

**MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MAY 16, 2022**

CALL TO ORDER

Mayor Phillips called the May 16, 2022, 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. James DeYoung, Mr. Bader Qarmout, Mr. Virginia "Ginnie" Raffay, and Mayor Margaret "Peg" Phillips

Absent: Mr. James Chirip

Mr. Qarmout motioned to excuse the absent member.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

Also present: Mr. Mark Zschack, Township Clerk/Administrator; Mr. Angelo Bolcato, Township Attorney; and Mrs. Patty DeClesis, Deputy Clerk

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.

Mr. Wayne Daniel asked about the energy aggregation program. Mayor Phillips responded that the item is not on the agenda and can be discussed during Open Public Session #2.

There being no further public comments, Mayor Phillips closed Open Public Session #1.

PRESENTATION OF CERTIFICATES OF APPRECIATION AND RECOGNITION TO CLEAN COMMUNITIES 2022 PARTICIPATING GROUPS

Mayor Phillips read the names of each group that participated in Clean Communities Day on April 23, 2022, and thanked everyone for helping out.

CONSENT AGENDA:

1. RESOLUTIONS: (Approval of the Following)

None

2. CORRESPONDENCE: (Acceptance for Filing of the Following)

- a. Township of Fredon Resolution Adopted April 28, 2022, Approving a Memorandum of Understanding Between the Township and Planet Networks, Inc. for Coronavirus State and Local Fiscal Recovery Funds
- b. Township of Fredon Resolution Adopted April 28, 2022, Opposing a Proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club to Change the Designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park
- c. Township of Fredon Resolution Adopted April 14, 2022, In Support of Amending Title 35 of the New Jersey Revised Statutes to Permit the Publication of Legal Notices by Government Entities on Official Government Websites Instead of in Newspapers
- d. Township of Hampton Resolution Adopted March 29, 2022, Urging the Swift Passage of S-330/A3804 Which Shall Restore the Energy Tax Receipts to Municipalities
- e. Sandyston Township Resolution Adopted April 19, 2022, In Support of Amending Title 35 of the NJ Revised Statutes to Permit the Publication of Legal Notices by Government Entities on Official Government Websites Instead of in Newspapers

MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MAY 16, 2022

- f. Sandyston Township Resolution Adopted April 19, 2022, Urging the Swift Passage of S-330/A3804 Which Shall Restore the Energy Tax Receipts to Municipalities
- g. Letter Dated May 11, 2022, from Mark Zschack to Safeguard Properties Management Regarding Notification of Action to Foreclose on a Mortgage - Block 56, Lot 35
- h. Lafayette Township Resolution Adopted April 19, 2022, Opposing a Proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club to Change the Designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park

3. REPORTS: (Acceptance for Filing of the Following)

- a. Environmental Advisory Committee Minutes - March 1, 2022
- b. Treasurer's Report - March 31, 2022

Mr. DeYoung motioned to move the Consent Agenda

Seconded: Mrs. Raffay

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Mr. Chirip

DISCUSSIONS: Leashed Dogs in EverGreen Park - Mr. Zschack asked for clarification from the Committee's direction at the last meeting if the thought is to allow dogs in all parks or in certain areas designated for dogs. The Committee's preference is to allow leashed dogs in the entire EverGreen Park and Papa Park. The Committee discussed the need for more signage and dog waste receptacles. The Township Attorney will draft an ordinance for the Committee's consideration and more information and pricing will be available for further discussion at the next meeting.

OLD BUSINESS:

- a. **Public Hearing Ordinance 2022-06 - Revising the Green Township Code, Section 8-41, Concerning Fire Protection and Prevention Fees, and Section 12-1, Uniform Fire Safety Act**

Mayor Phillips opened the meeting for public comments.

There being no public members offered, Mr. Qarmout motioned to close Public Hearing and adopt the ordinance.

