

**GREEN TOWNSHIP COMMITTEE
MINUTES OF THE REGULAR MEETING
MAY 20, 2019**

CALL TO ORDER

Mayor Conkling called the May 20, 2019, meeting of the Green Township Committee to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

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

ROLL CALL: Present: Mr. James Chirip, Mrs. Margaret “Peg” Phillips, Mr. Bader Qarmout (arrived at 7:05 p.m.), Mrs. Virginia “Ginnie” Raffay and Mayor Daniel Conkling

Mr. Chirip motioned to excuse the absent member.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

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

PRESENTATION OF CERTIFICATES OF APPRECIATION AND RECOGNITION TO CLEAN COMMUNITIES 2019 PARTICIPATING GROUPS – Mayor Conkling and Deputy Mayor Phillips presented the certificates to those groups in attendance. Thank you to all participants in our Clean Communities Program!

Mr. Qarmout arrived at 7:05 p.m.

EXECUTIVE SESSION:

Resolution ES2019-08 - Potential Litigation - Drainage Matters Dogwood Drive and Forest Road

Potential Litigation - Tranquility Dam Bridge

Mr. Qarmout motioned to enter Executive Session at 7:08 p.m.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

The Committee returned to Open Session at 8:22 p.m.

Mrs. Phillips motioned to close Executive Session and return to Open Session

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

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

Mr. Christopher Hernandez, 2 Greentree Drive had a comment pertaining to Ordinance 2019-05. Mayor Conkling explained that there will be a Public Hearing later in the meeting in which he will have an opportunity to present comments at that time.

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

CONSENT AGENDA:

1. RESOLUTIONS: (Approval of the Following)

- a. Resolution 2019-95 - Refund Property Tax Overpayment - Reliant Title Agency, LLC
- b. Resolution 2019-97 - Authorize Cancellation of Balances to the General Capital Fund Balance
- c. Resolution 2019-100 - Donation to Sussex County Economic Development Partnership

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

- a. Resolution Adopted May 14, 2019, by the Borough of Franklin Proclaiming to Local Residents and Businesses That the Municipality Will Not Collect New Stormwater Management or Rain Taxes
- b. Resolution Adopted April 30, 2019, by Hampton Township In Support of New Jersey Legislation Which “Concerns Regulation of Solid Waste, Hazardous Waste, and Soil and Fill Recycling Industries” (S1683/A4267), Urging Legislators to Pass This Bill Which as Amended Subjects Persons or Business Concerns Engaged in Soil and Fill Recycling Services to the Same Regulation and Oversight Under the Law as That Which Applies to the Solid Waste Industry
- c. Resolution Adopted April 30, 2019, by Hampton Township to Support the Human Trafficking and Child Prevention Exploitation Prevention Act
- d. Resolution Adopted May 14, 2019, by Montague Township in Support of Senate Bill No. 1683 and Assembly Bill 4267 A Bill Which Would Close Loopholes in the State’s Solid Waste Regulatory and Oversight System

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

- a. Environmental Advisory Committee Minutes - April 2, 2019
- b. Sussex County Department of Public and Environmental Health Services, January, March, April 2019
- c. Animal Control Report - April 2019
- d. Tax Collector’s Report - April 2019
- e. 2019 Tax Appeal Listing
- f. Shared Municipal Courts of Town of Newton and Township of Green - April 2019
- g. Treasurer’s Report - April 30, 2019
- h. Land Use Board Minutes - April 11, 2019

4. APPLICATIONS: (Approval of the Following)

None

Mrs. Raffay motioned to move the Consent Agenda

Seconded: Mr. Chirip

Discussion: None

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

DISCUSSIONS:

- a. 2019 Road Resurfacing Plan - Township Engineer, Mr. Cory Stoner discussed and reviewed the 2019 Proposed Capital Projects and estimated costs. A detailed discussion ensued concerning the Hibler Road Improvement Project estimated to begin in August. Mr. Stoner explained the Lake Tranquility roads to be done this year and costs associated with milling and resurfacing those roads.

The idea is to apply in July for a DOT grant for lower Whitehall Road. Mr. Stoner explained the application from Elizabethtown Gas to run gas from County Route 517 to the Stacker plant. Elizabethtown Gas has agreed to pave from the edge of pavement to the center line of the road. The Township Engineer provided an estimate to resurface the other half of Whitehall Road so the road will be paved at one time. A discussion ensued concerning improvements to the pond area of Whitehall Road. The Committee agreed to look into the budget and continue the discussion at the next meeting. Other proposed projects are the DPW garage, striping and crack sealing various roadways.

GREEN TOWNSHIP COMMITTEE

MINUTES OF THE REGULAR MEETING

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OLD BUSINESS:

- a. Public Hearing Ordinance 2019-03 - To Amend Section 30-34.3 of the Revised General Ordinances of the Township of Green for the Purpose of Amending the Uses Permitted in the Agricultural and Residential Zoning Districts

Mayor Conkling opened the meeting for public comments.

There being no public comments, Mr. Chirip motioned to adopt the Ordinance.

Seconded: Mrs. Phillips

Discussion: The Township Attorney reviewed the recommendations as stated in the memo from the Land Use Board's attorney. The comments specified by the Land Use Board are not substantial and the Ordinance is found to be consistent with the Master Plan. The Committee approved the revisions as suggested.

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

- b. Public Hearing Ordinance 2019-05 - Revising Section 30-83.1(f) of the Code of the Township of Green Regarding Sign Illumination

Mayor Conkling opened the meeting for public comments.

There being no public comments, Mrs. Phillips motioned to adopt the Ordinance.

Seconded: Mr. Qarmout

Discussion: The Township Attorney reviewed the recommendations as stated in the memo from the Land Use Board's attorney. The comments specified by the Land Use Board are not substantial and the Ordinance is found to be consistent with the Master Plan. The Committee discussed and approved the recommended changes with regards to Section 1. (f) (4) signs utilizing digital/LED lettering as suggested by the Township Attorney.

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

- c. Public Hearing Ordinance 2019-06 - Capital Ordinance for Improvements to Hibler Road in and by the Township of Green in the County of Sussex, New Jersey, Appropriating the Total of \$305,000.00 of Which \$72,000.00 is From the General Capital Reserves - Road Improvements, \$25,000.00 is From the General Capital Fund Balance and \$208,000.00 is From NJDOT Municipal Aid Program

Mayor Conkling opened the meeting for public comments.

Mrs. Josephine Fracasso, 111 Hibler Road, asked about the surface thickness planned for Hibler Road. Mrs. Fracasso questioned the paving that was done a few years ago on Mackerley Road. The blacktop was not thick enough and it had to be redone. Mayor Conkling stated that adding extra thickness would not last that much longer to make it worthwhile for the extra cost.

