

GREEN TOWNSHIP COMMITTEE
MARCH 28, 2016

CALL TO ORDER

The March 28, 2016, meeting of the Green Township Committee was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ADEQUATE NOTICE: Mrs. Peralta read the statement of adequate notice.

ROLL CALL: Present: Mr. Chirip, Mr. Conkling, and Mr. Kurzeja

Absent: Mrs. Phillips

Mr. Conkling motioned to excuse Mayor Phillips

Seconded: Mr. Kurzeja

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mr. Conkling	X			
Mr. Kurzeja	X			
Mrs. Phillips				X

Also present: Mrs. Linda Peralta, Clerk/Administrator; Mr. Richard Stein, Township Attorney; Mr. Watson Perigo, Municipal Department Head; and Mrs. Patty DeClesis, Deputy Clerk

DISCUSSIONS:

a. **Active Employees - Employee Health Care Contribution**

b. **Retired Employees - State Health Benefit - Employer Payment of Post-Retirement Medical Costs**

Deputy Mayor Chirip asked to consider moving the two discussion items to the next meeting when the full Committee is in attendance.

Mr. Conkling motioned to carry discussion items a and b to the next meeting.

Seconded: Mr. Kurzeja

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mr. Conkling	X			
Mr. Kurzeja	X			
Mrs. Phillips				X

Deputy Mayor Chirip stated that due to the sudden resignation of Committee member Jason Reinbold, the Republican Committee provided three candidates to fill the vacant seat of the Green Township Committee. Mr. Bader Qarmout, Mr. Matthew Fox and Mr. Carmine Torella were in attendance at this meeting. Deputy Mayor Chirip offered each candidate to comment why they think they would be a good choice for the Township Committee to fill the unexpired term of Mr. Reinbold. Each candidate provided their statement. Mr. Stein explained the procedure that under the statute the Committee has a period of 30 days from the date of Mr. Reinbold's resignation to select a successor to fill out the remainder of his term. Mr. Reinbold resigned on March 21, 2016, so the deadline for the Committee to act would be April 20, 2016. If the Committee does not act within that period of time, it goes back to the Republican Committee. The Republican Committee has 15 days to select one of the nominees to fill Mr. Reinbold's seat. Mr. Conkling informed Mr. Stein prior to the meeting that he has a conflict and has recused himself from the discussion. Deputy Mayor Chirip thanked the candidates for coming to the meeting. Mr. Kurzeja commented that this is not an easy decision, all three candidates are very qualified. After a brief discussion, Mr. Kurzeja nominated Mr. Qarmout to fill the open position. Deputy Mayor Chirip seconded the nomination.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mr. Conkling			X	

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Mr. Kurzeja	X			
Mrs. Phillips				X

Mrs. Peralta administered the oath of office to Mr. Qarmout. Congratulations Mr. Qarmout!

CONSENT AGENDA:

Mr. Conkling asked to remove item c Resolution 2016-55 from the Consent Agenda

- a. Resolution 2016-53A – Proclaim April to be National Child Abuse Prevention Month
- b. Resolution 2016-54 – Raffle Licenses (3) Frelinghuysen Township Booster Club, Inc.
- d. Minutes ready for approval – March 14, 2016, regular minutes
- e. Department Reports

Motion: Mr. Conkling

Seconded: Mr. Kurzeja

Discussion: None

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

c. Resolution 2016-55 – Release of Driveway Escrow – Forest Knolls

Motion: Mr. Kurzeja

Seconded: Mr. Qarmout

Discussion: None

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

OLD BUSINESS:

- a. Ordinance 2016-04 – Amending the Code of the Township of Green by the Addition of a New Chapter to be Entitled “Vacant and Abandoned Properties” Providing for Registration of Vacant and Abandoned Properties, Creditor Responsibilities and Municipal Powers to Rehabilitate (Public Hearing)

Deputy Mayor Chirip opened the meeting for public comment.

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

Seconded: Mr. Kurzeja

Discussion: None

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

NEW BUSINESS:

- a. Resolution 2016-56– Bills List (03/09/2016 to 03/22/2016)

Motion: Mr. Conkling

Seconded: Mr. Kurzeja

Discussion: None

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

b. Resolution 2016-57 – Developers Escrow Trust (03/10/2016 to 03/22/2016)

Motion: Mr. Kurzeja
 Seconded: Mr. Conkling
 Discussion: None

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

CORRESPONDENCE: Mrs. Peralta noted the following:

- There was a canvass of other towns in Sussex County to see what is being charged for dog licensing. Green Township's fees are comparable with other towns.