Seconded: Mrs. Raffay

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Mr. Chirip

NEW BUSINESS:

- a. **Resolution 2022-94 - Approve Payment for the Acquisition of the Development Rights for the Russell Pittenger Farm Known as Block 19, Lot 10**

Motion: Mrs. Raffay

Seconded: Mr. DeYoung

Discussion: None

Upon roll call vote:

MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MAY 16, 2022

Ayes: DeYoung, Qarmout, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Mr. Chirip

b. Resolution 2022-99 - Authorize Alcohol and Drug Testing Services Agreement

Motion: Mr. Qarmout

Seconded: Mr. DeYoung

Discussion: The Township Attorney explained the updated language that was changed in the agreement. Mayor Phillips asked if the fees were the same. Mr. Zschack responded the fees remain the same.

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Mr. Chirip

c. Resolution 2022-100 - Developers Escrow Trust (03/31/2022 to 05/11/2022)

Motion: Mr. DeYoung

Seconded: Mrs. Raffay

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Mr. Chirip

d. Resolution 2022-101 - Refund Property Tax Due to Appeal - Block 18, Lot 67

Motion: Mr. Qarmout

Seconded: Mrs. Raffay

Discussion: Mrs. Raffay stated that she does not understand paying back the penalty for payments not made on time. Mr. Zschack responded that the payments are court ordered. Mr. Zschack will look into with the Tax Collector and review the court order.

Mayor Phillips suggested modifying the motion to approve the resolution assuming the payments are in the court order, to proceed accordingly.

Mr. Qarmout modified the motion to approve the resolution after Township Attorney review to confirm that all penalties and interest were court ordered.

Seconded: Mrs. Raffay

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Mr. Chirip

e. Resolution 2022-102 - Authorize Farm Lease

Motion: Mrs. Raffay

Seconded: Mr. DeYoung

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Phillips

MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MAY 16, 2022

Nays: None
Abstentions: None
Absent: Mr. Chirip

f. Resolution 2022-103 - Approval Whitehall Road Detour

Motion: Mr. Qarmout
Seconded: Mrs. Raffay
Discussion: None
Upon roll call vote:
Ayes: DeYoung, Qarmout, Raffay, Phillips
Nays: None
Abstentions: None
Absent: Mr. Chirip

g. Resolution 2022-104 - Authorize Spring Recreational Activities

Motion: Mr. DeYoung
Seconded: Mrs. Raffay
Discussion: Mrs. DeClesis explained the fee for the food went up \$2.00 (\$10.00 to \$12.00).
Upon roll call vote:
Ayes: DeYoung, Qarmout, Raffay, Phillips
Nays: None
Abstentions: None
Absent: Mr. Chirip

h. Introduction Ordinance 2022-07 - Amending Section 2-5 To Chapter 2, Article XIV of the Code of Green Township Regarding Disabled Veterans Tax Refunds

Mrs. Raffay motioned to introduce the ordinance and move to Public Hearing on June 6, 2022.
Seconded: Mr. Qarmout
Discussion: A discussion ensued concerning amending requests for refunds of property taxes previously paid and limiting the period of time on the date the written tax exemption refund request is files with the Tax Assessor.
Upon roll call vote:
Ayes: DeYoung, Qarmout, Raffay
Nays: Phillips
Abstentions: None
Absent: Mr. Chirip

**i. Minutes ready for approval - May 2, 2022, regular meeting and executive session
May 4, 2022, special meeting and executive session**

Motion: Mrs. Raffay
Seconded: Mr. DeYoung
Discussion: None
Upon roll call vote:
Ayes: DeYoung, Qarmout, Raffay, Phillips
Nays: None
Abstentions: None
Absent: Mr. Chirip

MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MAY 16, 2022

MATTERS FROM THE TOWNSHIP CLERK: Mr. Zschack noted no matters for discussion.

