

**MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MARCH 15, 2021**

CALL TO ORDER

Mayor Phillips called the March 15, 2021, meeting of the Green Township Committee to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

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

ROLL CALL: Present: Mr. Daniel Conkling, Mr. Bader Qarmout, Mrs. Virginia "Ginnie" Raffay, and Mayor Margaret "Peg" Phillips
Absent: Mr. Chirip
Mr. Qarmout motioned to excuse the absent member
Seconded: Mrs. Raffay
Discussion: None
All were in favor

Mayor Phillips announced that Mr. Chirip will be present via teleconference in Executive Session.

Also present: Mr. Mark Zschack, Township Clerk/Administrator; Mrs. Ursula Leo, Township Attorney; Mr. Watson Perigo, Municipal Department Head; and Mrs. Patty DeClesis, Deputy Clerk

EXECUTIVE SESSION: Resolution ES2021-04 - Contract Negotiations - Block 113, Lot 1.02
Contract Negotiations - Fire Truck Agreement
Potential Litigation - Block 16, Lot 21.02

Mrs. Raffay motioned to enter Executive Session at 7:02 p.m.
Seconded: Mr. Conkling
Discussion: None
All were in favor.

The Committee returned to Open Public Session at 8:12 p.m.

Mrs. Raffay motioned to adjourn Executive Session and return to Open Session.
Seconded: Mr. Qarmout
Discussion: None
All were in favor.

NEW BUSINESS:

a. Resolution 2021-66 - Introduce 2021 Budget, Adoption is scheduled for April 19, 2021
Mr. Conkling motioned to introduce the 2021 budget.
Seconded: Mrs. Raffay
Discussion: Mr. Conkling thanked the employees and departments for their diligent work. Mayor Phillips stated that the municipal increase to the average house will have an impact of \$14.16 to the average home assessed. The average home is assessed at \$312,351.00.

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

Mrs. Linda Padula, CMFO, was in attendance to answer any budget related questions. The Committee thanked Mrs. Padula for attending.

OPEN PUBLIC SESSION #1 Mayor Phillips opened the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. Mayor Phillips noted that no public members were present at this time and closed Open Public Session #1.

PROCLAMATION: Mayor Phillips read a proclamation recognizing and honoring Bridget Rose Fajvan for her achievement in obtaining her Girl Scout Gold Award. Congratulations to Miss Fajvan!

DISCUSSIONS: New Recreational Cannabis Law - Mayor Phillips stated that recreational marijuana was recently passed in New Jersey. Action related to the new law is needed by August 21, 2021. The Township Attorney provided guidance on the regulation requirements and the effects of the current ordinance. Mrs. Leo explained that by August 21, the municipality has the option to prohibit any of the 5 of 6 classes of recreational marijuana. Class 6 pertains to the delivery of recreational marijuana which cannot be prohibited. Mrs. Leo further explained that the municipality can adopt an ordinance prohibiting or limiting the number of cannabis establishments, distributors or deliver services. In addition, the new law states that any existing municipal ordinance regulating or prohibiting cannabis is null and void. An ordinance must be readopted to be effective. A discussion ensued regarding the regulation of licensed marijuana businesses. The Committee agreed to consider an ordinance deleting sections of the Township Code and prohibiting the operations within the boundaries at the next meeting.

CONSENT AGENDA:

1. **RESOLUTIONS:** (Approval of the Following)
 - a. Resolution 2021-67 - April is Child Abuse Prevention Month
2. **CORRESPONDENCE:** (Acceptance for Filing of the Following)
 - a. Hampton Township Resolution Adopted December 29, 2020, Regarding the Affordable Housing Act
 - b. Hampton Township Resolution Adopted December 29, 2020, Establishing a Business Non-Interference Policy in Sussex County
 - c. Hampton Township Resolution Adopted December 29, 2020, Supporting Establishment of the Hampton Township Community Emergency Response Team
 - d. Letter Dated March 3, 2021, to Blair Academy, Pope John Regional High School, Newton High School and Sussex Technical School from Mayor Phillips Regarding the Louis Bay 2nd Future Municipal Leaders Scholarship Competition
3. **REPORTS:** (Acceptance for Filing of the Following)
 - a. Green Township Municipal Court Breakdown - January 2021
 - b. Sussex County Agriculture Development Board Minutes - February 18, 2020, May 18, 2020, June 18, 2020, and January 19, 2021
 - c. Treasurer's Report - January 31, 2021

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- d. Open Space Advisory Committee Minutes - February 3, 2021
- e. Sussex County Solid Waste Advisory Council Minutes - January 12, 2021
- f. Building Permit Fee Log Report - February 2021
- g. Sussex County Open Space Committee Minutes - January 28, 2021
- h. Green Township Volunteer Fire Department Incident Report - February 2021

4. APPLICATIONS: (Approval of the Following)

None

Mr. Conkling motioned to move the Consent Agenda

Seconded: Mr. Qarmout

Discussion: None

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

OLD BUSINESS:

- a. Public Hearing Ordinance 2021-03 - Amending Chapter 30 Land Use Regulations

Mayor Phillips opened the meeting for public comments.

There being no public comments, Mr. Conkling motioned to close Public Hearing and adopt the ordinance

Seconded: Mrs. Raffay

Discussion: None

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

- b. Public Hearing Ordinance 2021-05 - Fixing Salary Ranges for Officers and Employees of the Township of Green

Mayor Phillips opened the meeting for public comments.

There being no public comments, Mr. Conkling motioned to close Public Hearing and adopt the ordinance

Seconded: Mr. Qarmout

Discussion: None

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

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c. Public Hearing Ordinance 2021-07 - Authorize Public Sale of Block 56, Lots 15 and 17

Mayor Phillips opened the meeting for public comments.

There being no public comments, Mr. Conkling motioned to close Public Hearing and adopt the ordinance

Seconded: Mrs. Raffay

Discussion: None

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

NEW BUSINESS:

a. Introduction Ordinance 2021-08 - Requiring Property Owners to Remove and Clear Snow Away from Fire Hydrants

Mr. Qarmout motioned to introduce the ordinance and move to Public Hearing on April 5, 2021

Seconded: Mrs. Raffay

Discussion: None

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

b. Resolution 2021-56 - Authorize Dump Body Purchase from Henderson Through Sourcewell

Motion: Mr. Conkling

Seconded: Mrs. Raffay

Discussion: Mr. Zschack stated the resolution is needed since the truck will be purchased through a co-op.

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

c. Resolution 2021-59 - Approve 2021 Salaries and Wages for Officers and Employees

Motion: Mr. Conkling

Seconded: Mrs. Raffay

Discussion: Mr. Zschack commented that the resolution is an outdated version. Mr. Zschack provided an updated version and explained the difference.

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

d. Resolution 2021-63 - Bills List (02/11/2021 to 03/11/2021)

Motion: Mr. Qarmout

Seconded: Mr. Conkling

Discussion: None

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

e. Resolution 2021-64 - Developers Escrow Trust (02/11/2021 to 03/11/2021)

Motion: Mr. Qarmout

Seconded: Mr. Conkling

Discussion: None

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

f. Resolution 2021-68 - Refund Property Tax - Corelogic

Motion: Mrs. Raffay

Seconded: Mr. Conkling

Discussion: None

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

g. Resolution 2021-69 - In Opposition to Senate Bill S3375

Motion: Mrs. Raffay

Seconded: Mr. Conkling

Discussion: None

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

h. Resolution 2021-70 - Authorize Farming of Block 19, Lots 15 & 15.01 and Block 32, Lot 1

Motion: Mrs. Raffay

Seconded: Mr. Conkling

Discussion: Mr. Conkling stated that he will approve farming on the property for this year and will re-evaluate for next year. Mr. Conkling questioned if a helicopter were to land there in an emergency situation will that affect the corn growing nearby turning up too much debris. That will be looked into and adjusted if needed.