Mr. Chirip motioned to close Public Hearing and adopt the Ordinance.

Seconded: Mrs. Phillips

Discussion: None

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

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Mr. Conkling	X			
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NEW BUSINESS:

- a.** Minutes ready for approval - May 6, 2019, regular and executive sessions

Motion: Mr. Chirip

Seconded: Mr. Qarmout

Discussion: Mr. Qarmout noted a typographical error in the minutes which will be corrected.

All were in favor.

- b.** Introduction Ordinance 2019-08 - To Revise Sections 11-3 and 8-73 of the Code of the Township of Green Regarding the Processing and Fees for Peddlers, Solicitors and Canvassers Permits

Mrs. Phillips motioned to introduce the Ordinance and move to Public Hearing on June 17, 2019

Seconded: Mr. Qarmout

Discussion: None

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

- c.** Introduction Ordinance 2019-09 - Bond Ordinance to Authorize the Acquisition of a New Street Sweeper In, By and for the Township of Green, in the County of Sussex, State of New Jersey, To Appropriate the Sum of \$300,000.00 to Pay the Cost Thereof, to Appropriate General Capital Fund Balance of the Township, To Make a Down Payment, To Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds

Mrs. Phillips motioned to introduce the Ordinance and move to Public Hearing on June 17, 2019

Seconded: Mrs. Raffay

Discussion: None

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

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

Mrs. Phillips motioned to introduce the Ordinance and move to Public Hearing on June 17, 2019

Seconded: Mrs. Raffay liaison

Discussion: Mr. Qarmout asked if paragraph "h" Compliance should "all medical cannabis grown shall be cultivated organically" be separated and not combined in paragraph "h". The Township Attorney stated that this paragraph comprises of all compliance pertaining to growing, production and manufacturing of medical cannabis. Mr. Qarmout questioned paragraph "m" Generator. It states that a generator is only needed to maintain electronic security systems. Mr. Qarmout has concerns with filtering and ventilation in the event of a power outage. Mayor Conkling suggested adding "which shall maintain all operating, manufacturing and electronic". The Committee concurred with the change to the ordinance.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			

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Mrs. Phillips	X			
Mr. Qarmout	X			
Mrs. Raffay	X			
Mr. Conkling	X			

- e. Introduction Ordinance 2019-11 - Revising Section 30-13 of the Code of the Township of Green Regarding Performance and Maintenance Guarantees and Inspection Fees in Accordance with the Municipal Land Use Law

Mr. Qarmout motioned to introduce the Ordinance and move to Public Hearing on June 17, 2019

Seconded: Mrs. Phillips

Discussion: None

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

- f. Resolution 2019-94 - Support of Path to Progress Recommendations Made by New Jersey Economic and Fiscal Policy Workgroup

Motion: Mrs. Phillips

Seconded: Mrs. Raffay

Discussion: None

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

- g. Resolution 2019-96 - In Rem Foreclosure Block 58, Lot 10

Motion: Mrs. Phillips

Seconded: Mrs. Raffay

Discussion: None

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

- h. Resolution 2019-98 - Interlocal Agreement with the County of Sussex for Road Signage Manufacturing

Motion: Mr. Chirip

Seconded: Mrs. Phillips

Discussion: Mrs. Phillips asked if the County would be manufacturing the signs and putting them up. Mr. Perigo stated the County is only manufacturing signs that would be provided to Green Township if needed.

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

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Mrs. Raffay	X			
Mr. Conkling	X			

i. Resolution 2019-99 - Bills List (05/02/2019 to 05/16/2019)

Motion: Mr. Qarmout
Seconded: Mrs. Raffay
Discussion: None

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

MATTERS FROM THE GOVERNING BODY: Mrs. Phillips referred to the illegal soil dumping that is currently within Sussex County and inquired about Green Township's policy. The Township Attorney reviewed the Ordinance on Soil and Soil Removal. A brief discussion was held regarding soil coming into Green Township. The Township Attorney will review the Ordinance and revise if necessary.

Mrs. Phillips requested the Committee's support for Newton Strong Day in remembrance of the recent tragic accident that occurred. Many local schools and businesses are participating in the "White Out" on Thursday, May 23, 2019. In addition, many are raising funds and donating to the Lexi Faye Heart of Gold Scholarship Fund. The Township Attorney verbally stated a resolution supporting Newton Strong Day.

Motion: Mr. Chirip
Seconded: Mrs. Raffay
Discussion: None

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

This is Resolution 2019-101.

Mrs. Raffay commented that Mr. Hernandez who was in the audience had left the meeting prior to having the chance to comment during the Public Hearing on the Ordinance after waiting over two hours. Mr. Zschack will try to reach out to Mr. Hernandez.

Mr. Qarmout agreed with Mrs. Phillips's comments honoring and remembering Lexi Faye and the Newton Strong community. Although heartbreaking, it is nice to see the local communities coming together in support. Mr. Qarmout commented that it would be wonderful to bring awareness to the save further lives.

Mr. Chirip commented that the State of New Jersey and the DEP are designating new C-1 category stream corridors in the County. Mr. Chirip would like to know which rivers and how much frontage will be impacted.

Mayor Conkling discussed the purchase of a radar machine for the Township to bring awareness of the speed of vehicles. Mr. Zschack will look into pricing.

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

- **Banking RFP** - The Township received four proposals in response to the Banking RFP. Unfortunately, Laddey, Clark & Ryan has a conflict and will not be able to review the proposals. Special Counsel will be needed to review the proposals. The Committee authorized Mr. Zschack to reach out to Mr. McBriar.
- **Filmmaker at Trinca** - We have been contacted by a local filmmaker to film one scene at Trinca Airport. It appears that they will only need a half day to film the scene, we are awaiting the Use of Facilities form to be submitted. Mr. Pete Sklannik has been notified and will need to post a NOTAM for closure of the airport for that day.
- **Peddler's Licenses** - Aptive Environmental LLC, has applied for a peddler's license for 23 sales representatives to work within Green Township. They have paid the Permit Fee of \$50.00 and Badge Fee of \$2.00 per sales representative. The badges will be issued within the allowable seven days as per the Stand-Down Agreement. The sales representatives will receive the No Knock Registry.
- **Dog Park** - Due to the late hour the Committee agreed to carry the discussion to the next meeting.

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

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Mr. Perigo stated that all matters have been previously covered.

OPEN PUBLIC SESSION #2: Mrs. Josephine Fracasso, 111 Hibler Road - Mrs. Fracasso stated her opinion that with regards to the Whitehall Road project, the Township should wait for the grant application. Mrs. Fracasso commented that the grass at the abandoned home on Hibler Road is about a foot high.