MATTERS FROM THE GOVERNING BODY: Mayor Phillips stated that the Personnel Subcommittee met with an applicant for the Land Use Board and recommend offering the alternate position. A resolution will be on the next agenda for the Committee's consideration.

Mayor Phillips stated that Sandy Hull attended the last meeting and explained the proposal issued by the NJ and PA Chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to that of a National Park. Ms. Hull provided information for the Committee's review. Mayor Phillips asked the Committee if they would be interested in adopting a resolution opposing this proposal until more information is available. The Committee is in favor. A resolution will be on the next agenda for the Committee's consideration.

Mr. Qarmout stated that some residents have offered concerns about the new building on the corner of Pequest Road and Kennedy Road. It was explained that the utility shed was not to be enclosed and would remain the current blue color. Mr. Zschack stated that this blue is the logo color for Planet Networks but will inquire if any buffering of the structure was planned.

Mr. DeYoung thanked the Township and the Recreation Committee for their ongoing efforts in light of the cancellation of the recent drive-in movie. Mr. DeYoung informed Mr. Zschack of a hole in the road near his home on Hedden Road.

Mrs. Raffay asked if there was any follow-up to the letter that was sent to the County concerning the hill on County Route 611 in Fredon/Andover. Last week, Mrs. Raffay encountered the roadside memorial on the anniversary of the accident with people standing in the roadway, cars parked on both sides of the road, causing very unsafe conditions. Mayor Phillips suggested following up on the letter previously sent to the County and forwarded to Engineering. Mr. Zschack will send a letter stating the Township's general safety concerns of the hill and the roadside memorial.

MATTERS FROM THE TOWNSHIP ATTORNEY: Mr. Bolcato noted a few items to report on in Executive Session and added one additional matter regarding the Wolosky litigation.

MATTERS FROM THE SUPERINTENDENT OF PUBLIC WORKS: Mr. Miller was not in attendance however provided a DPW progress report.

OPEN PUBLIC SESSION #2: Mayor Phillips noted that no members of the public were present.

EXECUTIVE SESSION: Resolution ES2022-13
Contract Negotiations - Fire Coverage Services
Attorney-Client Privilege and/or Contracts - Construction Department
Attorney-Client Advice - Route 206 Bridge Tunnel Resolution
Litigation - Wolosky Matter

Mrs. Raffay motioned to enter Executive Session at 7:59 p.m.

Seconded: Mr. DeYoung

Discussion: None

All were in favor.

The Committee returned to Open Public Session at 8:34 p.m.

MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MAY 16, 2022

Mr. DeYoung motioned to adjourn Executive Session and return to Open Public Session

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

Mayor Phillips noted the next Township Committee Meeting is scheduled for Monday, June 6, 2022, at 7:00 p.m.

ADJOURNMENT:

Mrs. Raffay motioned to adjourn at 8:35 p.m.

Seconded: Mr. DeYoung

Discussion: None

All were in favor.

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



Mark Zschack, RMC
Township Clerk

Date Approved: June 6, 2022

ORDINANCE NO. 2022-06

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE REVISING THE GREEN TOWNSHIP CODE, SECTION 8-41,
CONCERNING FIRE PREVENTION, INSPECTIONS AND ASSOCIATED FEES, AND
SECTION 12-1, UNIFORM FIRE SAFETY ACT ENFORCING AGENCY**

WHEREAS, the Township of Green has reviewed its ordinances in connection with the assumption of the Uniform Fire Safety Act by the Sussex County Fire Marshal, pursuant to a shared services agreement; and

WHEREAS, it has been determined that certain revisions to the Green Township Code regarding fire prevention services and fees are required,

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

SECTION 1.

Section 8-41, Fire Protection and Prevention Fees, shall be deleted in its entirety and replaced as follows:

§ 8-41 FIRE PREVENTION, INSPECTIONS AND ASSOCIATED FEES, §12-1

Periodic inspections of life hazard and non-life hazard uses that are required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs shall be completed by the Sussex County Fire Marshal.