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

i. Resolution 2021-71 - To Extend the Time for Use of Employee Carry Over Vacation Time

Motion: Mr. Conkling

Seconded: Mrs. Raffay

Discussion: None

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

j. Resolution 2021-72 - Refund Overpayment of Dog License - Paul McGuire

Motion: Mrs. Raffay

Seconded: Mr. Qarmout

Discussion: None

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

k. Resolution 2021-73 - Refund Overpayment of Dog License - Heather Orabone

Motion: Mrs. Raffay

Seconded: Mr. Qarmout

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Discussion: None

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

I. Minutes ready for approval - March 1, 2021, Regular and Executive Sessions

Motion: Mr. Conkling

Seconded: Mrs. Raffay

Discussion: None

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

MATTERS FROM THE TOWNSHIP CLERK: Mr. Zschack noted the following matters:

Firewood Importation - Mr. Zschack stated that he had a conversation with Paul Kurtz of the New Jersey Department of Environmental Protection concerning the importation of wood into the Township. Pennsylvania and New York have restrictions for wood coming in from New Jersey but New Jersey does not reciprocate. We also received an email from Emily Nanneman from the NJDEP Office of Local Government Assistance stating: The only current quarantine they are aware of is for the Spotted Lanternfly and the following counties are quarantine: Burlington, Camden, Gloucester, Hunterdon, Mercer, Salem, Somerset and Warren. People and businesses travelling in and out of these counties should inspect vehicles for hitchhiking Spotted Lanternfly and inspect outdoor items such as packing bins, firewood, paving stones, lawn equipment, etc. for egg masses. Best Management Practices are recommended but with the lack of an enforcement policy makes it difficult to regulate.

COVID-19 Restrictions - On March 10, 2021, the municipal building reopened to the public but the residents are still encouraged to utilize the drop boxes. All precautions that were in place during the previous opening will be enforced (social distancing, mask wearing, limited access, etc.)

Use of Facility requests will now be considered for all properties and fields. The DPW satellite office in the downstairs Activity Room will be dismantled on or before Friday, March 26, 2021. This will allow time to get the room ready for usage. All CDC guidelines concerning COVID-19 must be followed while utilizing all Township property.

Route 206 Culvert Replacement - On March 3, 2021, Mayor Phillips and Mr. Zschack attended a zoom meeting with representatives concerning the Route 206 Branch of Pequest Project. This project is expected to begin in late 2025 or early 2026 with the closure of the highway for approximately nine months. The main concern for Green as well as adjoining municipalities is the tentative traffic detours. It appears at this time consideration of proposed detours will be discussed at a later date. Mayor Phillips further explained concerns of detours on township roads. Further information will follow.

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American Rescue Plan - With the passage of the American Rescue Plan, Green Township is eligible for up to \$340,964.01 for COVID-19 related expenses. Guidelines have yet to be released.

MATTERS FROM THE GOVERNING BODY: Mayor Phillips stated that she attended an event of the Green Township Senior Citizens Club last week at EverGreen Park. The Seniors expressed their thanks for the Township's annual contribution and that they truly appreciate and enjoy being involved with tax mailings and Grapevine mailings.

Mayor Phillips stated that in the last conference call with the County approximately 29% of Sussex County residents have received their first COVID shot, around 9-10% have received their second shot.

Mayor Phillips stated that they have been trying to coordinate a conference call with Altice regarding the cable. The expansion seems to be progressing.

Mr. Conkling commented that the Road Department did a great job with all the snow storms this past winter. Mr. Conkling stated that a property has become available for sale that has been on the priority list and requested The Land Conservancy look at the property.

Mr. Qarmout stated that he received a comment from a resident regarding the tree clearing on a property on Hibler Road. Mr. Zschack responded that the State Forest Services has been contacted. At this time all open burn permits have been suspended due to the winds. The property owner has been asked to move the piles to be burned away from surrounding residents and be conscience of the winds.

Mrs. Raffay asked there was any type of clean up this past weekend, she noticed several garbage bags along the roads. Mr. Zschack responded to his knowledge there was no organized clean up.

MATTERS FROM THE TOWNSHIP ATTORNEY: Mrs. Leo noted no matters to report.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Mr. Perigo reported that they have begun street sweeping. Some of the belgium block will be replaced. Catch basin cleaning will also begin.

OPEN PUBLIC SESSION #2: Mayor Phillips noted that no members of the public were present at this time and closed Open Public Session #2.

Mayor Phillips noted the next Township Committee Meeting is scheduled for Monday, April 5, 2021, at 7:00 p.m.

ADJOURNMENT:

Mr. Qarmout motioned to adjourn at 9:38 p.m.

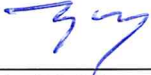
Seconded: Mrs. Raffay

Discussion: None

All were in favor.

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



Mark Zschack, RMC
Township Clerk

Date Approved: April 5, 2021

RESOLUTION ES 2021-04
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 ☒ Contract Negotiation ☐ Real Property
☐ Public Safety ☒ Litigation/Potential Litigation ☐ 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: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2021-66
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

INTRODUCE 2021 BUDGET

BE IT RESOLVED that the Local Municipal budget of the Township of Green, County of Sussex, New Jersey for the fiscal year 2021 be approved by the Township Committee of the Township of Green, and the Clerk is hereby instructed to advertise in the New Jersey Herald, and that a final public hearing before passage will be held on April 19, 2021, at 7:00 p.m. at the Municipal Building and that said budget shall authorize total general appropriations of \$3,749,184.11 and the anticipated revenues of \$1,056,350.45 leaving an amount to be raised by taxes for municipal purposes of \$2,692,833.66.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2021-67
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

APRIL IS CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS, child abuse and neglect are a complex and ongoing problem in our society, affecting many children in Sussex County; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

WHEREAS, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior;

WHEREAS, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community;

NOW THEREFORE BE IT RESOLVED, that Green Township does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

ORDINANCE NO. 2021-03

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE AMENDING CHAPTER 30 LAND USE REGULATIONS
OF THE TOWNSHIP OF GREEN CODE**

Purpose Statement: The purpose of this ordinance is to amend the existing Stormwater Control Ordinance to address the New Jersey Department of Environmental Protection's adopted amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8.

WHEREAS, All New Jersey municipalities were required to prepare Stormwater Management Plans and adopt a Stormwater Control Ordinance in order to comply with the New Jersey Stormwater Management Rules at N.J.A.C. 7:8; and

WHEREAS, the New Jersey Department of Environmental Protection proposed amendments to the Stormwater Management Rules at N.J.A.C. 7:8. which were adopted on October 25, 2019 with an effective date of March 2, 2020; and

WHEREAS, the proposed amended Stormwater Management Rules require all New Jersey municipalities to revise their Stormwater Control Ordinance to include the amendments by March 2, 2021; and

WHEREAS, The Green Township Engineer has proposed amendments to § 30-17.1A Stormwater Control of the Township Code based on the required rule change; and

WHEREAS, the Mayor and Committee of the Township of Green hereby accept the recommendation of the Green Township Engineer to adopt amendments to § 30-17.1A Stormwater Control of the Township Code in accordance with the requirements of the within Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Green, County of Sussex, State of New Jersey, that:

SECTION 1. § 30-17.1A. Is removed in its entirety and replaced with the following:

a. Scope and Purpose.

1. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

ORDINANCE NO. 2021-03

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

2. Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined in b. below.
 3. Applicability.
 - (a) This ordinance shall be applicable to the following major developments:
 - (1) Non-residential major developments; and
 - (2) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
 - (b) This ordinance shall also be applicable to all major developments undertaken by Green Township.
 4. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued pursuant to this subsection are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This subsection is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this subsection imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.
- b. Definitions. For the purpose of this subsection, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

COMMUNITY BASIN

Shall mean an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

COMPACTION

Shall mean the increase in soil bulk density.