ADJOURNMENT:

Mr. Chirip motioned to adjourn at 10:38 p.m.

Seconded: Mrs. Phillips

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: July 15, 2019

RESOLUTION ES 2019-08
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

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

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

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

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

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

_____ Personnel
_____ Public Safety

_____ Contract Negotiation
 X Litigation/Potential Litigation

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

Dated: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

Record of Vote:

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

RESOLUTION 2019-95
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND PROPERTY TAX OVERPAYMENT

WHEREAS, the 2nd quarter 2019 property taxes were paid twice; and


WHEREAS, the tax collector is requesting a refund be made to Reliant Title Agency, LLC.

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>
031	10	Gialanella, Henry J & Colleen 211 Decker Pond Rd	\$3,122.74

Reliant Title Agency, LLC
54 Woodport Rd
2nd Floor Suite 1
Sparta, NJ 07871

\$3,122.74


Karen Ferrone, Tax Collector

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Karen Ferrone, CTC
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2019-97
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

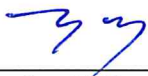
**AUTHORIZE CANCELLATION OF BALANCES TO THE GENERAL CAPITAL FUND
BALANCE**

BE IT RESOLVED that the Township Committee of the Township of Green authorizes the CFO to cancel the following balance in the amount of \$53,576.16 in the General Capital Fund to Fund Balance.

FROM:	Ordinance #2016-14 – Purchase of Alarm & Security For the Municipal Building 04-215-55-994-020	\$ 201.73
FROM:	Ordinance #2018-06 – Municipally-Owned Parking Lot And Fire Department Parking Lot 04-215-55-997-020	\$13,374.43
FROM:	Ordinance #2018-05 – Mackerley Road 04-215-55-996-020	\$40,000.00
TO:	Fund Balance – General Capital 04-400-65	\$53,576.16

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Linda Padula, CMFO

Record of Vote:

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


RESOLUTION 2019-100
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

DONATION TO SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, does hereby authorize a 2019 contribution to the Sussex County Economic Development Partnership, Inc. in the amount of \$200.00.

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Linda Padula, CMFO

Record of Vote:

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

ORDINANCE NO. 2019-03

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE TO AMEND SECTION 30-34.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF GREEN FOR THE PURPOSE
OF AMENDING THE USES PERMITTED IN THE AGRICULTURAL
AND RESIDENTIAL ZONING DISTRICTS**

WHEREAS, within the AR Agricultural Districts and the R Residential Districts of the Township, there are a number of factors which constrain the development of commercial facilities, including without limitation, the absence of municipal water and septic services; the absence of a Township police force; firefighting and emergency services which are limited to those provided by volunteer organizations; and a roadway network consisting only of County roads and minor roads serving the agricultural and residential uses which characterize the Township;

WHEREAS, in view of the foregoing constraints, the Township Committee believes that the development of commercial uses is inappropriate for the AR Agricultural Districts and the R Residential Districts and that Section 30-34.3 should be amended to delete the same as conditional uses.

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

SECTION 1. Section 30-34.3 is hereby amended by deleting the following subparagraphs, b and h:

- b. Public and private schools, colleges and academies teaching academic subjects, including accessory dormitories, stadiums, athletic facilities and the like.
- h. Hospitals.

SECTION 2. Section 30-82.3 is hereby amended by deleting the words “and Hospitals” from the title of that 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.

ORDINANCE NO. 2019-03
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ


SECTION 4 - REPEALER

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

SECTION 5: EFFECTIVE DATE

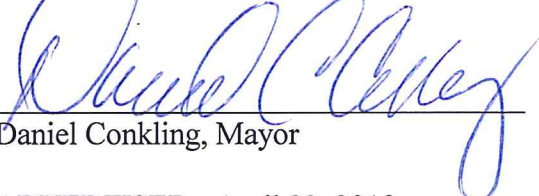
This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

ATTEST:



Mark Zschack, Township Clerk

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX



Daniel Conkling, Mayor

INTRODUCED: April 15, 2019
PUBLIC HEARING: May 20, 2019
ADVERTISED ADOPTION: May 22, 2019

ADVERTISED: April 23, 2019
ADOPTED: May 20, 2019

Record of Vote – Introduction:

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

Record of Vote – Adoption:

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

ORDINANCE NO. 2019-05

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE REVISING SECTION 30-83.1(f) OF THE CODE OF
THE TOWNSHIP OF GREEN REGARDING SIGN ILLUMINATION**

WHEREAS, the Green Township Committee has reviewed the Master Plan Re-Examination Report, prepared by the Green Township Land Use Board, dated December 13, 2018; and

WHEREAS, suggested ordinance changes from the Master Plan Re-Examination Report include the adoption of an ordinance to further regulate illuminated signage within the Township; and

WHEREAS, the Township Committee has reviewed the Green Township Land Development Sign Regulations and determined that revisions to the Code concerning sign illumination should be made.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Green, Sussex County, New Jersey, Section 30-83.1(f) regarding sign illumination shall be revised as follows:

SECTION 1.

Section 30-83.1(f) shall be deleted in its entirety and replaced as follows:

- f. All illuminated signs must comply with the following regulations:
1. All lights used for the illumination of any sign shall be completely shielded from view of vehicular traffic and shall be directed so as to prevent glare onto adjacent properties. Lights used for the illumination of said premises or of any sign thereon, whether or not such lights are attached to or separate from the building, shall not project light above the highest elevation of the illuminated wall of the building.
 2. External neon signs are prohibited.
 3. No sign shall be illuminated from an internal light source unless it complies with the following requirements:
 - a. All internally illuminated signs shall be designed to minimize glare.
 - b. The light source shall not be visible from outside the sign and shall be diffused to eliminate hot spots.
 - c. Internally illuminated signs may not be located within a residential zone or within 100 feet of or an existing residence.
 4. Signs utilizing digital/LED lettering, also known as "electronic message boards (EMB)," may be permitted only following Land Use Board approval via a site plan application.

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.