Fees, including annual registration fees and annual inspection fees, including non-life hazard uses and certificates of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance, shall be assessed in accordance with the Uniform Fire Code and as established by the Sussex County Fire Marshal, per a shared services agreement.

SECTION 2.

Chapter 12, Fire Protection and Prevention, Sections 12-1.1 through 12-1.9, Uniform Fire Safety Act Enforcing Agency, shall be deleted and replaced as follows:

Chapter 12 Fire Prevention and Key Lock Box

Section 12-1 Uniform Fire Safety Act Enforcing Agency

12-1.1. Enforcement

Pursuant to the Uniform Fire Safety Act (N.J.S.A. 52:27D-192, et seq.) the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1, et seq.) shall be locally enforced in the Township of Green, with the Sussex County Fire Marshal providing enforcement.

12-1.2. Duties.

- a. The local enforcing agency shall enforce the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the Township of Green, other than one and two unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by Federal Government, Interstate Agencies or the State.
- b. The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

12-1.3. Certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance

- a. Certificate of compliance is required. Every property owner in the Township of Green of a building or structure of Use Group R-3 and R-4, as defined by the Uniform Fire Code (which includes attached and detached townhouses, one- and two-family dwellings, and mixed-use buildings with two or less residential units) must obtain a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance ("certificate of compliance") prior to a change in occupancy or ownership due to sale, resale, rental or re-rental. In each situation in which a property owner is required to obtain a certificate of occupancy, as required by the Uniform Construction Code, a certificate of compliance shall not be required in addition to the certificate of occupancy.
- b. Inspection. Every property owner requiring a certificate of compliance shall i) request an inspection by the County of Sussex on the designated form; ii) pay the required inspection fee; iii) provide entry to the dwelling or dwelling unit and any assistance as may be required by the inspector. The Sussex County Fire Marshal shall conduct the inspection upon receipt of the inspection request and payment of the fee. If the inspection reveals compliance with the smoke alarm, carbon monoxide alarm and portable fire extinguisher requirements as set forth in N.J.A.C. 5:70-4.19, or its successor regulation, and the requirement for a portable fire extinguisher as required by N.J.S.A. 52:27D-198.1 et seq., or its successor statute, then the property owner shall be issued a certificate of compliance.
- c. Fee. The fee for such inspections, as established by the shared services agreement with the County of Sussex, shall accompany all applications for inspections and certificates of compliance.

12-1.4 Violations and penalties.

For violations of this section, penalties shall be provided as set forth in law and the requirements of N.J.S.A. 52:27D-198.3. For each and every violation

of the requirements, a property owner who has refused to abate such violation within five days after written notice shall have been served upon him, either by certified mail or personal service, shall be subject to a fine of not more than \$1,000 per violation, per day. Each and every day that such violation continues after such notices shall be considered a separate and specific violation of this section.

SECTION 3 - SEVERABILITY

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

SECTION 4 - REPEALER

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

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect on July 1, 2022, 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 April 4, 2022, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on May 16, 2022.

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. DeYoung			√			
Mr. Qarmout	√		√			
Mrs. Raffay		√	√			
Mayor Phillips			√			

Record of Vote - Adoption:

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

INTRODUCED: May 2, 2022
ADOPTED: May 16, 2022

ADVERTISED: May 6, 2022
ADVERTISED: May 20, 2022

**RESOLUTION 2022-94
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

**A RESOLUTION APPROVING PAYMENT FOR THE ACQUISITION OF THE DEVELOPMENT
RIGHTS FOR THE RUSSELL PITTENGER FARM KNOWN AS BLOCK 19, LOT 10 IN
GREEN TOWNSHIP, SUSSEX COUNTY**