ORDINANCE NO. 2021-03
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ
CONTRIBUTORY DRAINAGE AREA

Shall mean the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

Shall mean a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

Shall mean an agency designated by the Sussex County Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A County planning agency; or
2. A County water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT

Shall mean the Department of Environmental Protection.

DESIGNATED CENTER

Shall mean a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER

Shall mean a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

DEVELOPMENT

Shall mean the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 et seq.

DISTURBANCE

Shall mean the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA

Shall mean a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA

Shall mean the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALL CRITICAL AREA

Shall mean an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

EROSION

Shall mean the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

GREEN INFRASTRUCTURE

Shall mean a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

ORDINANCE NO. 2021-03
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ
HUC 14 OR HYDROLOGIC UNIT CODE 14

Shall mean an area within which water drains to a particular receiving surface water body, also known as a sub watershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE

Shall mean a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION

Shall mean the process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY

Shall mean one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

MAJOR DEVELOPMENT

Shall mean an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021 or the effective date of this ordinance, whichever is earlier; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

MOTOR VEHICLE

Shall mean land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTOR VEHICLE SURFACE

Shall mean any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY

Shall mean any city, borough, town, township, or village.

**NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL
OR BMP MANUAL**

Shall mean the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with subsection d6 of this section and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

Shall mean an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT

Shall mean a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON

Shall mean any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

POLLUTANT

Shall mean any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land,

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ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant"
includes both hazardous and nonhazardous pollutants.

RECHARGE

Shall mean the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Shall mean any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Shall mean any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

SEDIMENT

Shall mean solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

SITE

Shall mean the lot or lots upon which a major development is to occur or has occurred.

SOIL

Shall mean all unconsolidated mineral and organic material of any origin.

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STATE PLAN POLICY MAP

Shall be defined as the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

STORMWATER

Shall mean water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BMP

Shall mean an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE

Shall mean any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER RUNOFF

Shall mean water flow on the surface of the ground or in storm sewers, resulting from precipitation.

STORMWATER MANAGEMENT PLANNING AGENCY

Shall mean a public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA

Shall mean the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

WATER CONTROL STRUCTURE

Shall mean a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

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WATERS OF THE STATE

Shall mean the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS OR WETLAND

Shall mean an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

c. General Standards.

1. Design and Performance Standards for Stormwater Management Measures.

(a) Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

- (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
- (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

(b) The standards in this subsection apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

(c) For site improvements regulated under the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21, the RSIS shall apply in addition to this paragraph except to the extent the RSIS are superseded by this paragraph or alternative standards applicable under a regional stormwater management plan or quality management plan adopted in accordance with Department rules.

d. Stormwater Management Requirements for Major Development.

1. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with subsection j.

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2. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
3. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of subsections d16, d17, and d18:
 - (a) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - (b) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - (c) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
4. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of subsections d15, d16, d17, and d18 may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - (a) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - (b) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of subsections d15, d16, d17, and d18 to the maximum extent practicable;
 - (c) The applicant demonstrates that, in order to meet the requirements of subsections d15, d16, d17, and d18, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - (d) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under d4(c) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of subsections d15, d16, d17, and d18 that were not achievable onsite.
5. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in subsections d15, d16,

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d17, and d18. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

6. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

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Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

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Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at subsection d15(b);
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at subsection b;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at subsection b.

7. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with subsection d2. Alternative stormwater management measures may be used to satisfy the requirements at subsection d15 only if the measures meet the definition of green infrastructure at subsection b. Alternative stormwater management measures that

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function in a similar manner to a BMP listed at subsection d15(b) are subject to the contributory drainage area limitation specified at subsection d15(b) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at subsection d15(b) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with subsection d4 is granted from subsection d15.

8. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
9. Design standards for stormwater management measures are as follows:
 - (a) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (b) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of subsection h3;
 - (c) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - (d) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at subsection h; and
 - (e) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
10. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for

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Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at subsection b may be used only under the circumstances described at subsection d15(d).

11. Any application for a new agricultural development that meets the definition of major development at subsection b shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at subsections d15, d16, d17, and d18 and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
12. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at subsections d16, d17, and d18 shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
13. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Sussex County Clerk's Office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at subsections d15, d16, d17, and d18 and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to subsection j2(e). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
14. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to subsection d of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Sussex County Clerk's Office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with d13 above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with d13 above.

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15. Green Infrastructure Standards.

- (a) This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
- (b) To satisfy the groundwater recharge and stormwater runoff quality standards at subsections d16 and d17, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at subsection d6 and/or an alternative stormwater management measure approved in accordance with subsection d7. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

- (c) To satisfy the stormwater runoff quantity standards at subsection d18, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with subsection d7.
- (d) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with subsection d4 is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with subsection d7 may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at subsections d16, d17, and d18.
- (e) For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at subsections d16, d17, and d18, unless the project is granted a waiver from strict compliance in accordance with subsection d4.

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16. Groundwater Recharge Standards.

- (a) This subsection contains the minimum design and performance standards for groundwater recharge as follows:
- (b) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at subsection e, either:
 - (1) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - (2) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
- (c) This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to (d) below.
- (d) The following types of stormwater shall not be recharged:
 - (1) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - (2) Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

17. Stormwater Runoff Quality Standards.

- (a) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.

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- (b) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - (1) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - (2) If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
- (c) The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with (b) above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- (d) The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

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Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

- (e) If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

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$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

- (f) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in subsections d16, d17, and d18.
- (g) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (h) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (i) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
- (j) This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

18. Stormwater Runoff Quantity Standards.

- (a) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (b) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at subsection e, complete one of the following:
 - (1) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

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- (2) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - (3) Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - (4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (b)(1), (b)(2), and (b)(3) above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
- (c) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

e. Calculation of Stormwater Runoff and Groundwater Recharge.

- 1. Stormwater runoff shall be calculated in accordance with the following:
 - (a) The design engineer shall calculate runoff using one of the following methods:
 - (1) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1_044171.pdf

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or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- (2) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

- (b) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at subsection e1(a)(1) and the Rational and Modified Rational Methods at subsection e1(a)(2). A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (c) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- (d) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (e) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

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2. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420
Mail Code 29-01, Trenton, New Jersey 08625-0420.

f. Sources for Technical Guidance.

1. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

- (a) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

- (b) Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

2. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

g. Solids and Floatable Materials Control Standards.

1. Site design features identified under subsection d6 above, or alternative designs in accordance with subsection d7 above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see subsection g1(b) below.

- (a) Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

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- (2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- (3) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
- (b) The standard in 1(a) above does not apply:
- (1) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- (2) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- (3) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

[a] A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or

[b] A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- (4) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- (5) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an

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undertaking that constitutes an encroachment or will damage or
destroy the New Jersey Register listed historic property.

h. Safety Standards for Stormwater Management Basins.

1. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
2. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in subsection h3 for trash racks, overflow grates, and escape provisions at outlet structures.
3. Requirements for Trash Racks, Overflow Grates and Escape Provisions.
 - (a) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - (1) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - (2) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - (3) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - (4) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - (b) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - (1) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance;
 - (2) The overflow grate spacing shall be no less than two inches across the smallest dimension; and
 - (3) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - (c) Stormwater management BMPs shall include escape provisions as follows:

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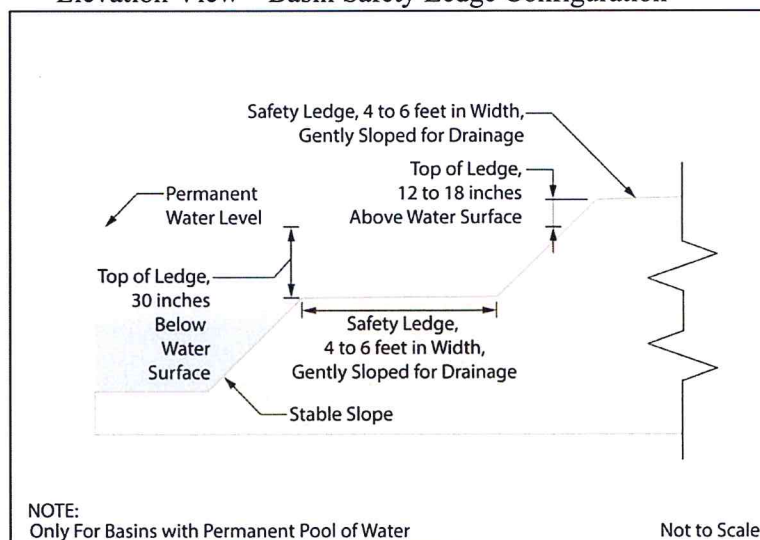
- (1) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to subsection h3, a free-standing outlet structure may be exempted from this requirement;
- (2) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See subsection h5 for an illustration of safety ledges in a stormwater management BMP; and
- (3) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

4. Variance or Exemption from Safety Standard.

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

5. Safety Ledge Illustration.

Elevation View – Basin Safety Ledge Configuration



i. Requirements for a Site Development Stormwater Plan.