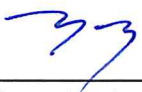
SECTION 4 - EFFECTIVE DATE

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

SECTION 5 - NOTICE

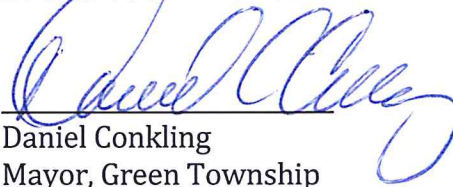
The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Municipal Clerk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

ATTEST:



Mark Zschack,
Township Clerk

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX



Daniel Conkling
Mayor, Green Township

Record of Vote – Introduction:

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

Record of Vote – Adoption:

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

INTRODUCED: April 15, 2019
ADVERTISED INTRODUCTION: April 23, 2019
PUBLIC HEARING: May 20, 2019

ADOPTED: May 20, 2019
ADVERTISED ADOPTION: May 22, 2019

ORDINANCE NO. 2019-06
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

**CAPITAL ORDINANCE FOR IMPROVEMENTS TO
HIBLER ROAD IN AND BY THE TOWNSHIP OF GREEN
IN THE COUNTY OF SUSSEX, NEW JERSEY,
APPROPRIATING THE TOTAL OF \$305,000.00, OF
WHICH \$72,000.00 IS FROM THE GENERAL CAPITAL
RESERVES – ROAD IMPROVEMENTS, \$25,000.00 IS
FROM THE GENERAL CAPITAL FUND BALANCE AND
\$208,000.00 IS FROM NJDOT MUNICIPAL AID PROGRAM**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF GREEN, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:**

The improvements to Hibler Road are hereby authorized as general improvements to be made or acquired by the Township of Green, New Jersey. For the said improvements or purposes stated in said Section 2, there is hereby appropriated the total sum of \$305,000.00; with \$72,000.00 from monies available in the General Capital Reserves – Road Improvements of the Township and \$25,000.00 from monies available in the General Capital Fund Balance; and \$208,000.00 in funding being provided by the New Jersey Department of Transportation's (NJDOT), Fiscal Year 2019 Municipal Aid Program.

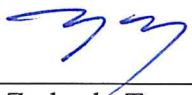
The improvements hereby authorized and the purpose for which said appropriation is made are for the improvement of Hibler Road in the Township of Green.

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

ORDINANCE NO. 2019-06
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

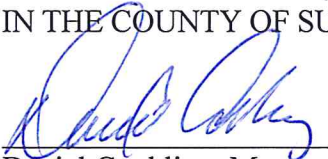
This ordinance shall take effect after publication after final adoption, as provided by law.

ATTEST:



Mark Zschack, Township Clerk

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX



Daniel Conkling, Mayor

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: May 6, 2019

ADVERTISED INTRODUCTION: May 8, 2019

PUBLIC HEARING: May 20, 2019

ADOPTED: May 20, 2019

ADVERTISED ADOPTION: May 22, 2019

ORDINANCE NO. 2019-08
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE TO REVISE SECTIONS 11-3 AND 8-73 OF THE CODE
OF THE TOWNSHIP OF GREEN REGARDING THE PROCESSING
AND FEES FOR PEDDLERS, SOLICITORS AND CANVASSERS PERMITS**

WHEREAS, the Township of Green's Peddlers, Solicitors and Canvassers Ordinance, and permit fees, specifically Sections 11-3 and 8-73 of the Township Code, have been challenged regarding the time for processing permit applications and the fees; and

WHEREAS, the Township Committee has reviewed the Township Code and has determined that revisions are appropriate to the existing Peddlers, Solicitors and Canvassers Ordinance and permit fees.

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

SECTION 1. Section 11-3 shall be deleted in its entirety and replaced as follows:

11-3 Granting of Permit

Following the filing of a complete application, the Township Clerk shall make or cause to be made such investigation as he deems necessary to verify the information set forth therein; the Clerk shall thereupon signify his approval or rejection on the application, and if approved shall issue the permit to such applicant. A permit application shall be processed and approved or rejected within seven (7) business days of submission of a complete application. In addition to the license each solicitor, peddler, or canvasser shall receive a badge. To each such badge shall be affixed one (1) photograph and the signature of the solicitor, peddler, or canvasser.

A permit shall not be issued until receipt of fees as required by Chapter VIII. Each permit issued shall be valid for the period of one (1) year from the date of issuance.

SECTION 2. Chapter 8 "Fees", Section 8-73 "Peddlers, Solicitors and Canvassers" shall be deleted in its entirety and replaced as follows:

8-73 Peddlers, Solicitors and Canvassers

Permit	\$50.00 per year
Per badge	\$2.00 per badge/per year

ORDINANCE NO. 2019-08
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

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 immediately upon adoption and publication in accordance with law.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, Township Clerk

Daniel Conkling, Mayor

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: May 20, 2019

ADVERTISED INTRODUCTION: May 24, 2019

PUBLIC HEARING: June 17, 2019

ADOPTED:

ADVERTISED ADOPTION:

ORDINANCE NO. 2019-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW STREET SWEEPER IN, BY AND FOR THE TOWNSHIP OF GREEN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO APPROPRIATE GENERAL CAPITAL FUND BALANCE OF THE TOWNSHIP, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Green, in the County of Sussex, State of New Jersey (the "Township") is hereby authorized to acquire new additional or replacement equipment and machinery consisting of a street sweeper for the use of the Department of Public Works in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$300,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and General Capital Fund Balance of the Township appropriated, by this ordinance. Said improvement shall be made

as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that

(1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$300,000, and (4) \$100,000 of said sum is to be provided by the General Capital Fund Balance of the Township hereinafter appropriated to finance said purpose, and (5) \$15,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (6) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$185,000, and (7) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$10,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

ORDINANCE NO. 2019-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Section 4. The sum of \$100,000 is hereby appropriated from General Capital Fund Balance of the Township to the payment of the cost of said purpose.

Section 5. It is hereby determined and stated that moneys exceeding \$15,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$15,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 6. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$185,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 7. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$185,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this

ORDINANCE NO. 2019-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 8. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is

ORDINANCE NO. 2019-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 9. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 10. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$185,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. Any funds received from private parties, the County of Sussex, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

ORDINANCE NO. 2019-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Section 12. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 13. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

ORDINANCE NO. 2019-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Section 15. This ordinance shall take effect twenty
days after the first publication thereof after final passage.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack,
Township Clerk

Daniel Conkling
Mayor, Green Township

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: May 20, 2019

ADVERTISED INTRODUCTION: May 24, 2019

PUBLIC HEARING: June 17, 2019

ADOPTED:

ADVERTISED ADOPTION:

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

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

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

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

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

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

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

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

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TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

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

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

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

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

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

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

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, Township Clerk

Daniel Conkling, Mayor

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: May 20, 2019
ADVERTISED INTRODUCTION:
PUBLIC HEARING: June 17, 2019

ADOPTED:
ADVERTISED ADOPTION:

ORDINANCE NO. 2019-11
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE REVISING SECTION 30-13 OF THE CODE OF
THE TOWNSHIP OF GREEN REGARDING PERFORMANCE AND
MAINTENANCE GUARANTEES AND INSPECTION FEES IN
ACCORDANCE WITH THE MUNICIPAL LAND USE LAW**

WHEREAS, the New Jersey Municipal Land Use Law, N.J.S.A. 40D:55D-1 et seq. authorizes municipalities to require the posting of performance and maintenance guarantees as a condition of development approvals, which has recently been amended; and

WHEREAS, the Township Land Use Board has recommended, and the Township Committee has agreed, that the Township's development regulations should be revised to be consistent with the recent amendments to the Municipal Land Use Law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Green, Sussex County, New Jersey, the following Sections shall be revised as follows:

SECTION 1.