WHEREAS, the property owned by Russell Pittenger, identified on the official Green Township ("Township") tax map as Block 19, Lot 10 ("the Property"), consisting of approximately 33.290 acres, which includes one (1) approximately one (1) acre non-severable exception area for a future single family residential unit, and a three percent (3%) buffer along the Pequest River, resulting in approximately 33.290 net surveyed acres to be preserved (the "Premises") was designated as a property to be preserved under the Township Farmland Preservation Plan; and

WHEREAS, the Township previously adopted Resolution 2021-147 on September 21, 2021, authorizing the Township to participate in the acquisition of the development rights in the Premises (Exhibit A); and

WHEREAS, the Sussex County Board of County Commissioners adopted a Resolution entitled "Final Review and Approval For The Purchase Of A Development Easement Under the Sussex County Farmland Preservation Program On The Pittenger-Creek Road Farm, Block 19 Lot 10 In Green Township Subject To Available Funding From The County Open Space & Farmland Preservation Trust Fund" on February 9, 2022. The County's Resolution approved the County of Sussex's purchase of the development easement for the Premises in the amount of \$640.00 per acre (total \$20,481.28+/-) (Exhibit B); and

WHEREAS, the State of New Jersey, Department of Agriculture, State Agriculture Development Committee (SADC), adopted Resolution FY2022R3(3) "Final Review And Approval Of A Planning Incentive Grant To Green Township for the Purchase Of A Development Easement on the Property of Pittenger, Russell" on March 24, 2022 approving the SADC's cost share in the amount of \$2,920.00 per acre (\$97,119.20 total) for acquisition of the development easement for the Premises; and

WHEREAS, the SADC certified a market value of \$4,200 per acre for the development rights; and

WHEREAS, the Property will include one (1), 1.000 acre non-severable exception area; and

WHEREAS, the total purchase price to be paid to the landowner is \$134,408.40 allocated as follows: SADC \$93,445.84, Green Township \$20,481.28 and County of Sussex \$20,481.28; and

RESOLUTION 2022-94
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY

WHEREAS, contingent upon the aforementioned grants from SADC and the County of Sussex being made available for the acquisition, the remaining funds for the purchase of the development rights are available in, and will be paid from the Green Township Open Space Trust in the amount of \$21,286.40; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Green, County of Sussex, State of New Jersey that it hereby authorized participation in the purchase of the development rights for the Property, as follows:

- 1) The Township authorizes up to \$20,481.28 as the final payment for the development easement for the Premises from the Township's Open Space Trust. The payment shall be sent by wire transfer to the attorney trust account for the County of Sussex's attorney, Katrina L. Campbell, Esq. at Lavery, Selvaggi, Abromitis & Cohen, P.C.
- 2) The above being contingent on grants from the County of Sussex and The State of New Jersey through the Municipal PIG Program to cover the balance of funds needed to purchase the development rights.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Green that it hereby authorized the Municipal Clerk, Township Attorney and The Land Conservancy of New Jersey to take all action necessary and appropriate to effectuate the intent and purpose of this resolution.

DATED: May 16, 2022

I, Mark Zschack, Municipal Clerk of the Township of Green, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Green Township Committee at a meeting held on May 16, 2022.

Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2022-99
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

AUTHORIZING ALCOHOL AND DRUG TESTING SERVICES AGREEMENT

BE IT RESOLVED, that the Township Committee of the Township of Green, County of Sussex, State of New Jersey authorizes execution of an Alcohol and Drug Testing Services Agreement, as may be amended, with Valley Medical Group, which alcohol and drug testing services shall total less than the bid threshold effective July 1, 2022, through June 30, 2024.