MATTERS FROM THE GOVERNING BODY: Mr. Conkling asked for an update on 231 Pequest Road. Mr. Stein stated that the certified mailing from the Zoning Officer was never accepted. He then did a search for the registered agent of the limited liability company whom is the former significant other of the current owner. The Zoning Officer was directed to serve the Notice of Violation on the registered agent of the company and now waiting to get the certified notice back. The Notice of Violation is for trash, garbage and debris that is strewn all over the property. There are other violations with the Township Engineer. The Township Engineer refuses to accept the request for waivers that the applicant's engineer has made. The Zoning Officer included in the Notice of Violation of the Soil Erosion and Sediment Control Ordinance for not complying with our Township Engineer's requirements for that permit. This is the next step to get them to court.

Mr. Kurzeja welcomed Mr. Qarmout.

Mr. Qarmout appreciates the vote of confidence and will work diligently towards living up to the expectations. He thanked the Committee and is looking forward to working with everyone.

Deputy Mayor Chirip welcomed Mr. Qarmout.

MATTERS FROM THE TOWNSHIP CLERK/ADMINISTRATOR: Mrs. Peralta explained that the State took jurisdiction of our Fire Official's responsibilities for fire prevention. Mrs. Peralta negotiated with the State to keep local jurisdiction over the smoke detector certifications, therefore appointed on an emergency temporary basis Mr. Richard O'Connor, the Construction Official, to the position. Resolution 2016-58 confirms that appointment. Mr. O'Connor will be fulfilling that role for smoke detectors and carbon monoxide certifications when there is a change in occupancy. Mr. O'Connor will be compensated at 60% of the rate of all fees received for inspections. Mrs. Peralta reviewed the inspection fees. The life hazard uses and non-life hazard uses for commercial properties will be done by the State and will charge a fee. The State will continue to do for the next five years. If they find that everything is in compliance they may allow Green Township to take back.

Mr. Conkling motioned to appoint Mr. O'Connor

Seconded: Mr. Kurzeja
 Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mr. Conkling	X			

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Mr. Kurzeja	X			
Mr. Qarmout	X			
Mrs. Phillips				X

Mr. John Tremper has requested a key to access the newly installed locked gate at Trinca Airport. Mr. Tremper leases the maintenance building and is currently the only tenant at the airport. The Committee agreed that Mr. Tremper should have a key. It was suggested to add an addendum to Mr. Tremper's lease that the key is not to be reproduced or distributed.

Mr. Conkling motioned to allow Mr. Tremper to have a key and that the appropriate wording be added to the addendum.

Seconded: Mr. Kurzeja

Discussion: None

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

MATTERS FROM THE TOWNSHIP ATTORNEY: Mr. Stein indicated that the Township has done everything that was needed for COAH and has submitted documents to Judge Hansbury on time. Judge Hansbury will consider our housing element and fair share plan and hold a hearing. Once approved the Land Use Board will go through the process of the formal adoption of the housing element and fair share plan. Mr. Stein further explained that there was a gap period between rounds where the number of units fell through the cracks. Econsult came up with new revised gap numbers which significantly reduced the number of units that Green Township was responsible for during the gap period.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEADS: Mr. Perigo will be sure that Mrs. Peralta gets a key for Mr. Tremper. Mr. Perigo suggested adding to the addendum that Mr. Tremper is responsible for opening and closing the gate. Mr. Perigo also commented that the truck is back from the shop. Wood chipping will begin the week of April 25, 2016.

Mrs. Penny Holenstein, Tax Assessor, noted that this is the last week to file tax appeals, they are due April 1st. She informed the Committee that there have been several OPRA requests for all our assessment information. The information had to be provided in an electronic format. There is now a website that offers comparable prices for a research fee of \$50.00.

PUBLIC COMMENTS AND/OR QUESTIONS: There were no public comments.

EXECUTIVE SESSION: None

ADJOURNMENT:

Mr. Conkling motioned to adjourn at 7:46 p.m.

Seconded: Mr. Kurzeja

Discussion: None

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

GREEN TOWNSHIP COMMITTEE
MARCH 28, 2016

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


Linda Peralta, RMC
Clerk/Administrator

4/11/2016
Date Approved

RESOLUTION 2016-53 A
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

APRIL IS CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS, child abuse and neglect is 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;

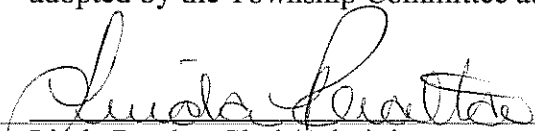
WHEREAS, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

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 28, 2016

I, Linda Peralta, 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 28, 2016.