Section 30-13 shall be deleted in its entirety and replaced as follows:

30.13 Performance and Maintenance Guarantees

**30.13.1 Installation of improvements or provision of guarantees required before
final approval; scope of performance guarantees.**

Before recording of final subdivision plats or deeds and/or as a condition of final site plan approval and/or as a condition to the issuance of a zoning permit, the applicant shall have installed all required improvements; provided, however, that the Township may require and shall accept performance and maintenance guarantees for the purpose of assuring the installation and maintenance of certain on tract improvements. Such performance and maintenance guarantees shall be in accordance with the provisions of this Section. In the event that final approval is by stages or sections of development as provided by this Chapter, the provisions of this Section shall be applied by stage or section of development. The nature and scope of required performance guarantees shall be as follows:

- A. Public Improvements: Performance guarantees shall be provided for those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by "the map filing law," P.L.1960,c.141 (N.J.S.A. 46:23-9.17; repealed by section 2 of P.L.2011,c.217) or N.J.S.A. 46:26B-1 through N.J.S.A. 46:26B-8, watermains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements.

- B. Perimeter Buffers: Performance guarantees shall be provided, within an approved phase or section of a development, privately-owned perimeter buffer landscaping, as required by this chapter or imposed as a condition of approval.
- C. Safety and Stabilization: A "safety and stabilization guarantee," in favor of the Township shall be provided, when required by the approving agency, for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition.
- D. Temporary Certificates of Occupancy: In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a "temporary certificate of occupancy guarantee." Such guarantee shall cover the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing performance guarantee.
- E. Successor Developer: In the event that a successor developer to the original developer becomes responsible for completion of the required improvements, the successor developer shall furnish a replacement performance guarantee.

30.13.2 Amount and Form of Performance Guarantees

- A. Amount: The amount of any performance guarantees required by this Chapter shall be as follows:
 - 1. Public Improvements: The performance guarantee shall be in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer's agreement, ordinance or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the Township Engineer, according to the method of calculation set forth in Section 15 of P.L.1991,c.256 (N.J.S.A. 40:55D-53.4), for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by "the map filing law," P.L.1960, c.141 (N.J.S.A. 46:23-9.9 et seq.; repealed by section 2 of P.L.2011, c.217) or N.J.S.A. 46:26B-1 through N.J.S.A. 46:26B-8, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements.
 - 2. Perimeter Buffers: At the developer's option, any required performance guarantee for privately-owned perimeter buffer landscaping may be posted either as a

ORDINANCE NO. 2019-11
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

separate guarantee or as a line item of the performance guarantee required by this Chapter. The amount of the perimeter buffer landscaping guarantee shall be calculated in the same manner as for the performance guarantee in Subsection 1. above.

3. Safety and Stabilization: At the developer's option, any required "safety and stabilization guarantee" may be furnished either as a separate guarantee or as a line item of the performance guarantee required by this article. The amount of such guarantee shall be as follows:
 - a) The amount of a "safety and stabilization guarantee" for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000.
 - b) The amount of a "safety and stabilization guarantee" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:
 - 1) \$5,000 for the first \$100,000 of bonded improvement costs, plus
 - 2) Two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus
 - 3) One percent of bonded improvement costs in excess of \$1,000,000.
 4. Temporary Certificates of Occupancy: The amount of any "temporary certificate of occupancy guarantee" shall be determined by the Township Engineer.
- B. Appeal of Disputed Performance Guarantee Amounts: The developer may appeal the Township Engineer's estimate of the cost of improvements for purposes of furnishing a performance guarantee. Such appeal shall be made in accordance with the procedures set forth in Section 33-6.
- C. Form of Guarantee: At least 10% of the performance guarantee shall be in the form of cash or a certified check made payable to the Township of Green. The balance of the performance guarantee shall be in the form of any security issued by an institution authorized to issue such securities in the State of New Jersey and which may be accepted by the Township and approved by the Township Attorney, including but not limited to surety bonds, cash and letters of credit; provided that the Township shall only accept an irrevocable letter of credit if it:
1. constitutes an unconditional payment obligation of the issuer running solely to the Township for an express initial period of time in the amount determined pursuant to this Chapter;
 2. is issued by a banking or savings institution authorized to do and doing business in the State of New Jersey;

ORDINANCE NO. 2019-11
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

3. is for a period of at least one year; and
4. permits the Township to draw upon the letter of credit if the obligor fails to furnish another letter of credit which complies with the provisions of this Section thirty (30) days or more in advance of the expiration date of the letter of credit or such longer period in advance thereof as is stated in the letter of credit.

D. Guarantee from Successor Developer: The Township Committee or an approving authority may accept a performance guarantee in favor of the Township from a successor developer as a replacement for a performance guarantee that was previously furnished, pursuant to section 41 of P.L.1975, c.291 (N.J.S.A. 40:55D-53), for the purpose of assuring the installation of improvements.

An approving authority shall notify the governing body whenever it accepts a replacement performance guarantee. Notice shall contain a copy of the written confirmation of the new obligor's intent to furnish a replacement performance guarantee and the Township Engineer's written verification of the sufficiency of the amount of that replacement performance guarantee.

Except as otherwise provided by an ordinance requiring a successor developer to furnish a replacement performance guarantee, the Township Committee or approving authority shall not accept a replacement performance guarantee without securing:

1. Written confirmation from the new obligor that the intent of the new obligor is to furnish a replacement performance guarantee, relieving the predecessor obligor and surety, if any, of any obligation to install improvements, and
2. Written verification from the Township Engineer that the preplacement performance guarantee is of an amount sufficient to cover the cost of the installation of improvements, but not to exceed 120% of the cost of the installation, which verification shall be determined consistent with Section 41 of P.L.1975, c.291 (N.J.S.A. 40:55D-53).

30-13.3 Duration of Performance Guarantee

- A. Term of Guarantee: The performance guarantee shall state the time period within which all improvements are to be installed by the developer, which shall be as set forth in the developer's agreement with the Township.
- B. Extension of Time Allowed for Completion of Improvements. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended by the Township Committee by resolution. As a condition or as part of any such extension, the amount of any performance guarantee shall be increased or reduced, as the case may be, to an amount not to exceed 120% of the cost of the installation at the time of the resolution. The cost of installation shall be determined by the Township Engineer as provided herein for the initial cost determination.