DATED: May 16, 2022

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 May 16, 2022.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2022-100
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

DEVELOPERS ESCROW TRUST (03/31/2022 to 05/11/2022)

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 03/31/2022 to 05/11/2022 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: May 16, 2022

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 May 16, 2022.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

List of Bills - (1410101002) CASH - Developers Escrow-Provident Bank DEVELOPERS ESCROW TRUST

Meeting Date: 05/16/2022 For bills from 03/31/2022 to 05/11/2022

Check#	Vendor	Description	Payment	Check Total
7503	1937 - Harold E. Pellow & Associates, Inc.	PO 15458 DW2107 Hohman	51.38	
		PO 15492 SE1912 Blazeska	326.82	
		PO 15493 RO2106 Elizabethtown Gas	135.00	
		PO 15515 DW7014 Berdej	67.50	
		PO 15516 DW7023 Harrington	202.50	
		PO 15517 LU1808 Airside, Inc.	130.73	
		PO 15565 SE2202 VESI	392.19	1,306.12
TOTAL				1,306.12
Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST		1,306.12		
		=====		
		1,306.12		

Checks Previously Disbursed

7501	Patrick Campbell	PO# 15521 DW7077 & BA8242 Campbell	388.01	4/04/2022
7501	Patrick Campbell	Check printing error - ABA Code wrong	-388.01	5/10/2022 'VOID'
7502	Katherine Rodriguez	PO# 15533 SE1412, SE3019, BD4041, PB449, PB1	8,573.58	4/20/2022
7502	Katherine Rodriguez	Wrong routing number	-8,573.58	5/05/2022 'VOID'
11228	Katherine Rodriguez	PO# 15567 Replacement for escrow ck#7502 wro	8,573.58	5/05/2022
11230	Patrick Campbell	PO# 15574 Replacement for escrow ck#7501 wro	388.01	5/10/2022

			17,923.18	
			-8,961.59	'VOIDED'

			8,961.59	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	8,961.59		8,961.59
Fund 14 DEVELOPERS ESCROW TRUST		1,306.12	1,306.12

BILLS LIST TOTALS	8,961.59	1,306.12	10,267.71
=====			

RESOLUTION 2022-101
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND PROPERTY TAX DUE TO APPEAL

WHEREAS, the Tax Collector advises of overpayment of taxes for calendar year 2017 and 2020 due to a County Board tax appeal; and

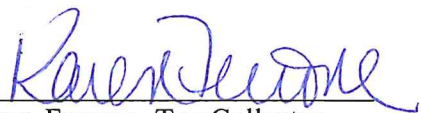
WHEREAS, the Tax Collector is requesting a refund of 2017 taxes, 2020 taxes, interest paid and interest due on appeal, be made to property owners attorney.

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:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME AND ACCOUNT #</u>	<u>AMOUNT</u>
18	67	Life With Joy – 3 Fox Run	\$43,735.54

2017 Principal	\$18,520.47
2017 Interest	\$926.02
2018 Interest	\$972.32
2019 Interest	\$1,020.94
2020 Principal	\$18,344.28
2020 Interest	\$846.96
2021 Interest	\$1,726.82
2020 Penalty & Interest	\$1,377.73

Freireich LLC Trust Account
354 Eisenhower Pkwy
Plaza II, Ste 2400
Livingston, NJ 07039


Karen Ferrone, Tax Collector

DATED: May 16, 2022

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 May 16, 2022


Mark Zschack, RMC, Township Clerk

cc: Karen Ferrone, CTC
Linda Di Lorenzo, CMFO

Record of Vote:

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

RESOLUTION 2022-102
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, the Township solicited and received one proposal to farm portions of Block 19, Lots 15 & 15.01 and Block 32, Lot 1; and

WHEREAS, Mr. Peter J. Bast of Bast Dairy, Green Township, NJ, has presented the only Request for Quotes to farm said property, at a rate of \$0 per year; and

WHEREAS, the Township Committee is confident that Mr. Bast will be a competent and good steward of the land and undertake farm practices that minimize any adverse or negative impact on the land.