1. Submission of Site Development Stormwater Plan

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- (a) Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at subsection i3 below as part of the submission of the application for approval.
 - (b) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
 - (c) The applicant shall submit 20 copies of the materials listed in the checklist for site development stormwater plans in accordance with subsection i3 of this ordinance.
- 2. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.
- 3. Submission of Site Development Stormwater Plan. The following information shall be required:
 - (a) Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
 - (b) Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
 - (c) Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

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- (d) Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of subsections c through 3 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
- (e) Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - (1) Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - (2) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- (f) Calculations.
 - (1) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in subsection d of this ordinance.
 - (2) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- (g) Maintenance and Repair Plan.

The design and planning of the stormwater management facility shall meet the maintenance requirements of subsection j.
- (h) Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in subsection i3(a) through i3(f) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

j. Maintenance and Repair.

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1. Applicability.

Projects subject to review as in subsection a3 of this ordinance shall comply with the requirements of subsection j2 and j3.

2. General Maintenance.

- (a) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
- (b) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
- (c) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
- (d) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (e) If the party responsible for maintenance identified under subsection j2(c) above is not a public agency, the maintenance plan and any future revisions based on subsection j2(g) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (f) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (g) The party responsible for maintenance identified under subsection j2(c) above shall perform all of the following requirements:
 - (1) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures

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incorporated into the design of the development, including a record
of all inspections and copies of all maintenance-related work orders;

- (2) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - (3) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by subsection j2(f) and j2(g) above.
 - (h) The requirements of subsection j2(c) and (d) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

https://www.njstormwater.org/maintenance_guidance.htm.
 - (i) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
3. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53
- k. Penalties. Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties: Not to exceed \$3,000.00 and/or 20 days in jail.

SECTION 2. SEVERABILITY.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 3. REPEALER.

All Ordinances or parts of Ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect from and after final adoption and publication as required by law.

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NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on February 17, 2021, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on March 15, 2021.

ATTEST

TOWNSHIP OF GREEN



Mark Zschack, RMC, Township Clerk



Margaret "Peg" Phillips, Mayor

Record of Vote - Introduction:

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

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

INTRODUCED: February 17, 2021

ADVERTISED: February 21, 2021

ADOPTED: March 15, 2021

ADVERTISED: March 17, 2021

ORDINANCE NO. 2021-05
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**“AN ORDINANCE FIXING SALARY RANGES FOR OFFICERS AND EMPLOYEES
OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX
AND STATE OF NEW JERSEY”**

BE IT ORDAINED by the Township Committee of the Township of Green that effective January 1, 2021, the salary ranges for officers and employees shall be as hereinafter specified:

Section 1. The minimum and maximum salary range for officers or employees of the Township of Green who are employed on an annual salary basis shall be and is hereby fixed as follows:

POSITION	MINIMUM	MAXIMUM
Member, Township Committee	\$ 0.	\$ 2,000.
Mayor, Township Committee	0.	2,500.
Municipal Clerk/Registrar	45,000.	115,000.
Deputy Clerk	15,000.	40,000.
Deputy Registrar	3,000.	7,500.
Deputy Clerk/Deputy Registrar	10,000.	60,000.
Receptionist	7,500.	35,000.
Clerk/Typist	2,000.	50,000.
Chief Financial Officer/Treasurer	25,000.	98,000.
Tax Assessor	25,000.	55,000.
Certified Property Lists (Tax Assessor)	2,000.	5,000.
Tax Collector/Tax Search Officer	25,000.	50,000.
Fire Prevention Official	0.	5,000.
Municipal Department Head (DPW Manager)	25,000	92,000.
Secretary Board/Committee	3,500.	55,000.
Court Treasurer	1,000.	5,000.
Animal Control Officer	3,000.	12,000.

Section 2. The minimum and maximum rates of compensation for each employee or class of employees who are employed on an hourly basis shall be and are hereby fixed as follows:

POSITION	MIN. PER HR	MAX. PER HR
Supervisor Roads	\$ 15.00	\$ 50.00
Road Foreman	N.J. Min. Wage	40.00
Senior Road Repairer	N.J. Min. Wage	35.00
Road Repairer	N.J. Min. Wage	35.00
Superintendent of Public Works	30.00	40.00
Laborer	N.J. Min. Wage	27.00
Mechanic/Road Repairer	N.J. Min. Wage	35.00
Park Attendant	N.J. Min. Wage	75.00
Building Maintenance Worker/Messenger	N.J. Min. Wage	28.00
Grant Writer	N.J. Min. Wage	35.00
Clerk/Typist	N.J. Min. Wage	25.00
Tax Collector	15.00	40.00
Secretary Board/Committee	N.J. Min. Wage	30.00
Zoning Officer	N.J. Min. Wage	38.00
Seasonal/Road Repairer	N.J. Min. Wage	30.00

ORDINANCE NO. 2021-05
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, NJ

POSITION	MIN. PER HR	MAX. PER HR
Seasonal/Truck Driver	N.J. Min. Wage	\$ 30.00
Recreation Director	N.J. Min. Wage	25.00
Seasonal/Recreation Sr. Counselors	N.J. Min. Wage	15.00
Seasonal/Lawn Maintenance	N.J. Min. Wage	20.00
Seasonal/Recreation Property Maintenance	N.J. Min. Wage	25.00

Section 3. The minimum and maximum rates of compensation for each employee or class of employee who are employed on a basis other than annually or hourly shall be and are hereby fixed as follows:

POSITION	MINIMUM	MAXIMUM
Grant Administrator (stipend)	500	3,000.
Certified Recycling Coordinator (stipend)	500	5,000.
Inspector (per smoke cert inspection)	20.00	80.00
Emergency Management Coordinator (stipend)	.00	5,000.
Emergency Management Coordinator (per diem with Township Committee approval)	.00	250.
Deputy Emergency Management Coordinator (stipend)	.00	1000.
Secretarial (per meeting for attendance at Township Committee, Land Use Board, Open Space, Recreation, Environmental and other miscellaneous meetings)	40.00	100.
Seasonal/Recreation Program Coordinator (stipend)	500.	2,000.
Seasonal/Recreation Sports Coordinator (stipend)	500.	1,500.
Seasonal/Recreation Arts & Crafts Coordinator (stipend)	500.	1,500.
Seasonal/Recreation – other special programs	250.	1,500.
Animal License Coordinator (stipend)	1,000.	1,500.
Alternate Deputy Registrar (stipend)	500.	1,000.
Clean Communities Coordinator (stipend)	500.	1,200.
Special Project (per project)	100.	10,000.

Section 4. No officer or employee shall be entitled to receive an additional increment of salary until the same has been approved by resolution of the Township Committee.

Section 5. The Township Committee reserves the right to pay a salary to any new employee during his or her probationary period of ninety (90) days which may be less than the minimum rate of salary or compensation as herein above provided. However, upon the satisfactory completion of such probationary period said employee shall be paid not less than the minimum salary provided for the particular office or employment.