30-13.4 Failure to Complete Improvements within Time Specified.

If the required improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the Township for the reasonable costs of the improvements not completed or corrected. The Township may, either prior to or after receipt of the proceeds thereof, complete such improvements or use said funds to restore the property to a safe condition so that the subject property in its unfinished development state does not adversely affect the public safety or adversely impact the environment. The following shall apply:

- A. Any completion or correction of improvements shall be subject to the public bidding requirements of the Local Public Contracts Law.
- B. If a "safety and stabilization guarantee" was required pursuant to Section 30-13.1C, the Township may utilize such guarantee only in the circumstance that:
 - 1. Site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least sixty (60) consecutive days following such commencement for reasons other than force majeure, and
 - 2. Work has not recommenced within thirty (30) days following the provision of written notice by the Township to the developer of the Township's intent to claim payment under the guarantee.
- C. The Township shall not provide notice of its intent to claim payment under a "safety and stabilization guarantee" until a period of at least sixty (60) days has elapsed during which all work on the development has ceased for reasons other than force majeure. The Township shall provide written notice to a developer by certified mail or other form of delivery providing evidence of receipt.

30-13.5 Release of Performance Guarantees.

Release of performance guarantees shall be in accordance with the following procedures:

- A. Upon substantial completion of all required street improvements (except for the top course) and appurtenant utility improvements and the connection of the same to the public system, the obligor may request of the Township Committee that the Township Engineer prepare a list of all uncompleted or unsatisfactory completed improvements. The request to the Township Committee shall be made in writing by certified mail addressed to the Township Clerk, with a copy of the request to be sent to the Township Engineer. The request shall indicate which improvements have been completed and which improvements remain uncompleted in the judgement of the obligor.
- B. Upon receiving the obligor's request, the Township Engineer shall inspect all improvements covered by the obligor's request and shall file a detailed list and report, in writing, with the Township Committee and shall simultaneously send a copy thereof to the obligor not later than 45 days after receipt of the obligor's request.
- C. The detailed list prepared by the Township Engineer shall be in accordance with the itemized cost estimate prepared by the Township Engineer, which estimate shall have been appended to the performance guarantee as required herein. The list prepared by the Township Engineer shall state, in detail, with respect to each improvement determined to be incomplete or unsatisfactory, the nature and extent of the incompleteness of each incomplete improvement or the nature and extent of and remedy for the unsatisfactory state of each completed improvement determined to be unsatisfactory.
- D. The report prepared by the Township Engineer shall identify each improvement determined to be complete and satisfactory together with a recommendation as to the amount of reduction to be made in the performance guarantee relating to the completed and satisfactory improvement. The recommended reduction shall be in accordance with the itemized cost estimate prepared by the Township Engineer, which cost estimate shall have been appended to the performance guarantee as required herein.
- E. The Township Committee, by resolution, shall either approve the improvements determined to be complete and satisfactory by the Township Engineer or reject any or all of these improvements. The cause for any rejection shall be stated in the Committee's resolution. If any portion of the required improvements is rejected, the approving authority may require the obligor to complete or correct such improvements and, upon completion or correction, the same procedure of notification as required herein shall be followed.
- F. For accepted improvements, the Township Committee shall approve and authorize the amount of reduction to be made in the performance guarantee relating to the improvements accepted. Any authorized reduction shall be in accordance with the itemized cost estimate prepared by the Township Engineer, which cost estimate shall have been appended to the performance guarantee as required herein. The resolution

ORDINANCE NO. 2019-11
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

shall be adopted not later than 45 days after receipt of the list and report prepared by the Township Engineer.

- G. Any partial reduction granted in the performance guarantee as provided herein shall be applied to the cash deposit in the same proportion as the original cash deposit bears to the full amount of the performance guarantee.
- H. Upon posting of a "temporary certificate of occupancy guarantee," all sums remaining under a performance guarantee required pursuant to 30-13.1, which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released.
- I. At no time may the Township hold more than one guarantee or bond of any type with respect to the same line item. The "temporary certificate of occupancy guarantee" shall be released by the Township Engineer upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building, or phase as to which the temporary certificate of occupancy relates.
- J. The Township shall release a separate "safety and stabilization guarantee" to a developer upon the developer's furnishing of a performance guarantee which includes a line item for safety and stabilization in the amount required by 30-13.1.C.
- K. The Township shall release a "safety and stabilization guarantee" upon the Township Engineer's determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety. The "safety and stabilization guarantee" shall be reduced by the same percentage as the performance guarantee is being reduced at the time of each performance guarantee reduction.
- L. Within 30 days after receiving notice from the approving authority of its acceptance of a replacement performance guarantee, the Township Committee, by resolution, shall release the predecessor obligor from liability pursuant to its performance guarantee.
- M. For the purpose of releasing the obligor from liability pursuant to its performance guarantee, the amount of the performance guarantee attributable to each approved bonded improvement shall be reduced by the total amount for each such improvement, in accordance with the itemized cost estimate prepared by the Township Engineer and appended to the performance guarantee pursuant to Section 30-13.1, including any contingency factor applied to the cost of installation. If the sum of the approved bonded improvements would exceed 70 percent of the total amount of the performance guarantee, then the Township may retain 30 percent of the amount of the total performance guarantee and "safety and stabilization guarantee" to ensure completion and acceptability of bonded improvements, as provided above, except that any amount of the performance guarantee attributable to bonded improvements for which a "temporary certificate of occupancy guarantee" has been posted shall be released from the performance guarantee even if such release would reduce the amount held by the Township below 30 percent.

30-13.6 Release from Liability Upon Acceptance of Improvements; Acceptance of Dedicated Improvements.

Upon adoption of the resolution by the Township Committee approving certain completed improvements, the obligor shall be release from all liability pursuant to its performance guarantee, with respect to those approved improvements. The following shall apply:

To the extent that any of the improvements have been dedicated to the Township on the subdivision plat or site plan, the Township Committee shall be deemed, upon the release of any performance guarantee required pursuant to Section 30-13.1.A, to accept dedication for public use of streets or roads and any other improvements made thereon according to site plans and subdivision plats approved by the approving authority, provided that such improvements have been inspected and have received final approval by the Township Engineer.

30-13.7 Failure of Township Engineer or Committee to Act.

If the Township Engineer or Township Committee fails to act on the request for release of a performance guarantee within the time require herein, the obligor may apply to the court in the manner provided below, provided that nothing herein shall be construed to limit the right of the obligor to contest by legal proceedings any determination of the Township Committee or the Township Engineer.