Linda Peralta, Clerk/Administrator

Record of Vote:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips				✓

RESOLUTION 2016-54
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

RAFFLE LICENSE APPROVAL

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that three (3) Raffle Licenses be issued to the Frelinghuysen Township Booster Club for:

Casino Night
Tricky Tray Raffle
On Premises 50/50 Draw Raffle Draw

to be held April 23, 2016, 7:00 p.m. to 11:00 p.m

DATED: March 28, 2016

I, Linda Peralta, 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 the reorganization meeting held on March 28, 2016.


Linda Peralta, Township Clerk

Vote on Resolution:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips				✓

RESOLUTION 2016-55
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

WHEREAS, the attached request has been received for the release of driveway inspection escrow account #14-288-56-7046-00;

WHEREAS, the subject escrow account was being held pending the completion of all driveways in Section I of the Forest Knolls Development; and


WHEREAS, this office has obtained notices from the appropriate Township Officials (attached), authorizing the release of the escrow account;

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 escrow:

<u>NAME AND ACCOUNT #</u>	<u>AMOUNT</u>
Forest Knoll LLC	
c/o Judy Roccisano	
Acct. #14-288-56-7046-00	\$386.86

DATED: March 28, 2016

I, Linda Peralta, 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 28, 2016.


Linda Peralta, Clerk/Administrator

cc: Linda Padula, CMFO

Record of Vote:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling			✓	
Mr. Kurzeja	1st ✓			
Mr. Qarmout	2nd ✓			
Mrs. Phillips				✓

GREEN TOWNSHIP ORDINANCE

ORDINANCE #2016-04

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF GREEN BY THE ADDITION OF A NEW CHAPTER TO BE ENTITLED "VACANT AND ABANDONED PROPERTIES" PROVIDING FOR REGISTRATION OF VACANT AND ABANDONED PROPERTIES, CREDITOR RESPONSIBILITIES AND MUNICIPAL POWERS TO REHABILITATE

BE IT ORDAINED, by the Township Committee of the Township of Green, Sussex County, New Jersey, that a new chapter of the Code of the Township of Green to be entitled "Vacant and Abandoned Properties" be adopted as follows:

ARTICLE I - Registration of Vacant Properties

SECTION 1 - DEFINITIONS

As used in this section, the following terms shall have the meanings indicated:

ABANDONED PROPERTY-

As defined in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall mean the following:

- (1) Except as provided in Section 6 of P.L. 2003, c. 210 (N.J.S.A. 55:19-83), any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the Construction Official that:
 - (a) The property is in need of rehabilitation in the reasonable judgment of the Construction Official, and no rehabilitation has taken place during that six-month period;
 - (b) Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of a determination by the Construction Official pursuant to this section;
 - (c) At least one installment of property tax remains unpaid and delinquent on that property in accordance with Chapter 4 of Title 54 of the Revised Statutes (see N.J.S.A. 54:4-1 et seq.) as of the date of a determination by the Construction Official pursuant to this section; or
 - (d) The property has been determined to be a nuisance by the Construction Official in accordance with Section 5 of P.L. 2003, c. 210 (N.J.S.A. 55:19-82).

- (2) A property which contains both residential and non-residential space may be considered abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et seq.) so long as two-thirds or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the Construction Official and the property meets the criteria of either Subsection (1)(a) or Subsection (1)(d) of this Subsection 8.1.

ACTIVELY MARKETING VACANT PROPERTIES-

Owners of properties meeting the definition of "Vacant Property" that are being bonafidely actively marketed for sale shall file a Registration Statement with the Township in accordance with the terms and conditions of this Chapter, but shall be exempt from the payment of a registration fee. The owner of any such property in order to be exempt from the payment of a registration fee shall provide adequate proof to the Township of the bonafide active marketing of the property for sale by providing such evidence of such bonafide active marketing activities as shall be reasonably required by the Township, including but not limited to, copies of listing agreements and/or pending contracts of sale or other advertising or marketing efforts being made by the property owner directly to promote the sale of the property. Although exempt from the payment of any registration fee, in all other respects, the property owner of any vacant property that is being bonafidely actively marketed for sale shall be required to maintain the property while it is being bonafidely actively marketed in accordance with this Chapter and all other ordinances of the Township of Green.

EVIDENCE OF VACANCY-

- (1) Any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three or more months. Such evidence would include, but is not limited to, evidence of the existence of two or more of the following conditions at a property: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past-due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned; infestation by insects, vermin, rats or other pests; windows or entrances that are boarded up or closed off; multiple window panes that are damaged, broken or unrepaired; doors that are smashed, broken, unhinged or continuously unlocked; or any uncorrected violation of a municipal building, housing or similar code during the preceding year.