Section 6. The Township Committee further reserves the right to pay a salary to any new employee at any figure between the minimum and maximum salary provided for such office or position and not necessarily the minimum salary.

Section 7. The adoption of this Ordinance shall not operate to either increase or decrease the present pay of any officer or employee of the Township of Green, and the salaries or compensations provided by existing ordinances shall remain in full force and effect until such time as the Township Committee may grant and approve such additional increments of salary as may be deemed advisable

ORDINANCE NO. 2021-05
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, NJ

pursuant to the terms of this Ordinance. A resolution of the Township Committee establishing specific salaries or wages may be made retroactive to January 1st of the year in which the resolution is adopted or may establish the date on which salary shall take effect.

Section 8. Salaries shall be paid in the manner and the same time as heretofore provided by ordinance.

Section 9. This ordinance shall take effect after final passage and publication as prescribed by law.

Section 10. All ordinances or parts of ordinances, which may be inconsistent with the terms of this ordinance, are to the extent of such inconsistency hereby repealed.

NOTICE

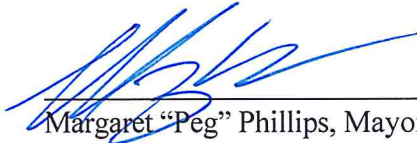
The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on March 1, 2021, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on March 15, 2021.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX



Mark Zschack, RMC, Township Clerk



Margaret "Peg" Phillips, Mayor

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: March 1, 2021
ADOPTED: March 15, 2021

ADVERTISED: March 4, 2021
ADVERTISED: March 17, 2021

ORDINANCE NO. 2021-07

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE AUTHORIZING THE PUBLIC SALE
OF REAL PROPERTY**

WHEREAS, the Township of Green is the owner of certain real property set forth in Schedule "A", which properties are not needed or required for municipal use; and

WHEREAS, the Township Committee deems it in the best interest of the Township of Green to sell the properties at public auction, in accordance with the provisions of N.J.S.A. 40A:12-13, et seq.; and

WHEREAS, the Township Committee on January 20, 2021 introduced Ordinance 2021-02 that included a flaw in the legal notice; and

WHEREAS, the sale shall be conducted as an auction to the highest bidder, after advertisement, with such auction to be held at the Township of Green Municipal Building, 150 Kennedy Road, Tranquility, New Jersey 07879 on April 5, 2021, at 7:00 pm or such adjourned date as may be determined by the Green Township Committee; and

NOW, THEREFORE, BE IT ORDAINED by the Green Township Committee as follows:

1. The introduction of Ordinance 2021-02 on January 20, 2021 is hereby rescinded.
2. The Township of Green shall offer for sale by auction, pursuant to the provisions of N.J.S.A. 40A:12-13(a), et seq., the properties listed on Schedule "A". Schedule "A" also contains the minimum sale price for both properties. If sold to a contiguous property owner, the sale is conditioned upon the property being sold merging with the contiguous property owner's existing property. The properties being sold are without any improvements and the sale is conditioned upon no further subdivision of the merged lot or lots created by this sale and no structure or improvements shall be built on or under such property. A deed restriction is required, prohibiting any structures and/or improvements on the property. The Township Committee reserves the right, in its discretion to reject all bids for each property for any reason, including but not limited to, in the event that the minimum sale price for such property is not met.
3. Upon final passage of this Ordinance, the sale shall take place on April 5, 2021 at 7:00 pm at the Green Township Municipal Building, 150 Kennedy Road, Tranquility, New Jersey 07879, after offering same to the highest bidder, at said time and place.
4. A copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the Green Township Municipal Building. Notice of adoption of this Ordinance shall be made in the official Township newspaper within five (5) days following the enactment of the Ordinance. Notice of the public sale shall be published in the official Township of Green newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication shall be within seven (7) days prior to the sale date.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

5. The property shall be sold subject to the following terms and conditions:

(a) The property is sold "as is". No representations of any kind are made by the Township as to the conditions of the property, and the descriptions of the property are intended as a general guide only and may not be accurate. The properties are being sold in the present "as is", "where is", with all faults.

(b) The sale shall be made after legal advertisement of this Ordinance to the highest bidder, which if sold to a contiguous property owner, such property shall merge with the property being sold, and become part of the contiguous property owned by the successful bidder.

(c) The Township does not warrant or certify title to the property and in no event shall the Township of Green be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.

(d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(e) The highest bidder shall deposit with the Township cash, check or money order in the amount of not less than 10% of the bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township of Green will re-auction the property at the same public sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.

(f) The highest bidder must pay the balance of the purchase price, plus (1) the sum of \$350.00 for the legal services incurred by the Township; (2) the Township of Green's advertising and the actual recording fees within thirty (30) days after the date the Council adopts a resolution confirming the winning bid(s); (3) all costs and expenses for the sale including, but not limited to, the appraisal costs incurred by the Township; and (4) realty transfer fees, if any. The balance shall be paid by certified funds. Once the purchase price has been paid, a Quitclaim Deed without covenants will be prepared by the Township Attorney and, after execution by the Township Officials, shall be recorded with the Sussex County Clerk's Office by the Township Attorney. Additional work performed by the Township Attorneys beyond the standard preparation of the sale resolutions, notice of sale, letters to property owners and adjoining property owners, Deed and closing statement shall be billed at the rate charged by the Township Attorney and shall be the responsibility of the purchaser, which fees must be paid prior to the Deed being recorded.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

(g) The Deed will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Green and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements, if any, on the premises and the continued right of maintenance and flow thereof.

(h) The deeded conveyance shall contain a restriction that there shall be no subdivision of the merged lot or lots created by this sale and no structure or improvements shall be built on or under such property. The successful bidder, if a contiguous property owner, shall provide a copy of their existing property Deed to the Municipal Attorney within seven (7) days of their being notified that they are the successful bidder of the sale.

Potential Bidders are advised:

- (1) To conduct all necessary title searches prior to the date of sale.
- (2) No representations of any kind are made by the Township of Green as to the conditions of the Property, including habitability or usability; the Property is being sold in its present conditions "as is".
- (3) The Property will be conveyed by a Quit Claim Deed and such conveyance shall be subject to all covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the Property to be conveyed.
- (4) The highest bidder for the Property shall have the right, at its sole cost and expense, to obtain a new survey of the Property. Provided such survey depicts the Property and is certified to be correct to the Township of Green, the Township of Green shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the highest bidder provides such legal description and a copy of the certified survey to the Township of Green not less than one week prior to the date set for closing of title.

Additional Terms the Successful Bidder must comply with:

- (1) To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.
- (2) That the failure to close title as agreed shall forfeit to the Township of Green any and all money deposited with the Township.
- (i) The property will be sold subject to the current year taxes, prorated from the date of sale.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

(j) The Township Committee reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.

(k) All bidders currently owing property within the Township must have their taxes, as well as all municipal utility charges, if applicable, paid to date in order to be a qualified bidder. In the event the bidder's taxes or municipal utility charges are delinquent, the bidder shall be deemed unqualified and such bid shall be rejected.

(l) This same is made subject to all applicable laws, statutes, regulations, resolutions and ordinances of the United States, State of New Jersey and Township of Green.

(m) No employee, agent or officer of the Township of Green has any authority to waive, modify or amend any of the conditions of sale.

(n) The purchaser must abide by appropriate zoning, subdivision, health and building regulations and code, and agrees that this sale will not be used as ground to support any variance from or realization of the regulations.

(o) The failure of the purchaser to close on title within sixty (60) days of the Township award of the bid shall constitute a breach of this Ordinance unless the Township agrees in writing prior to that date to extend the time of the closing. In the event the purchaser fails to close within 60 days or such date as may be extended by the Township, the deposit paid by the purchaser shall be retained by the Township as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs including but not limited to advertising costs, attorney's fees, lost tax revenues from the date of the required closing as well as additional cost of resale and the difference in the sales price, to the extent the property is sold for a lower price and any subsequent sale. The only exception to this section is in the event that the purchaser fails to close as a result of the title being unmarketable, in which case the Purchaser shall be entitled to a refund of their deposit.

