

**GREEN TOWNSHIP COMMITTEE  
MINUTES OF THE REGULAR MEETING  
SEPTEMBER 4, 2019**

**CALL TO ORDER**

Mayor Conkling called the September 4, 2019, meeting of the Green Township Committee to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

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

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

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

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

Mayor Conkling opened the meeting for public comments.

There being no public comments, Mr. Chirip motioned to close Public Session #1

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

**CONSENT AGENDA:**

**1. RESOLUTIONS:** (Approval of the Following)

- a. Resolution 2019-142 - Authorize Winter Recreational Activities
- b. Resolution 2019-143 - Approve Raffle License - Green Township PTA
- c. Resolution 2019-144 - Authorize Cancellation of Balances to the General Capital Fund Balance
- d. Resolution 2019-145 - Authorize Paving of Hunts School Road

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

- a. Letter Dated August 22, 2019, from Mark Zschack concerning Block 18.02, Lot 49
- b. Sussex County Tax Rates 2019
- c. Resolution Adopted July 16, 2019, by the Borough of Franklin Supporting the Board of Chosen Freeholders

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

- a. Shared Municipal Courts of Town of Newton and Township of Green - July 2019
- b. Treasurer's Report - July 31, 2019
- c. Permit Fee Log Report - July 2019

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

None

Mrs. Phillips motioned to move the Consent Agenda

Seconded: Mrs. Raffay

Discussion: None

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

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**DISCUSSIONS:**

- a. Solid Waste and Recycling RFP** - Mr. Zschack referred to the previously distributed synopsis of the new draft bid document for the Committee's review. A discussion ensued concerning the current pick up process and what are acceptable bulky items. A few suggestions were made that will be looked into.
- b. Trinca Airport** - Mr. Zschack stated that there has been a lot of interest in the Trinca Airport property. Currently there are three marijuana grow companies that have letters of support from the Township pending receipt of licenses. Two solar companies are actively involved in preliminary discussions. If the airport remains open, it could impact these interests. The Airport Manager, Mr. Pete Sklannik was in attendance and explained the process to close the airport which could take up to six months. The Committee discussed keeping the airport open as well as the costs and liabilities associated with closing the airport. The Committee is in agreement to start looking into a closure plan. Mr. Sklannik will look into the timeframe with the State.
- c. Outstanding Older American Award Criteria and Process** - Mayor Conkling explained that there is not a definitive process for choosing an outstanding older American. This is an honor that is being given each year to someone outstanding in the community. After a brief discussion, the Committee agreed to define the criteria and process in order to choose an outstanding resident each year. Mrs. Phillips and Mrs. Raffay offered to be the subcommittee to work on the process for next year.

**OLD BUSINESS:** None

**NEW BUSINESS:**

- a.** Minutes ready for approval - August 19, 2019, regular and executive sessions

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

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

- b.** Resolution 2019-133 - Authorize County 911 Agreement

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			

- c.** Resolution 2019-146 - Authorize Bid to Paint Lake Tranquility Bridge

Motion: Mr. Qarmout  
Seconded: Mrs. Phillips  
Discussion: Mr. Qarmout asked for an explanation of what the fatal flaw to the bid document means. Allied Painting Inc. was the next lowest responsive bidder. Mr. Zschack explained the first bidder stated in their bid document that no one owned more than 10% of the company. It was determined that one person owns 100% of the business which caused

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a fatal flaw in the bid document. The Township Attorney stated that bidders are required to accurately name all the shareholders that own more than 10% of the business. The bid document is technically inaccurate since they did not name anyone. Allied Painting Inc. is the next lowest responsible bidder that is in compliance.

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

**d. Resolution 2019-147 - Authorize Discharge of Housing Rehabilitation Mortgage**

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

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

**e. Resolution 2019-148 - Authorize Street Sweeper Purchase**

Motion: Mr. Chirip  
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 2019-149 - Bills List (08/15/2019 to 08/29/2019)**

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

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

**g. Resolution 2019-150 - Authorize the Township of Green to Enter into a Cooperative Pricing Agreement with the Bergen County Cooperative Pricing System**

Motion: Mr. Chirip  
Seconded: Mrs. Phillips  
Discussion: Mr. Qarmout asked if this will keep the Morris County Co-op in place. Mr. Zschack explained that the Township will be part of many co-ops to increase the QPA's ability to obtain prices.