- (2) Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this section.

OWNER-

Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, § 17), or any other entity determined by the Township of Green to act with respect to the property. The term "Owner" shall not include any duly licensed real estate agent engaged solely in the sale of the property on behalf of the Owner.

PROPERTIES UNDER REPAIR OR RENOVATION-

Owners of properties meeting the definition of "vacant property" that are in the process of being repaired or renovated shall file a Registration Statement with the Township in accordance with the terms and conditions of this chapter, but shall be exempt from the payment of a registration fee. The owner of any such property in order to be exempt from the payment of a registration fee shall have obtained all necessary permits and approvals from the Township to repair or renovate the property and shall demonstrate proof to the Township of diligent continuous efforts by the owner to promptly complete the repair or renovation of any such property.

SEASONAL RESIDENCES-

Seasonal residences shall be those residences in the Township of Green which may only be lawfully occupied on a limited single basis and not on a year round basis. For seasonal properties, the properties shall not be considered abandoned or vacant for purposes of this ordinance unless said residence is abandoned or vacant during the period of time when it may be lawfully seasonably occupied.

SEASONALLY OCCUPIED PROPERTIES-

Seasonally occupied properties shall be those properties in the Township which are occupied on a limited, part-time or seasonal basis and not on a year-round basis by the owner. Owners of seasonably occupied residences shall be required to file a registration statement with the Township, but shall be exempt from payment of any registration fee and the posting of a placard on the property as otherwise required by Section 5 hereof.

VACANT PROPERTY-

Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased for a period of at least three months, and any commercial property that has not been legally occupied or at which substantially all lawful construction operations have ceased for a period of at least three months, and which exhibits evidence of vacancy such that a reasonable person would believe that the property is vacant. Any property that contains all building systems in working order, is being maintained on a regular basis, has not been cited by the Township for any violation of municipal ordinance within such time and is being actively marketed by its owner for sale or rental shall not be deemed vacant.

SECTION 2 - GENERAL REQUIREMENTS.

- (1) The owner of any vacant property as defined herein shall, within 30 days after the building becomes vacant property or within 30 days after assuming ownership of the vacant property, whichever is later, file a registration statement for each such vacant property with the Township of Green on forms provided by the Township of Green for such purposes. The registration shall remain valid until the end of the calendar year. The owner shall be required to renew the registration annually, no later than January 31, as long as the building remains vacant property and shall pay a registration or renewal fee in the amount prescribed in Subsection 4 of this section for each vacant property registered. The initial and renewal fees shall be prorated and or credited accordingly upon legal occupancy.
- (2) Any owner of any building that meets the definition of "vacant property" prior to (adoption date) shall file a registration statement for that property on or before (adoption date plus 60 days). The registration statement shall include the information required under Subsection 3 of this section, as well as any additional information that the Construction Official may reasonably require.
- (3) The owner shall notify the Township of Green within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Township of Green for such purpose.
- (4) The registration statement shall be deemed prima facie proof of the statement therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Green against the owner or owners of the building.

SECTION 3 - REGISTRATION STATEMENT REQUIREMENTS; PROPERTY INSPECTION

- (1) After filing a registration statement or a renewal of a registration statement, the owner of any vacant property shall provide access to the Township of Green Construction Official if requested, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a Continued Certificate of Occupancy inspection as provided in the applicable provisions of the Code of the Township of Green.
- (2) The registration statement shall include the name, street address, and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. The designated agent must have a contact number that will be available 24 hours per day on an emergency basis. The statement shall also include the name of the person responsible for maintaining and securing the property, if different from the designated agent.
- (3) An owner who is a natural person and who meets the requirements of this section as to availability of a contact number on a twenty-four-hour emergency basis may designate himself or herself as agent.
- (4) By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Township of Green of a change of the authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this section.

SECTION 4 - FEE SCHEDULE

The initial registration fee for each building shall be \$250. The fee for the first renewal is \$500. The fee for any subsequent renewal is \$1,000. After five years, the registration fee shall be \$5,000. Initial fee shall be prorated according to the month of registration and renewal fees shall be credited when a property becomes legally occupied during a renewal period.

Vacant and Abandoned Property Registration Fee Schedule

Registration	Fee
Initial registration	\$250
First renewal	\$500
Any subsequent renewal up to five years	\$1,000
After five years	\$5,000

SECTION 5 - REQUIREMENTS FOR OWNERS OF VACANT AND ABANDONED PROPERTY.