(p) The purchase shall not be used for any County, Board of Taxation, Tax Court of New Jersey, or in any Courts of the State as grounds to support a challenge of the existing assessments with regard to other properties.

(q) The sale shall be subject to final approval by the Township Committee.

6. 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.

7. 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.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

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

This Ordinance shall take effect upon final adoption of publication as may be required by law.

NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on March 1, 2021, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on March 15, 2021.

ATTEST

TOWNSHIP OF GREEN



Mark Zschack, RMC, Township Clerk



Margaret "Peg" Phillips, Mayor

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: March 1, 2021
PUBLIC HEARING: March 15, 2021

ADVERTISED: March 4, 2021
ADVERTISED: March 17, 2021

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

SCHEDULE A

	<u>Tax Block</u>	<u>Lot</u>	<u>Location</u>	<u>Lot Size</u> <u>(acres)</u>	<u>Minimum</u> <u>Sale Price</u>
1.	56	17	72 Forest Road	2.750	
	56	15	76 Forest Road	0.229	<u>\$20,000.00</u>

ORDINANCE NO. 2021-08

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

**AN ORDINANCE REQUIRING PROPERTY OWNERS TO REMOVE
AND CLEAR SNOW AWAY FROM FIRE HYDRANTS**

WHEREAS, in 2016, the State of New Jersey passed a law that allows local governments to require property owners to clear snow away from a fire hydrant near their home within 24 hours after a snowstorm or face a fine of as much as \$75.00; and

WHEREAS, the Township Committee desires to specifically adopt a new section 17-2.7.1 "Removal of Snow Around Fire Hydrants" of the Green Township Code.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Green Township, Sussex County, New Jersey, that a new Section 17-2.7.1 shall be adopted as part of the Green Township Code, regarding the removal of snow from and around fire hydrants on any real property in the Township of Green, as set forth herein:

SECTION 1.

A new Section 17-2.7.1 shall be adopted as follows:

§ 17-2.7.1 Removal of Snow Around Fire Hydrants

The owner, owners or lessees of any real property in the Township abutting any fire hydrant shall maintain the area within a five (5) foot radius of the perimeter of any such fire hydrant free of snow. The removal of snow shall be completed within twenty-four (24) hours of daylight after the snow has formed or fallen or accumulated on or around any fire hydrant. Failure to perform the required clearance within the specified time frame, the Township, or any department thereof, may perform the clearance and bill the responsible party no more than \$75.00.

SECTION 2 - 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.

SECTION 3 - 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 4: EFFECTIVE DATE

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

NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on March 15, 2021, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on _____, 2021.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, RMC
Township Clerk

Margaret "Peg" Phillips
Mayor, Green Township

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: March 15, 2021

ADVERTISED: March 18, 2021

ADOPTED:

ADVERTISED:

**RESOLUTION 2021-56
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT TO
HENDERSON PRODUCTS INC. THROUGH
SOURCEWELL NATIONAL COOPERATIVE CONTRACT #080818-HPI**

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

WHEREAS, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the "Law" or "Chapter 139" and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

WHEREAS, the Township of Green has the need to procure certain specialized public works equipment in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

WHEREAS, the Township of Green has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative, and;

WHEREAS, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

WHEREAS, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation, and;

WHEREAS, the equipment and corresponding Sourcewell National Cooperative contract number is: #080818-HPI for Henderson Products Inc.; and

WHEREAS, the Township is desirous of purchasing a Mark-E SA Dump Body from Henderson Products, Inc., 94 North Dell Avenue Kenil, New Jersey, 07847 in the amount, not to exceed, \$79,000.00; and

WHEREAS, the Chief Financial Officer of the Township of Green has certified that adequate funds for such contract are available and are designated to line-item appropriation of the official budget, in the amount not to exceed \$79,000.00.

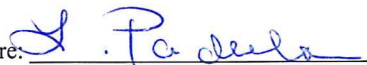
Certification of Funds

The Chief Financial Officer certifies that the appropriations specified within the following account:

Account: 04-215-55-905-020

Amount: \$79,000.00

CFO Signature: _____



RESOLUTION 2021-56
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

NOW THEREFORE BE IT RESOLVED THAT, the Mayor and/or Township Clerk is hereby authorized to enter into contract for the purchase of a Mark-E SA Dump Body from Henderson Products, Inc., 94 North Dell Avenue Kenvil, New Jersey, 07847 in the amount, not to exceed, \$79,000.00, through Sourcewell contract: #080818-HPI.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

RESOLUTION 2021-59
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

2021 SALARIES AND WAGES WITHIN THE GUIDELINES SET FORTH IN
SALARY ORDINANCE 2021-05

BE IT RESOLVED by the Township Committee of the Township of Green, County of Sussex, State of New Jersey that the following salaries are hereby set for the year 2021:

ANNUAL SALARIES:

2021

Mayor, Township Committee	Phillips	\$1,750.00
Township Committee Member	Chirip, Qarmout, Raffay	\$1,500.00
NJ State Health Benefits in-lieu of salary	Conkling	N/A
Municipal Clerk/Registrar	Zschack (through July 31, 2021)	\$104,856.00
Municipal Clerk/Registrar	Zschack (as of August 1, 2021)	\$109,856.00
Deputy Municipal Clerk/Deputy Registrar	DeClesis	\$54,090.00
Chief Financial Officer/Treasurer	Padula	\$93,809.00
Court Treasurer	Padula	\$2,279.00
Tax Assessor	Holenstein	\$50,638.00
Certified Lists	Holenstein	\$4,504.00
Tax Collector/Tax Search Official	Ferrone	\$47,236.00
Animal Control Coordinator	DeCarolis	\$9,846.00
Secretary (Recreation & Land Use)	Mantz	\$50,265.00
Clerk Typist (Finance & Receptionist)	Janoski	\$41,367.00
Municipal Department Head (DPW Manager)	Perigo	\$91,155.00

HOURLY WAGE:

Superintendent of Public Works	Miller	\$30.90
Road Repairer	Gould	\$28.41
Laborer	Proshuto	\$22.72
Laborer	Gianuzzi	\$22.72
Seasonal Truck Driver	Caton	\$20.00
Park Attendant		\$45.00
Maintenance of Public Building	Caruso	\$25.01
Zoning Officer	Bollmann	\$35.02

OTHER:

Inspector	O'Connor	\$21.00 to \$75.00 per inspection
Secretarial (Open Space, Recreation, Environmental, Township Committee)	DeClesis/Janoski/Mantz	\$50.00 per meeting
Secretarial (Land Use, TRC)	Mantz	\$75.00 per meeting
Certified Recycling Coordinator	Zilberfarb	\$2,000.00 stipend
Clean Communities Coordinator	DeClesis	\$1,200.00 stipend
OEM Coordinator	Rose	\$1,200.00 stipend
Animal License Coordinator	Janoski	\$1,200.00 stipend

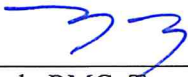
RESOLUTION 2021-59
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

BE IT FURTHER RESOLVED that the Township Committee establishes the reimbursement for mileage expense at 2021 IRS Mileage Rate (\$0.56) per mile only after approval by Township Committee.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Green that all salaries shall be retroactive as of January 1, 2021, except if noted above.

