to the Township Committee going into Closed Session stating the general nature of the subject matter to be discussed and generally the time and circumstances under which the discussion conducted in Closed Session can be disclosed to the public;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon and hereinafter specified subject matter(s)
2. The general nature of the subject matter(s) to be discussed is as follows:  

☒ Personnel  
☐ Public Safety

☒ Contract Negotiation  
☐ Litigation/Potential Litigation

☐ Real Property  
☐ Attorney-Client
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately

Dated: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Record of Vote:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips		√	√			
Mr. Qarmout	√		√			
Mrs. Raffay			√			
Mr. Conkling			√			

**RESOLUTION 2019-128  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES  
CONTRACT WITHOUT COMPETITIVE BIDDING  
TO SEAN CANNING OF THE CANNING GROUP, LLC TO PERFORM  
QUALIFIED PURCHASING AGENT (QPA) DUTIES**

**WHEREAS**, Green Township wishes to retain the services of Sean Canning of The Canning Group, LLC to provide such services and for such other services as identified in its proposal dated May 20, 2019; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, as follows:

1. The Township of Green hereby awards and authorizes the execution of an agreement with Sean Canning of The Canning Group, LLC, 10 Garden Street, Lincoln Park, NJ 07035 to provide Qualified Purchasing Agent services, effective July 16, 2019 through July 15, 2020, for a fee not to exceed \$5,500.00 as per its proposal dated May 20, 2019.

2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.


3. The total fee authorized for this contract shall not exceed \$5,500.00 without the prior written approval of the Township Committee.

4. Notice of this action shall be published once in the Township's official newspaper as required by law.

This Resolution shall take effect immediately.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout		√	√			
Mrs. Raffay			√			
Mr. Conkling			√			

**RESOLUTION 2019-129**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**APPOINTING A QUALIFIED PURCHASING AGENT (QPA)**  
**AND INCREASING THE BID AND QUOTE**  
**THRESHOLDS ACCORDINGLY**

**WHEREAS**, P.L.2009, c.166 amended Local Public Contracts Law by creating and formalizing the Qualified Purchasing Agent (QPA) program to permit contracting agencies with a QPA to take advantage of the higher bid threshold; and

**WHEREAS**, The Township of Green desires to appoint a Qualified Purchasing Agent (QPA) in accordance with N.J.S.A.40A:11-9(b) and further wishes to take advantage of the higher bid and quote thresholds in accordance with N.J.S.A.40A:11-3 and N.J.S.A.40A:11-6.1(a); and

**WHEREAS**, Sean Canning possesses the designation of Qualified Purchasing Agent (QPA) as issued by the Director of Local Government Services.

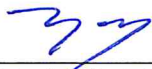
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, that Mr. Sean Canning is appointed as Green Township's Qualified Purchasing Agent (QPA) and is hereby authorized to exercise the duties of the QPA.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, be increased from \$17,500 to \$40,000 and that the quote threshold will be 15% of the higher bid threshold, in accordance with N.J.S.A.40A:11-3 and

This Resolution shall take effect immediately.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Chirip	√		√			
Mrs. Phillips			√			
Mr. Qarmout			√			
Mrs. Raffay		√	√			
Mr. Conkling			√			



**RESOLUTION 2019-130**  
**TOWNSHIP COMMITTEE -TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**WHEREAS**, Mark Zschack successfully completed the certification process for Certified Public Works Manager (CPWM) on April 17, 2019; and

**WHEREAS**, the Governing Body of the Township of Green wishes to recognize the value that this accomplishment brings to Green Township; and

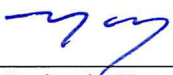
**WHEREAS**, the Township of Green has previously recognized similar value and accomplishment through a salary increase;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Green in the County of /Sussex and State of New Jersey is pleased to confirm an increase of \$5,000.00 per year in the salary of Mark Zschack effective January 1, 2019.

**BE IT FURTHER RESOLVED** that Mark Zschack will continue to perform the duties of Municipal Clerk and Registrar of Vital Statistics, and such other duties as may be assigned on a full-time basis and that his employment is subject to the usual terms and conditions as set forth in the Township of Green Employee Handbook.

DATED: July 15, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on July 15, 2019.

  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Chirip	√		√			
Mrs. Phillips			√			
Mr. Qarmout		√	√			
Mrs. Raffay			√			
Mr. Conkling			√			