The owner of any building that has become vacant or abandoned property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall, immediately:

(1) Post a sign affixed to the inside of the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to Subsection 3 of this section), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 15 inches by 17 inches; and

(2) Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Code of the Township of Green and maintain the sign required in Subsection 5 above until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and

(3) Make provision for the maintenance of the lawn and yard, including regular grass cutting and leaf and brush removal and shall also comply with all applicable provisions of the Code of the Township of Green; and;

(4) Make provision for the cessation of the delivery of mail, newspapers and circulars to the property, including having the property listed on the exclusion list maintained by the Township of Green for the delivery of circulars and advertisements to the property; and

(5) Make provision for the winterizing of the property by the cessation of water service to the property and the draining of water lines; other than buildings with a fire sprinkler system, and

(6) Make provision for the cessation of electric or gas utility services to the property; other than buildings with a fire sprinkler system, and

(7) Make provision for the regular maintenance of the exterior of the property.

SECTION 6 - ADMINISTRATION

The Township of Green Mayor and Committee shall issue rules and regulations for the administration of the provisions of this section.

SECTION 7 - VIOLATIONS AND PENALTIES

(1) Any person, persons, firm, corporation or other entity violating any of the provisions of this Chapter shall, upon conviction thereof, be liable to the penalties set forth in Chapter I, Section 1-5 General Penalty. Each and every day that the violation continues shall constitute a separate offense.

(2) For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of Subsection 5 of this section, or such other matters as may be established by the rules and regulations of the Township of Green shall be deemed to be a violation of this section.

SECTION 8 - COMPLIANCE WITH OTHER PROVISIONS

Nothing in this section is intended to nor shall be read to conflict or prevent the Township of Green from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Code of the Township of Green and/or the Uniform Construction Code. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve an owner from its obligations under this section.

SECTION 9 - REQUEST FOR EXEMPTION

Any owner having received notice from the Township that their property has been determined to be either vacant or abandoned may make a request in writing to the Township for an exemption from any of the provisions of this chapter by demonstrating to the Township such special circumstances peculiar to the property that warrants either a temporary or permanent exemption from any of the provisions of this Chapter. In the event of a denial of any such exemption request, the owner shall have the right to file an appeal in accordance with the provisions of Section 10 hereof.

SECTION 10 - APPEALS

Any owner having received notice from the Township that their property has been determined to be either vacant or abandoned shall have the right to appeal any such determination by any Township official directly to the Governing Body of the Township of Green. Any such appeal shall be taken within forty-five (45) days of the date of the receipt of notice from the Township of such vacant or abandoned property

determination. The appeal shall be in writing and served on the Township Clerk with a copy to the Township Zoning Officer. Upon the filing of the appeal, all proceedings against the property shall be stayed pending the appeal process. The Governing Body shall schedule a hearing on the appeal as soon as practical at a regularly scheduled meeting of the Township Committee, at which time the property owner shall have the right to present relevant evidence to the Township Committee that the property is neither vacant or abandoned. Any such property owner shall have the right to be represented at any such hearing and shall have the right to call witnesses and present other relevant proof. The Mayor shall preside all such hearings, which shall to the extent applicable, be in accordance with the provisions of N.J.S.A. 40:55D-10.

ARTICLE II - RESPONSIBILITIES OF CREDITORS

SECTION 11 - RESPONSIBILITIES OF CREDITORS, VIOLATIONS AND FINES

- (1) Pursuant to the provisions of N.J.S.A. 40:48-2.12s, the creditor filing the summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the vacant and abandoned residential property. This obligation applies whether the determination that the property is vacant or abandoned is made by the public officer pursuant N.J.S.A. 2A:50-73, or otherwise.
- (2) If the creditor is located out-of-State, the creditor shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor.
- (3) An out-of-State creditor shall include the full name and contact information of the in-State representative or agent in the notice required to be provided to the municipal clerk pursuant to N.J.S.A. 46:10B-51(a)(1).
- (4) An out-of-State creditor found by the municipal court, or by any other court of competent jurisdiction, to be in violation of any provision of this Article shall be subject to a fine of \$2,500.00 for each day of the violation, commencing on the day after the ten (10) day period set forth in N.J.S.A. 46:10B-51(a)(1) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose has been served.
- (5) A public officer appointed pursuant to N.J.S.A. 40:48-2.3 et seq., or any enforcement officer described in this chapter, shall be authorized to issue a notice to the creditor filing the summons and complaint in an action to foreclose, if the public officer or enforcement officer determines that the creditor has violated this chapter by failing to provide for the care, maintenance, security, and upkeep of the exterior of the property. The notice shall require the person or entity to correct the violation within thirty (30) days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent

threat to public health and safety. The issuance of this notice shall constitute proof that a property is "vacant and abandoned" for purposes of N.J.S.A. 2A:50-73.