Dated: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2021-63
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

BILLS LIST (02/11/2021 to 03/11/2021)

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 02/11/2021 to 03/11/2021 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

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

Meeting Date: 03/15/2021 For bills from 02/11/2021 to 03/11/2021

Check#	Vendor	Description	Payment	Check Total
10229	2069 - ADS Contractors LLC	PO 14740 Drainage Imp to Forest Rd	2,266.52	2,266.52
10230	48 - Airgas East Inc.	PO 14974 Cylinder lease - DPW 2021	684.68	684.68
10231	2082 - All Gas & Welding Supply Co. Inc.	PO 14971 Tools	278.56	278.56
10232	14 - Blue Diamond Disposal, Inc.	PO 14862 2021 Waste & Recycling Collection	25,000.00	25,000.00
10233	1908 - Brady & Correale, LLP	PO 14927 Legal Services - Land Use Board	158.60	158.60
10234	236 - Cahills Farm	PO 14810 Opening & Closing of Park Gates	491.66	491.66
10235	1228 - Chelbus Cleaning Co., Inc.	PO 14817 Cleaning Service 2021	395.00	
		PO 14821 Cleaning Service 2021-DPW	190.00	585.00
10236	1600 - Chemung Supply Corporation	PO 14844 Plow Blades	788.60	788.60
10237	1386 - Corelogic Real Estate Tax Service	PO 14942 Property Tax Refund	2,054.97	2,054.97
10238	390 - Coriston, Linda	PO 14918 Reimbursement for Medicare Part B Premiu	445.50	445.50
10239	660 - D & E Service Center, Inc.	PO 14841 Truck Repair/Service	6,259.62	6,259.62
10240	1599 - Dover Brake & Clutch Co., Inc.	PO 14839 Truck Parts	207.10	207.10
10241	1380 - Garden State Labs Inc.	PO 14901 Water Test MB	120.00	120.00
10242	1846 - Gebhardt and Kiefer, P.C.	PO 14562 Green Twp (Holenstein) ads Wolosky, Jess	18.32	18.32
10243	38 - Gramco Business Communications	PO 14958 Recording System	1,045.00	1,045.00
10244	528 - Griffith-Allied Trucking LLC	PO 14835 Gasoline Delivery	589.48	
		PO 14904 Diesel Fuel Delivery	5,644.32	6,233.80
10245	120 - Harold E. Fellow & Associates, Inc.	PO 14761 Forest Rd Drainage Improvements	485.27	
		PO 14968 Municipal Engineering Services	1,497.51	1,982.78
10246	120 - Harold E. Fellow & Associates, Inc.	PO 14969 Survey - Block 16 Lot 21	4,812.50	4,812.50
10247	2084 - Heather Orabone	PO 14987 Refund - overpayment of dog license	12.00	12.00
10248	188 - Home Depot Credit Services	PO 14858 Supplies	295.77	295.77
10249	108 - Honeywell Inc.	PO 14824 2021 Contract	1,637.78	1,637.78
10250	1984 - Insync Municipal Systems Inc.	PO 14899 Annual Maintenance Agreement 2021	3,000.00	3,000.00
10251	190 - JCP&L	PO 14983 February Electric Bill 2021	1,452.69	1,452.69
10252	1372 - Joe's Heating & Cooling Service	PO 14937 New Furnance - Old DPW building	4,200.00	4,200.00
10253	1826 - Kimball Midwest	PO 14861 Nuts & Bolts	403.45	403.45
10254	1632 - Laddey, Clark & Ryan LLP	PO 14967 Legal Services January 2021	5,704.00	5,704.00
10255	1153 - Lowe's	PO 14864 Hardware	77.75	77.75
10256	109 - Montague Tool & Supply Co, Inc.	PO 14867 Janitorial Supplies & Small Tools	67.16	67.16
10257	1169 - NAPA of Stanhope, LLC	PO 14870 Truck Parts	20.51	20.51
10258	1960 - Navitend	PO 14816 2021 Agreement Office 365	820.00	820.00
10259	104 - Netcong Hardware, INC	PO 14450 Small Tools & Supplies	78.27	
		PO 14871 Small Tools & Supplies	9.39	87.66
10260	98 - NJ-Dept of Health and Senior Svs	PO 14951 Dog License fees	304.80	304.80
10261	905 - Optimum	PO 14837 Cable-boxes MB 2021	4.95	
		PO 14838 Cable boxes-DPW 2021	8.95	13.90
10262	2083 - Paul McGuire	PO 14988 Refund - overpayment of dog license	17.00	17.00
10263	56 - Public Works Assoc of NJ	PO 14818 Membership Renewal	75.00	75.00
10264	418 - R & L Data Centers	PO 14906 Payroll Service 2021	287.50	287.50
10265	866 - Space Farms, Inc	PO 14886 Deer Carcass Removal	31.00	31.00
10266	326 - Spiegler, Maria C.	PO 14917 Medicare Part B reimbursement	891.00	891.00
10267	123 - Staples Advantage	PO 14955 February Supplies 2021	494.04	494.04
10268	1152 - Statewide Insurance Fund	PO 14913 Workers Comp/All Lines Insurance	30,472.63	30,472.63
10269	624 - Suburban Propane	PO 14852 Propane Delivery DPW 2021	1,857.69	
		PO 14957 Propane Delivery to MB 2021	1,750.07	3,607.76
10270	157 - Sullivan, Patricia	PO 14916 Reimbursement for Medicare Part B Premiu	1,247.40	1,247.40
10271	114 - Sussex County MUA	PO 14903 Municipal/Household Waste	10,907.52	10,907.52
10272	2009 - The Canning Group, LLC	PO 14925 QFA 1/01/2021-12/31/2021	916.66	916.66
10273	1105 - The Land Conservancy of New Jersey	PO 14582 2020 Open Space Consultant Services	695.00	695.00
10274	76 - Tomar Industries, Inc.	PO 14932 Janitorial Supplies	113.55	113.55
10275	1041 - Tony Sanchez Ltd.	PO 14893 Truck Parts	1,438.46	1,438.46
10276	1839 - Treasurer, State of NJ	PO 14978 Life Hazard inspections	1,188.00	1,188.00
10277	29 - Verizon Wireless	PO 14911 DPW Cell Phone Service 2021	248.28	248.28
10278	1962 - Viking Terminite & Pest Control Inc	PO 14973 Pest Control Service	147.66	147.66
10279	1236 - W.W.Grainger Inc.	PO 14907 Supplies	532.72	532.72
10280	1668 - West Chester Machinery & Supply	PO 14933 Snow plow supplies	310.14	310.14
TOTAL				125,152.00

to be paid from Fund 01 CURRENT FUND
 Total to be paid from Fund 12 ANIMAL FUND
 Total to be paid from Fund 22 OPEN SPACE TAX

124,123.20

333.80

695.00

125,152.00

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

Meeting Date: 03/15/2021 For bills from 02/11/2021 to 03/11/2021

Check#	Vendor	Description	Payment	Check Total
Checks Previously Disbursed				
9999	Payroll Account	3/15/2021	35,407.63	3/10/2021
10228	Verizon Wireless	PO# 14952 Modem-OEM 2021	38.03	3/08/2021
10227	Verizon	PO# 14972 February Phone Bill 2021	992.33	3/08/2021
10226	PenTeleData	PO# 14908 Internet Service for MB 2021	170.90	3/08/2021
10225	AT&T	PO# 14939 Long Distance 2021	84.76	3/08/2021
9999	Payroll Account	Payroll Checks	34.94	3/05/2021
9999	State of NJ Div of Pensions/Benefit	PO# 14895 Retired - Health Insurance	5,531.48	3/09/2021
9999	State of NJ-Division of Pensions	PO# 14896 Active - Health/Dental Insurance	12,386.00	3/09/2021
9999	Treasurer, State of NJ/2003	PO# 14936 NJDEP Loan-Lk Tranquility Dam	19,279.23	3/08/2021
9999	Treasurer, State of NJ/2003	PO# 14935 NJDEP Loan-Lk Tranquility Dam	13,742.35	3/08/2021
10224	Park Finance II, LLC	Multiple:	73,502.01	3/01/2021
10223	Green Twp Board of Education	PO# 14809 School Tax	820,639.42	3/02/2021
9999	Payroll Account	2/26/2021	42,508.63	2/25/2021
10222	Optimum	Multiple:	13.90	2/24/2021
10221	New Jersey Herald, Inc.	PO# 14956 Legal Ads 2021	293.70	2/24/2021
10220	JCP&L	PO# 14912 Street Lighting	38.66	2/24/2021
9999	Payroll Account	2/11/2021	47,279.61	2/10/2021
9999	State of NJ Div of Pensions/Benefit	PO# 14895 Retired - Health Insurance	5,531.48	2/12/2021
9999	State of NJ-Division of Pensions	PO# 14896 Active - Health/Dental Insurance	12,386.00	2/12/2021
9999	County of Sussex - Treasury	PO# 14920 911 Dispatch - Shared Service Agre	2,905.50	2/12/2021