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

**h. Introduction Ordinance 2019-13 - Adopting New Article III, Soil Importation, To Chapter XXVI, Soil and Soil Removal, of the Green Township Code (Public Hearing Scheduled for September 16, 2019)**

Mr. Qarmout motioned to introduce the ordinance and move to Public Hearing

Seconded: Mrs. Raffay

Discussion: None

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

**i. Resolution 2019-151 - Continued Support of Farmland Preservation Application**

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			

**MATTERS FROM THE GOVERNING BODY:** Mr. Qarmout inquired about an item discussed in Executive Session.

Mr. Chirip stated that he recently rode his bike on Hibler Road and commented that it looks very nice.

Mrs. Raffay asked if there is an ordinance against truck braking. Mayor Conkling answered that the Township does not have such ordinance. Mr. Qarmout remarked that Jake brake is a factory installed engine braking safety feature.

Mrs. Raffay stated that she has spoken with a number of residents who live on Hunts School Road after the last meeting and commented that they are very happy with the proposed road improvements.

Mayor Conkling asked for an update on the schedule for crack sealing. Mr. Perigo explained that several Township roads are on the schedule for crack sealing starting September 23, 2019. Mrs. Phillips asked Mr. Perigo to take a closer look at the area of upper Whitehall Road where the gas line was recently installed to be certain the road was sealed well.

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

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

**MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD:** Mr. Perigo noted no matters for discussion.



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**OPEN PUBLIC SESSION #2:** Mrs. Fracasso, 111 Hibler Road thanked the Road Department for removing the boulder that was on the side of Hibler Road. Mrs. Fracasso commented that she is in favor of closing Trinca Airport.

**EXECUTIVE SESSION:** Resolution ES2019-11 - Potential Litigation - 43 Hibler Road, SCADB Hearing  
Personnel Matters - DPW Personnel

Mr. Qarmout motioned to enter Executive Session at 8:24 p.m.

Seconded: Mrs. Raffay

Discussion: None

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

The Committee returned to Public Session at 9:13 p.m.

Mr. Chirip motioned to close Executive Session and return to Public Session.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

**ADJOURNMENT:**

Mr. Qarmout motioned to adjourn at 9:15 p.m.

Seconded: Mr. Chirip

Discussion: None

All were in favor.

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



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Mark Zschack, RMC  
Township Clerk

Date Approved: September 16, 2019

**RESOLUTION 2019-142**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**


**AUTHORIZE WINTER RECREATIONAL ACTIVITIES**

**BE IT RESOLVED** that the Township Committee of the Township of Green approves the following activities for the Winter 2019/2020 season as well as seasonal expenses and registration fees:

ACTIVITY	REGISTRATION FEE	SEASONAL EXPENSES
Fall Yard Sale October 5, 2019 October 6, 2019 (Raindate)	\$5 to put house on the map	Not to exceed \$100
Family Pumpkin Carving Event October 27, 2019	None	Not to exceed \$150
Letters to Santa Beginning November 25, 2019	None	Not to exceed \$200
Annual Tree Lighting December 7, 2019	None	Not to exceed \$350
Gingerbread House Contest December 5, 2019	None	Not to exceed \$300
Family Fun Night January/February 2020	None	Not to exceed \$150

DATED: September 4, 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 September 4, 2019.

  
Mark Zschack, Township Clerk

cc: Linda Padula, CMFO  
Kim Mantz, Recreation Secretary

**Record of Vote:**

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

**RESOLUTION 2019-143**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**SUSSEX COUNTY, NEW JERSEY**

**RAFFLE LICENSE APPROVAL**

**BE IT RESOLVED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that one (1) Raffle License be issued to the Green Township PTA for:

Off Premise Calendar Raffle

to be held at Green Hills School on the following dates:

December 20, 2019  
January 15, 2020  
January 29, 2020  
February 12, 2020  
February 26, 2020  
March 18, 2020

at the Green Hills School

DATED: September 4, 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 September 4, 2019.