- (6) A creditor found by the municipal court, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to Section 11 (5) shall be subject to a fine of \$1,500 for each day of the violation commencing thirty one (31) days following receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence eleven (11) days following receipt of the notice.

ARTICLE III - MUNICIPAL POWERS TO REHABILITATE ABANDONED PROPERTIES

SECTION 12 - MUNICIPAL POWERS TO REHABILITATE ABANDONED PROPERTY

The Township of Green hereby grants to itself all such powers granted to municipalities by the State of New Jersey for the rehabilitation of abandoned property. Such powers are set forth, inter alia, in the "Abandoned Properties Rehabilitation Act" (N.J.S.A. 55:19-78 et seq.) and in applicable portions of the "New Jersey Urban Development Corporation Act" (N.J.S.A. 55- 19-1 through -77). These state statutory powers are collectively referred to herein as the "enabling statutes."

SECTION 13 - PUBLIC OFFICER

The Public Officer, as defined in N.J.S.A. 55:19-80, who is responsible for executing the provisions of this chapter for the rehabilitation of abandoned property, shall be designated by resolution of the Township Committee.

SECTION 14 - ABANDONED PROPERTY

The Public Officer shall designate a property as an "abandoned property" if said property meets the criteria set forth in N.J.S.A. 55:19-81 (abandoned property criteria) and/or N.J.S.A. 55:19-82 (nuisance property criteria). The Public Officer's designation is limited by the provisions of N.J.S.A. 55:19-83.

SECTION 15 - ABANDONED PROPERTY LIST

The Public Officer shall establish an Abandoned Property List pursuant to N.J.S.A. 55:19-55. An interested party (as that term is defined in N.J.S.A. 55:19-105a) may request that the Public Officer include a property on the Abandoned Property List, pursuant to N.J.S.A. 55:19-105.

SECTION 16 - RIGHTS OF OWNER OF ABANDONED PROPERTIES

The owner of a property on the Abandoned Property List has such rights designated to said owner by the enabling statutes. Such powers include but are not limited to:

- (1) Challenging the inclusion of a property on the Abandoned Property List, pursuant to N.J.S.A. 55:19-55e;
- (2) Seeking removal from said list, pursuant to N.J.S.A. 55:19-57 and 55:19-103;
- (3) Petitioning for reinstatement of control and possession, pursuant to N.J.S.A. 55:19-92 et seq.;

SECTION 17 - MUNICIPAL POWERS

Township of Green has such powers and rights regarding abandoned properties as set forth in the enabling statutes. Such powers include but are not limited to:

- (1) Sale of tax lien, pursuant to N.J.S.A. 55:19-56;
- (2) Special tax sales, pursuant to N.J.S.A. 55:19-101;
- (3) Foreclosing the right to redemption, pursuant to N.J.S.A. 55:19-58;
- (4) Recourse directly against property owner, pursuant to N.J.S.A. 55:19-100;
- (5) Possession and control of property, pursuant to N.J.S.A. 55:19-84 to 55:19-92 et seq.;
- (6) Rehabilitation and reuse of property, while in possession and control, pursuant to N.J.S.A. 55:19-90;
- (7) Borrowing money and making applications for rehabilitation of property, while in possession and control, pursuant to N.J.S.A. 55:19-91;
- (8) Sale of property, pursuant to N.J.S.A. 55:19-96;
- (9) Purchase of property, pursuant to N.J.S.A. 55:19-96;
- (10) Recover rehabilitation costs by lien on property, pursuant to N.J.S.A. 55:19-98;
- (11) Clearance, development, redevelopment or repair of property through power of eminent domain, pursuant to N.J.S.A. 55:19-56, 55:19-102.

SECTION 18 - RIGHTS OF UTILITIES

Electric and natural gas utilities are granted such rights to abandoned properties as are set forth in N.J.S.A. 55:19-106.

SECTION 19 - INTERPRETATION

All references in this chapter to state statutes include reference to all amendments thereto. References to particular sections of the enabling statutes are for ease of reference, but may not be exhaustive and are not meant to be exclusive of other applicable statutory provisions contained in the enabling statutes or elsewhere in the New Jersey statutes.

SECTION 20.

All ordinances or parts of ordinances of the Township of Green inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 21.

If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 22.