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 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: May 16, 2022

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 May 16, 2022



Mark Zschack, RMC, Township Clerk

cc: Mr. Peter Bast
Linda Di Lorenzo, CMFO

Record of Vote:

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

**RESOLUTION 2022-103
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

APPROVAL OF ELIZABETHTOWN GAS COMPANY DETOUR

WHEREAS, Elizabethtown Gas Company has proposed the extension of a gas main along County Route 606 in Andover Borough; and

WHEREAS, Elizabethtown Gas Company has requested the use of Whitehall Road as a detour route during the installation of said gas main.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green does hereby agree to the planned detour on Whitehall Road during the day, for up to one week, as depicted on the submitted detour plan prepared by Suburban Consulting Engineers, Inc., **dated March 9, 2022.**

DATED: May 16, 2022

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 May 16, 2022



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2022-104
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

SPRING RECREATIONAL ACTIVITIES

BE IT RESOLVED that the Township Committee of the Township of Green approves the following activities for the spring 2022 season as well as seasonal expenses and registration fees:

ACTIVITY	REGISTRATION FEE	SEASONAL EXPENSES
Summer BBQ - June 10 EverGreen Park	\$12.00 per person	Not to exceed \$1,200.00

DATED: May 16, 2022

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 May 16, 2022.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CMFO
Kim Mantz, Recreation Secretary

Record of Vote:

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

ORDINANCE NO. 2022-07

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

AN ORDINANCE AMENDING SECTION 2-65 TO CHAPTER 2, ARTICLE XIV OF THE CODE OF GREEN TOWNSHIP REGARDING DISABLED VETERANS TAX REFUNDS

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling house and lot whereon same is erected of any veteran who has been honorably discharged or honorably released from military service due to a 100% permanent disability as declared by the United States Department of Veterans Administration shall be exempt from taxation on their property when a proper claim is made; and

WHEREAS, pursuant to the New Jersey Superior Court decision in Del Priore v. Edison Township 26 N.J. Tax 502 (2012), a municipality has discretion to grant or deny a taxpayer a retroactive refund of property taxes that have been paid from the effective date of the disability as determined by the United States Department of Veterans Administration as set forth in N.J.S.A. 54:4-3.32; and

WHEREAS, retroactive refunds may have a significantly adverse financial impact on the Township and its taxpayers and are not reimbursed to the Township by the State; and

WHEREAS, the Township Committee of the Township of Green desires to amend its policy regarding requests for refunds of property taxes previously paid, to limit such refunds to the period of time commencing on the date the written tax exemption refund request is filed with the Township's Tax Assessor.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Green that Section 2-65 of Chapter 2, Article XIV of the Code of the Township of Green is hereby amended and adopted, as follows:

Section 1. Section 2-65, "100% Disabled Veterans Tax Refund" of Chapter 2, Article XIV is replaced as follows:

2-65 100% Disabled Veterans Tax Refund.

For a veteran, or his or her surviving spouse or domestic partner, entitled to exemption under N.J.S.A. 54:4-3.30, after a formal written request for a refund of property taxes, submitted to the Township Tax Assessor with all required documentation, including the Total Disability Termination Letter issued by the United States Department of Veterans Affairs, the Township Committee, by appropriate resolution, shall refund taxes previously paid for the period time commencing on the date that the request for the refund of the veteran, or his or her surviving spouse or domestic partner, was received by the Township Tax Assessor through the date that the refund request is approved by the Township Committee.

ORDINANCE NO. 2022-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

No further or additional refund of taxes shall be permitted, regardless of the date of the disability of the veteran as determined by the United States Department of Veterans Affairs.

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.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, RMC, Township Clerk

Margaret Phillips, Mayor

Record of Vote – Introduction:

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

Record of Vote – Adoption:

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

INTRODUCED: May 16, 2022
ADOPTED:

ADVERTISED: May 20, 2022
ADVERTISED:

RESOLUTION ES 2022-13
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 X Contract Negotiation _____ Real Property

_____ Public Safety X Litigation/Potential Litigation X 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: May 16, 2022

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 May 16, 2022.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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