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

**Record of Vote:**

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



**RESOLUTION 2019-144**  
**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 \$25,376.41 in the General Capital Fund to Fund Balance.

FROM:	Ordinance #2017-10– Over the Rail Mower 04-215-55-995-020	\$13,536.37
FROM:	Ordinance #2018-08 – Purchase of Backhoe 04-215-55-998-020	\$10,682.21
FROM:	Ordinance #2018-05 – Mackerley Road (DOT) 04-215-55-996-020	\$ 1,157.83
TO:	Fund Balance – General Capital	\$25,376.41

DATED: September 4, 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 September 4, 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 2019-145**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**SUSSEX COUNTY, NEW JERSEY**

**“AUTHORIZING MORRIS COUNTY COOPERATIVE CONTRACT FOR 2019,  
CONTRACT #6 ROAD RESURFACING THROUGH DECEMBER 31, 2019”**

**WHEREAS**, a need exists for road resurfacing for 2019 within the Township of Green; and

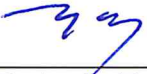
**WHEREAS**, the Township of Green may, without advertising for bids, purchase such materials through the Morris County Cooperative Purchasing Pricing Council Cooperative Contract #6, pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.1 et. Seq., and

**WHEREAS**, under MCCPC #6, award, the Vendor: Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054 has been awarded the contract for supply of paving materials under Contract #6.

**NOW, THEREFORE BE IT RESOLVED**, by the Township of Green Township Committee that it authorizes without bidding pursuant to N.J.S.A. 40A: 11-10 Contract #6 with Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054.

DATED: September 4, 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 September 4, 2019.

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

**Record of Vote:**

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

**RESOLUTION 2019-133**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**AUTHORIZING SHARED SERVICES AGREEMENT**  
**WITH SUSSEX COUNTY FOR 9-1-1 SERVICES**

**WHEREAS**, State legislation mandates that all municipalities must participate in a statewide 9-1-1 emergency telephone network by establishing a Public Safety Answering Point (PSAP) and a Public Safety Dispatch Point (PSDP); and

**WHEREAS**, N.J.S.A. 40A:65-1 et seq. empowers municipalities and counties to enter into Shared Services Agreements to provide essential government services; and

**WHEREAS**, the County of Sussex has offered a Shared Service Agreement to Green Township to provide PSAP and PSDP services to Green Township; and

**WHEREAS**, the Township Committee is of the opinion that for public safety reasons and fiscal reasons, it is in the best interest of the Township of Green to continue a Shared Services Agreement with the County of Sussex; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-1 et seq., municipalities may authorize Shared Services Agreements by resolution; and

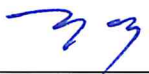
**WHEREAS**, a copy of the proposed Shared Services Agreement with the County of Sussex is on file with the Township Clerk;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, that the Township Clerk and/or Mayor are authorized to enter into a Shared Services Agreement with the County of Sussex for both PSAP and PSDP services effective January 1, 2020 to December 31, 2024.

**BE IT FURTHER RESOLVED** that a copy of the Shared Services Agreement shall be forwarded to the Division of Local Government Services in the Department of Community Affairs for informational purposes pursuant to N.J.S.A. 40A:65-4.

DATED: September 4, 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 September 4, 2019.

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

**Record of Vote:**

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



**RESOLUTION 2019-146**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**SUSSEX COUNTY, NEW JERSEY**

**RESOLUTION OF AWARD FOR AWARD OF BID FOR PROPOSED PAINTING**  
**OF BRIDGE NO G-15 TO ALLIED PAINTING INC.**

**WHEREAS**, the Township has advertised and received formal bids for Proposed Painting of Bridge No. G-15 on August 28, 2019, at 10:00 a.m., in a Fair and Open manner in accord with N.J.S.A 19:44A-20.4 et. Seq., and

**WHEREAS**, the Township received formal bids on August 28, 2019, at 10:00 a.m. from Allied Painting Inc., in the amount of \$56,850.00; and

**WHEREAS**, the bid as submitted by Allied Painting Inc. was deemed to be the lowest responsive and responsible bid by the Qualified Purchasing Agent and the Township Engineer; and

**WHEREAS**, the Qualified Purchasing Agent and Township Engineer recommend award of bid to Allied Painting Inc. for the bid cost of \$56,850.00; and

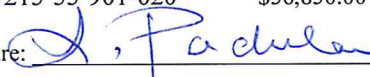
**WHEREAS**, the Chief Financial Officer hereby certifies that funds are available not to exceed \$56,850.00, as follows:

**Certification of Funds**

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

Account: 04-215-55-901-020      \$56,850.00


CFO Signature:



**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, Sussex County, New Jersey, that the recommendation to award is hereby accepted. The bid provided by Allied Painting Inc. in the amount of \$56,850.00 is hereby accepted.