This law shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX


Linda Peralta, Clerk/Administrator


Margaret "Peg" Phillips, Mayor

Record of Vote – Adoption:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips				✓

INTRODUCTION: March 14, 2016

ADVERTISED INTRODUCTION: March 18, 2016

PUBLIC HEARING: March 28, 2016

ADVERTISED ADOPTION: March 31, 2016

ADOPTION: March 28, 2016

RESOLUTION 2016-56
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

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 03/09/2016 to 03/22/2016 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: March 28, 2016

I, Linda Peralta, 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 28, 2016.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO

Vote on Resolution:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips				✓

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

Meeting Date: 03/28/2016 For bills from 03/09/2016 to 03/22/2016

Check#	Vendor	Description	Payment	Check Total
6255	528 - Allied Oil Company, LLC	PO 11607 2016 Gasoline	173.81	
		PO 11627 Diesel Delivery 2016	219.27	393.08
6256	1833 - American Automotive	PO 11745 Deductable for Truck Repair	1,000.00	1,000.00
6257	390 - Coriston, Linda	PO 11698 Reimbursement for Medicare Part B P	314.70	314.70
6258	190 - JCP&L	PO 11620 Street Lighting	41.45	41.45
6259	1826 - Kimball Midwest	PO 11616 DPW Nuts & Bolts	1,344.54	1,344.54
6260	1153 - Lowe's	PO 11712 cement	139.24	139.24
6261	127 - Lyn Paul Aaroe, Esq.	PO 11731 Professional Fees for Land Use meet	75.00	75.00
6262	20 - MGL Printing Solutions, LLC	PO 11688 Purchase Orders	233.00	233.00
6263	1762 - Morton Salt Inc.	PO 11671 Salt Delivery 2/12/16	33,354.33	33,354.33
6264	90 - New Jersey Herald, Inc.	PO 11711 Legal Ads February	59.40	59.40
6265	504 - Smith, Virginia	PO 11701 Reimbursement for Medicare Part B P	314.70	314.70
6266	866 - Space Farms, Inc	PO 11694 Deer Carcass February	31.00	31.00
6267	326 - Spiegler, Maria C.	PO 11699 Medicare Part B reimbursement	314.70	314.70
6268	94 - Suburban Consulting Engineers, Inc.	PO 9835 Ordinance work	721.50	
		PO 11732 Engineering Services 02/06/16-03/04	973.45	
		PO 11733 Engineering Services for Soil Erosio	388.50	
		PO 11734 engineering services-Stormwater pla	666.00	2,749.45
6269	624 - Suburban Propane	PO 11599 Propane Delivery MB	2,264.11	2,264.11
6270	157 - Sullivan, Patricia	PO 11700 Reimbursement for Medicare Part B P	629.40	629.40
6271	114 - Sussex County MUA	PO 11590 Municipal/Household Waste	4,367.04	4,367.04
6272	76 - Tomar Industries, Inc.	PO 11693 Janitorial Supplies	66.90	66.90
6273	1158 - W.B. Mason Co. Inc.	PO 11692 March Supply Order	356.43	356.43
6274	1774 - Waste Management of New Jersey	PO 11662 2016 Solid Waste and Recycling Coll	14,116.00	14,116.00
TOTAL				62,164.47

1 to be paid from Fund 01 CURRENT FUND

62,164.47

62,164.47

Checks Previously Disbursed

9999	Payroll Account	03/15/2016	24,545.39	3/15/2016
6254	M and V LIENS	PO# 11706 Tax Sale Certificate #936 45/35	5,927.93	3/14/2016
9999	Chase NYC ABA021000021	PO# 11705 Bond interest	30,155.64	3/15/2016
			60,628.96	

Total paid from Fund 01 CURRENT FUND

60,628.96

60,628.96

Total for this Bills List: 122,793.43

RESOLUTION 2016-57
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

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 03/10/2016 to 03/22/2016 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: March 28, 2016

I, Linda Peralta, 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 28, 2016.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling	2nd ✓			
Mr. Kurzeja	1st ✓			
Mr. Qarmout	✓			
Mrs. Phillips				✓