			1,092,766.56	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	1,092,666.56	124,123.20	1,216,789.76
Fund 12 ANIMAL FUND		333.80	333.80
Fund 19 TRUST FUND	100.00		100.00
Fund 22 OPEN SPACE TAX		695.00	695.00
<hr/>			
BILLS LIST TOTALS	1,092,766.56	125,152.00	<u>1,217,918.56</u>

RESOLUTION 2021-64
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

DEVELOPERS ESCROW TRUST (02/11/2021 to 03/11/2021)

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 02/11/2021 to 03/11/2021 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

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

Meeting Date: 03/15/2021 For bills from 02/11/2021 to 03/11/2021

Check#	Vendor	Description	Payment	Check Total
7478	1908 - Brady & Correale, LLP	PO 14931 PB1208 Ridge Rock LLC	262.50	262.50
7479	1937 - Harold E. Pellow & Associates, Inc.	PO 14509 LU1902 Forest Flats LLC	106.25	
		PO 14762 LU2004 Diaz	148.75	
		PO 14805 SE2006 Diaz	106.25	
		PO 14806 RO2007 Elizabethtown Gas	404.80	766.05
7480	1877 - J. Caldwell & Associates	PO 14979 PB1208 Ridge Rock LLC	625.00	625.00
TOTAL				1,653.55
Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST		1,653.55		
		=====		
		1,653.55		

Checks Previously Disbursed

7477	Stephen Shears & Amanda Broom	PO# 14970 SE1706, LU1613, DW1707 Release of	5,094.61	3/01/2021

				5,094.61

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 14 DEVELOPERS ESCROW TRUST	5,094.61	1,653.55	6,748.16
BILLS LIST TOTALS	5,094.61	1,653.55	6,748.16
			=====

RESOLUTION 2021-68
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND PROPERTY TAX DUE TO OVERPAYMENT


WHEREAS, the Tax Collector advises of overpayment of taxes for calendar year 2021 due to a duplicate payment for the 1st quarter 2021; and

WHEREAS, the tax collector is requesting a refund be made to mortgage company.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green, in the County of Sussex, and State of New Jersey, is hereby authorized to refund said property taxes:

BLOCK	LOT	NAME AND ACCOUNT #	AMOUNT
01	8.03	Schuessler / 85 Wintermute Road	\$2,054.97

Corelogic Real Estate Tax Service \$ 2,054.97
Refund Department
PO Box 9202
Coppell, TX 75019-9760


Karen Ferrone, Tax Collector

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Karen Ferrone, CTC
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2021-69
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

RESOLUTION IN OPPOSITION TO SENATE BILL S3375

WHEREAS, The Statewide Insurance Fund ("Fund") was created to provide a cost-efficient means of supplying workers' compensation benefits to injured municipal and other public employees including emergency volunteers; and

WHEREAS, the Fund is not a traditional, profit-making insurance company, but rather is composed of individual municipalities, counties, municipal utilities authorities and other local government entities whose budgets are all funded by taxpayer or public rate payers; and

WHEREAS, because the Fund's members are funded, in large, by tax dollars, and because the Fund has determined that Senate Bill 3375 will increase workers compensation costs drastically, creating an undue burden to the taxpayers and rate payers of its members; and

WHEREAS, Senate Bill 3375 requires significant changes to the Workers' Compensation Act where current law already has provisions in place to protect injured workers from claim abuse and requires all reasonable and necessary medical care be provided in a timely manner, subject to penalty; and

WHEREAS, any communications between the patient, a physician, a joint insurance fund, an insurance carrier and its representative, are already governed by Court Rules, the rules of evidence, and both medical and legal ethical standards; and

WHEREAS, the hallmark of the New Jersey Workers Compensation Act is the obligation of the employer to provide medical benefits to an injured worker, as long as the injury or illness arises out of and in the course of employment, tantamount with the obligation to provide medical care, is the employer's statutory right to authorize the medical provider and the treatment to be administered. This bill would do nothing more than shift the entire balance of an already equitable system, to one side, to the detriment and greater cost of the employer.

WHEREAS, Senate Bill 3375 will not serve the interest of the taxpayers and rate payers in New Jersey because it will increase the costs associated with workers' compensation claims by at least 35% and these costs will be borne by the taxpayers of individual municipalities, counties, municipal utilities authorities and other public rate payers.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green, in the County of Sussex, and State of New Jersey that it strongly opposes the adoption of Senate Bill 3375 and urges the Governor, State Senators and Assemblymen to protect taxpayers and rate payers from unnecessary and unwarranted charges; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be sent to the following:

RESOLUTION 2021-69
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

1. The Honorable Phillip Murphy, Governor;
2. All members of the New Jersey State Senate;
3. All members of the New Jersey State Assembly;
4. Statewide Insurance Fund

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2021-70
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

RESOLUTION REGARDING FARMING PORTIONS OF
BLOCK 19, LOTS 15 & 15.01 AND BLOCK 32, LOT 1

WHEREAS, on March 4, 2019 the Governing Body adopted Resolution 2019-66 authorizing the Township Clerk and Mayor to execute a twenty-four (24) month contract with Mr. Peter J. Bast of Bast Dairy, Green Township, NJ, in the amount not to exceed \$0.00; and

WHEREAS, on March 29, 2019 a two (2) year agreement to farm portions of Block 19, Lots 15 & 15.01 and Block 32, Lot 1 between Mr. Peter J. Bast of Bast Dairy, Green Township, NJ and the Township of Green was executed; and

WHEREAS, it is in the best interest of the Township to extend this agreement for one year under 40A:12-14, et seq. for an additional one (1) year.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Green, County of Sussex, State of New Jersey, authorizes the Township Clerk and/or the Mayor to execute a twelve (12) month contract with Mr. Peter J. Bast of Bast Dairy, Green Township, NJ, in the amount not to exceed \$0.00.

DATED: March 15, 2021

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 March 15, 2021



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CMFO
Mr. Peter Bast

Record of Vote:

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

RESOLUTION 2021-71
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

RESOLUTION TO EXTEND THE TIME FOR
USE OF EMPLOYEE CARRY OVER VACATION TIME

WHEREAS, the Township of Green's Employee Handbook states that employees who do not use all of their vacation allowance may "carry over" a maximum of 25% of their yearly allotted vacation up to April 30th of the next year, and unused vacation time shall be forfeited; and

WHEREAS, due to the continuing COVID-19 pandemic, employees are not making travel plans and most events have been cancelled; and

WHEREAS, the Committee has decided to extend the time for all employees to use their carry-over vacation time until June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Green, County of Sussex, State of New Jersey, that the Township hereby authorizes extended employee use of carry over vacation time through June 30, 2021, due to the continuing COVID-19 pandemic.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2021-72
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND FOR OVERPAYMENT OF DOG LICENSE

BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, does hereby authorize a refund for over payment for a dog license (\$12.00) and late fee (\$5.00) for a total amount of \$17.00 to Paul McGuire, 126 Wolfs Corner Road, Newton NJ 07860.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

RESOLUTION 2021-73
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND FOR OVERPAYMENT OF DOG LICENSE

BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, does hereby authorize a refund for over payment for a dog license in the amount of \$12.00 to Heather Orabone, 19 Shore Road, Andover, NJ 07821.

DATED: March 15, 2021

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 March 15, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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