- A. If the Township Engineer fails to send or provide the list and report as requested by the obligor as required herein within 45 days from receipt of the request, the obligor may apply to the court in a summary manner for an order compelling the Township Engineer to provide the list and report within a stated time. The cost of applying to the court, including reasonable attorney's fees, may be awarded to the prevailing party.
- B. If the Township Committee fails to approve or reject the improvements determined by the Township Engineer to be complete and satisfactory or reduce the performance guarantee for the complete and satisfactory improvements within 45 days from the receipt of the Township Engineer's list and report, the obligor may apply to the court in a summary manner for an order compelling, within a stated time, approval of the complete and satisfactory improvements and approval of a reduction in the performance guarantee for the approvable complete and satisfactory improvements in accordance with the itemized cost estimate prepared by the Township Engineer, which cost estimate shall have been appended to the performance guarantee as required herein. The cost of applying to the court, including reasonable attorney's fees, may be awarded to the prevailing party.

30-13.8 Maintenance guarantees.

Public Improvements and Perimeter Buffers: If required by the developer's agreement with the Township, the developer shall post with the Township, prior to the release of a performance guarantee required pursuant to 30-13.1, a maintenance guarantee for such improvements.

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TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Private Storm Water Management Improvements: If required by the developer's agreement with the Township, the developer shall post with the Township, upon the inspection and issuance of final approval of the following private site improvements by the Township Engineer, a maintenance guarantee for the following private site improvements: storm water management basins, in-flow and water quality structures within the basins, and the out-flow pipes and structures of the storm water management system.

Except as specifically provided otherwise below, maintenance guarantees shall be administered in the same manner as performance guarantees as provided by this Chapter.

- A. Amount of Maintenance Guarantee: The maintenance guarantee shall be in favor of the Township of Green in an amount equal to 15% of the cost of such improvements. In the event of improvements for which a performance guarantee was issued, the amount of the maintenance guarantee shall equal 15% of the cost of those improvements for which the guarantee(s) is(are) being released. The cost of said improvements shall be determined by the Township Engineer in the same manner as provided herein for performance guarantees.
- B. Appeal of Disputed Maintenance Guarantee Amounts: The developer may appeal the Township Engineer's estimate of the cost of improvements for purposes of furnishing a maintenance guarantee. Such appeal shall be made in accordance with the procedures set forth in Section 33-6.
- C. Form of Guarantee: The maintenance guarantee shall be in the form of any security issued by an institution authorized to issue such securities in the State of New Jersey and which may be accepted by the Township and approved by the Township Attorney, including but not limited to surety bonds, cash and letters of credit, provided that acceptance of irrevocable letters of credit shall be subject to the same conditions as provided herein for performance guarantees.
- D. Term of Maintenance Guarantee: The maintenance guarantee shall be required to run for a period of two years, which shall be stated in the guarantee, and shall automatically expire at the end of the established term.

30-13.9 Exception for improvements related to other jurisdictions.

In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee, as the case may be, shall be required by the Township for such utilities or improvements.

30-13.10 Developer's Agreement.

Prior to any constructions and coincident with the furnishing of the performance guarantee by the developer, the developer shall enter into a developer's agreement with the Township Committee incorporating all of the terms and conditions of approval as required by the Board. In addition, the developer's agreement may impose and describe the terms of other matters that may or may not be specified in the approval, including but not limited to the following:

- A. Procurement of necessary drainage, utility, access, construction and other easements.
- B. Revisions to the drainage plan as may be reasonably required by the Township Engineer before or during construction.
- C. Construction-related provisions, such as permitted days and hours of construction, traffic controls, staging and storage of equipment and materials, site security, noise and dust controls, installation and use of temporary structures, etc.
- D. Tree preservation, removal and replacement requirements.
- E. Condominium requirements and documentation.
- F. Compliance with State, County and other jurisdictional requirements.
- G. Submission of as-built drawings.
- H. Title 39 requirements.
- I. Insurance, liability and indemnification requirements.

30-13.11 Inspection of Improvements and Construction.

All improvements required by the Board, except electric, telephone, cable television, street lighting, gas, water and streets not under the jurisdiction of the Township of Green shall be installed under the supervision and inspection of the Township Engineer. Such other improvements shall be installed under the supervision and inspection of the authority having jurisdiction over such improvements. No construction work covering the required improvements shall be commenced without the developer first notifying the Township Engineer and/or Construction Official, as applicable, that said construction work is about to take place. Such notice shall be given, in writing, to the Township Engineer at least one week before the

ORDINANCE NO. 2019-11
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

commencement of such work. No required improvements shall be covered with soil or other improvements until inspected and approved by the Township Engineer.

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.

SECTION 5 - NOTICE

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

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, Township Clerk

Daniel Conkling, Mayor

Record of Vote – Introduction:

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

Record of Vote – Adoption:

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

INTRODUCED: May 20, 2019
PUBLIC HEARING: June 17, 2019
ADVERTISED ADOPTION:

ADVERTISED:
ADOPTED:

RESOLUTION 2019-94
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

RESOLUTION IN SUPPORT OF PATH TO PROGRESS RECOMMENDATIONS
MADE BY NEW JERSEY ECONOMIC AND FISCAL POLICY WORKGROUP

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State's unfunded liability for pensions and retiree health benefits now tops \$150 billion — four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year's budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY. 2023; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, the state has held municipal aid flat, moved the Energy Tax Receipts out of the Property Tax Relief Fund, and with the sunseting of Chapter 78 relief and the 2% arbitration cap; and

WHEREAS, the State must bring pension and health care costs under control in order to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Green, County of Sussex, State of New Jersey, expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Senator Steven V. Oroho, Assemblyman Parker Space and Assemblyman Harold J. Wirths, President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

DATED: May 20, 2019

RESOLUTION 2019-94
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
SUSSEX COUNTY, STATE OF NEW JERSEY

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 20, 2019.



Mark Zschack, Township Clerk

Record of Vote:

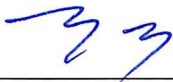
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout					√	
Mrs. Raffay		√	√			
Mr. Conkling			√			

RESOLUTION 2019-96
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

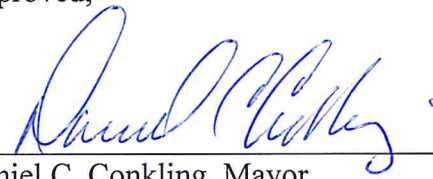
IN REM TAX FORECLOSURE BLOCK 58, LOT 10

BE IT RESOLVED by the Township Committee of the Township of Green, Sussex County and State of New Jersey, the Governing Body of the Township of Green that the Tax Sale Certificate as shown on the attached Tax Foreclosure List now held by the Township of Green be foreclosed by the summary proceedings IN REM, and as described by New Jersey Statutes R.S. 54:5-104.29 et seq., as amended, and pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

Approved,



Mark Zschack, Township Clerk



Daniel C. Conkling, Mayor

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Karen Ferrone, CTC
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2019-98
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

INTERLOCAL AGREEMENT WITH THE COUNTY OF SUSSEX
FOR
ROAD SIGNAGE MANUFACTURING

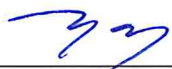
WHEREAS, the County of Sussex offers street and road sign manufacturing services to local municipalities; and

WHEREAS, it is in the best interest of Green Township and it's residents to enter into an interlocal agreement with the County of Sussex for street and road sign manufacturing.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Green in the County of Sussex and State of New Jersey, does hereby authorize the Mayor and/or Clerk to enter into an agreement with the County of Sussex for street and road sign manufacturing services through December 31, 2023.