List of Bills - (1410101002) CASH - Sussex Bank DEVELOPERS ESCROW TRUST

Meeting Date: 03/28/2016 For bills from 03/10/2016 to 03/22/2016

ck#	Vendor	Description	Payment	Check Total
7241	1603 - J. Caldwell & Associates	PO 11707 LU1601 Eisenmenger	526.50	526.50
7242	522 - Lyn Paul Aaroe, Esq.	PO 11735 LU1601 Eisenmenger	337.50	
		PO 11736 PB483 B Quaker Rd/Baker	50.00	387.50
7243	520 - Suburban Consulting Engineers, Inc.	PO 11737 SE1214 Ridge Rock LLC	111.00	
		PO 11738 SE1212 Oak Run LLC	111.00	
		PO 11739 PB1208 Ridge Rock LLC	145.00	
		PO 11740 PB1407 Cedar Peak LLC	111.00	
		PO 11741 SE1408 Cedar Peak LLC	111.00	
		PO 11742 DW1406 B Quaker Rd/Baker	71.50	
		PO 11743 DW1602 Van Vugt/Ridge Valley Mgmt	195.67	
		PO 11744 BA1405 Alles	111.00	967.17
7244	520 - Suburban Consulting Engineers, Inc.	PO 11748 SE1505 Alles	320.00	
		PO 11749 DW1506 Alles	194.25	
		PO 11750 BOH 2015-002 Shamy	1,542.25	
		PO 11751 LU1601 Eisenmenger	571.49	
		PO 11752 PB469 Airside Inc.	788.00	
		PO 11753 SE3036 Airport Rd LLC	111.00	
		PO 11754 PB480 Airport Rd LLC	71.50	
		PO 11755 SE3040 B Quaker Rd/Baker	430.47	4,028.96
7245	520 - Suburban Consulting Engineers, Inc.	PO 11756 DW7046 Forest Knoll Section I	250.00	250.00
TOTAL				6,160.13

Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST

6,160.13

6,160.13

* Checks #7237-7240 Voided due to a printing error.

**CORRESPONDENCE LIST
TOWNSHIP COMMITTEE MEETING
MARCH 28, 2016**

A.-#	FROM	SUBJECT	DATE
A. FOR YOUR ACTION			
A-1	Linda Peralta	Animal Licensing Fees 2015	3/16
B. FOR YOUR INFORMATION:			
B-1	JCP&L	Notice of Public Hearing for Proposed Increase in the Company's Rider Remediation Clause to Recover Costs Incurred for Environmental Remediation of Manufactured Gas Plan Sites	3/7/16
B-2	New Jersey Legislature	Invitation to Meeting on April 25, 2016, at 4:00 p.m. in Hardyston Township	3/14/16
B-3	Ursula Leo	Copy of Letter to Judge Hansbury Regarding the Draft Housing Element & Fair Share Plan	3/21/16
C. COUNTY AND STATE*			
C-1	None		
D. MAYOR'S FAX ADVISORY*			
D-1	NJ League of Municipalities	Daily Update	3/15/16
D-2	NJ League of Municipalities	Weekly Policy Update	3/18/16
E. RESOLUTIONS FROM OTHER TOWNS*			
E-1	Andover Township Land Use Board	Land Use Board Adopted the Housing Element & Fair Share Plan	3/17/16

***Full copies are available upon request prior to meeting.**

**TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY
RESOLUTION 2016-58**

**RESOLUTION APPOINTING RICHARD O'CONNOR, INSPECTOR
FOR TOWNSHIP OF GREEN FOR ISSUANCE OF CERTIFICATE
OF SMOKE DETECTOR AND CARBON MONOXIDE ALARM COMPLIANCE**

WHEREAS, the Township of Green has heretofore adopted Chapter XII of the Code of the Township of Green entitled "Fire Protection and Prevention"; and

WHEREAS, pursuant to Code Section 12-1.5b, the Township Committee may appoint inspectors to carry out various inspections required by law; and

WHEREAS, N.J.A.C. 5:70-2.3 requires that before any use group R-3 or R-4 structure is sold, leased or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance (CSDCMAC), evidencing compliance with the requirements of N.J.A.C. 5:70-4.19 from the enforcing agency; and

WHEREAS, there is currently a vacancy in the Office of the Fire Official of the Township of Green; and

WHEREAS, the Township wishes to appoint a local official for purposes of conducting inspections and issuing certificates of compliance as required by N.J.A.C. 5:70-2.3; and

WHEREAS, the Township's Construction Official, Richard O'Connor, has agreed to conduct the inspections for the Township; and

WHEREAS, Mr. O'Connor is to be compensated for conducting such inspections and issuing the required certificate at the rate of 60% of all fees received for said inspections;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Green that Richard O'Connor is hereby appointed Inspector for purposes of issuing certificates of Smoke Detector and Carbon Monoxide Alarm Compliance pursuant to N.J.A.C. 5:70-2.3.

BE IT FURTHER RESOLVED that Mr. O'Connor shall be compensated at the rate of 60% of all fees received for said inspections.

Dated: March 28, 2016

I, Linda Peralta, 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 28, 2016.


Linda Peralta, Township Clerk

Record of Vote:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	✓			
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips				✓