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Linda Padula, CMFO

Record of Vote:

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

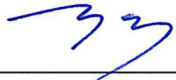
RESOLUTION 2019-99
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

BILLS LIST (05/02/2019 to 05/16/2019)

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the List of Bills dated from 05/02/2019 to 05/16/2019 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

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

Meeting Date: 05/20/2019 For bills from 05/02/2019 to 05/16/2019

Check#	Vendor	Description	Payment	Check Total
8810	1993 - ACF Landscape Design, Inc.	PO 14072 2019 Mowing and Trimming	6,309.00	6,309.00
8811	528 - Allied Oil LLC	PO 13861 Diesel Fuel Delivery	388.30	
		PO 13926 Gas Delivery	508.52	896.82
8812	83 - American Wear, Inc.	PO 13965 Uniform Cleaning 2019	297.50	297.50
8813	1599 - Dover Brake & Clutch Co., Inc.	PO 13873 Truck Parts	536.78	536.78
8814	1730 - Durable Door Company	PO 13975 Repair to overhead door	1,845.00	1,845.00
8815	1380 - Garden State Labs Inc.	PO 13860 Water Test MB	60.00	60.00
8816	190 - JCP&L	PO 14144 April Electric Bill 2019	1,006.86	1,006.86
8817	1826 - Kimball Midwest	PO 13827 Nuts & Bolts	511.38	511.38
8818	1860 - Kimberlee Mantz	PO 14086 Reimbursement for Poster for Egg Hu	29.99	29.99
8819	1153 - Lowe's	PO 13896 hardware	46.48	46.48
8820	1353 - MailFinance	PO 13960 Lease for Postage Machine	244.32	244.32
8821	1169 - NAPA of Stanhope, LLC	PO 13866 Truck Parts	94.98	94.98
8822	1960 - Navitend	PO 13811 2019 Agreement Office 365 Monthly S	250.00	
		PO 13810 2019 Agreement Office 365	800.00	1,050.00
8823	90 - New Jersey Herald, Inc.	PO 14156 Legal Ads	69.90	69.90
8824	98 - NJ-Dept of Health and Senior Svs	PO 13955 Dog License fees	33.00	33.00
8825	1404 - Northeast Janitorial Supply, Inc.	PO 13868 Janitorial Supplies	897.34	897.34
8826	418 - R & L Data Centers	PO 13962 Payroll Services	270.28	270.28
8827	1982 - R. Poust Trade Services, LLC	PO 14048 Open Pavilion	3,990.00	3,990.00
8828	1999 - Reliant Title Agency, LLC	PO 14155 Property Tax Refund	3,122.74	3,122.74
8829	905 - Service Electric Cable of NJ, Inc.	PO 13835 Cable Boxes-MB	9.90	
		PO 13834 Cable boxes-DPW	8.95	18.85
8830	624 - Suburban Propane	PO 13850 Propane Delivery DPW	507.50	507.50
8831	114 - Sussex County MUA	PO 13910 Municipal/Household Waste	6,651.61	6,651.61
8832	70 - Tax Collectors & Treasurers Assoc.	PO 14138 Seminar for Linda Padula	25.00	25.00
8833	1105 - The Land Conservancy of New Jersey	PO 14132 2019 Open Space Consultant Services	1,700.00	1,700.00
8834	76 - Tomar Industries, Inc.	PO 14090 Janitorial Supplies	345.50	345.50
8835	1703 - Town of Newton	PO 14134 Municipal Court - Shared Services	21,224.00	21,224.00
8836	29 - Verizon Wireless	PO 13958 Modem-OEM 2019	38.01	38.01
8837	1236 - W.W.Grainger Inc.	PO 14133 Indoor/Outdoor laser	249.67	249.67
8838	1774 - Waste Management of New Jersey	PO 13972 2019 Waste & Recycling Collection	14,116.00	14,116.00
TOTAL				66,188.51

Total to be paid from Fund 01 CURRENT FUND	64,455.51
Total to be paid from Fund 12 ANIMAL FUND	33.00
Total to be paid from Fund 22 OPEN SPACE TAX	1,700.00

	66,188.51

Checks Previously Disbursed

9999	Payroll Account	5/15/2019	41,873.93	5/13/2019
9999	Sussex County Treasurer	PO# 13917 911 Dispatch - Shared Service Agre	2,792.75	5/15/2019
9999	State of NJ-Division of Pensions	PO# 13859 Active Employee Medical/Dental Ins	13,397.77	5/10/2019
9999	State of NJ Div of Pensions/Benefit	PO# 13858 Retiree Medical Insurance	5,019.55	5/10/2019

				63,084.00

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	63,084.00	64,455.51	127,539.51
Fund 12 ANIMAL FUND		33.00	33.00
Fund 22 OPEN SPACE TAX		1,700.00	1,700.00

BILLS LIST TOTALS	63,084.00	66,188.51	129,272.51

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

Meeting Date: 05/20/2019 For bills from 05/02/2019 to 05/16/2019

Check#	Vendor	Description	Payment	Check Total

RESOLUTION 2019-101
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

SUPPORT NEWTON STRONG DAY

WHEREAS the Township Committee of the Township of Green wishes to support the Newton Strong campaign; and

NOW THEREFORE encourages all residents of the Township and the Township employees to participate in the "White Out" by wearing white and/or white ribbons; and

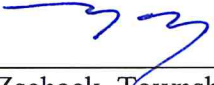
WHEREAS, the Township supports residents and municipal employees who wish to donate to the memorial Heart of Gold Scholarship for Alexa Faye (Lacrosse Scholarship); and

WHEREAS, the Township Committee of the Township of Green wishes to advertise their support of Newton Strong Day.

NOW THEREFORE, it shall be ordained that the Township supports the Newton Strong White Out and encourages participation on May 23, 2019.

DATED: May 20, 2019

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on May 20, 2019.



Mark Zschack, Township Clerk

cc: Linda Padula, CMFO

Record of Vote:

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