DATED: September 4, 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 September 4, 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 2019-147**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**RESOLUTION AUTHORIZING DISCHARGE OF**  
**HOUSING REHABILITATION MORTGAGE**  
**FOR 155 DECKER POND ROAD**

**WHEREAS**, the owner of 155 Decker Pond Road in Green Township, Sussex County, New Jersey, heretofore obtained a Housing Rehabilitation Loan from the Township of Green in the amount of \$6,428.00, plus interest in the amount of \$192.84, for a total of \$6,620.84; and

**WHEREAS**, the property owner has now paid the lien in full; and


**WHEREAS**, the Township has a recorded Housing Rehabilitation Program Mortgage lien against the property for the loan (Sussex County Deed Book 868, page 915, et seq., dated December 7, 2009), which must be discharged of record with the Sussex County Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green that the Mayor and Clerk be and the same are hereby authorized to execute appropriate forms of discharge of mortgage recorded against the property by the Township of Green with the Clerk of Sussex County.

**BE IT FURTHER RESOLVED**, that the Township shall duly record said Discharge of Mortgage with the Sussex County Clerk.

DATED: September 4, 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 September 4, 2019.

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

**Record of Vote:**

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

**RESOLUTION 2019-148  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT TO  
TIMMERMAN EQUIPMENT COMPANY THROUGH SOURCEWELL NATIONAL  
COOPERATIVE CONTRACT #122017-FSC FOR ELGIN WHIRLWIND SERIES MV  
VACUUM FOR DEPARTMENT OF PUBLIC WORKS**

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

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

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

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

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

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

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract number is: 122017-FSC for Timmerman Equipment Company; and

**WHEREAS**, the Township is desirous of purchasing an Elgin Whirlwind Series MV Vacuum and accessories, through Sourcewell contract: 122017-FSC, including accessories and warranty for \$289,790.50; and

**WHEREAS**, the Chief Financial Officer of the Township of Green has certified that adequate funds for such contract are available and are designated to line item appropriation of the official budget. In the amount not to exceed \$289,790.50.



RESOLUTION 2019-148  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ

**Certification of Funds**

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

Account: 04-215-55-900-020

Amount: \$289,790.50

CFO Signature:

**NOW THEREFORE BE IT RESOLVED THAT**, the Mayor is hereby authorized to enter into contract for the purchase of an Elgin Whirlwind Series MV Vacuum and accessories, through Sourcewell contract: 122017-FSC from the designated distributor Timmerman Equipment Company 3554 Rt 22 West, P.O Box 71, Whitehouse, NJ 08888. for \$289,790.50.

DATED: September 4, 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 September 4, 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 2019-149**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**BILLS LIST (08/15/2019 to 08/29/2019)**

**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 08/15/2019 to 08/29/2019 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: September 4, 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 September 4, 2019.

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

cc: Linda Padula, CFO

**Record of Vote:**

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

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

Meeting Date: 09/04/2019 For bills from 08/15/2019 to 08/29/2019

Check#	Vendor	Description	Payment	Check Total
9046	528 - Allied Oil LLC	PO 13861 Diesel Fuel Delivery	332.30	332.30
9047	1908 - Brady & Correale, LLP	PO 13947 Legal Services - Land Use Board	450.00	450.00
9048	2014 - Caesars Atlantic City	PO 14260 Reservation for League of Municipal	471.00	471.00
9049	236 - Cahills Farm	PO 13928 Opening & Closing of Park Gates	600.00	600.00
9050	1228 - Chelbus Cleaning Co., Inc.	PO 13817 Cleaning Service	395.00	395.00
9051	1099 - Garden State Highway Products Inc.	PO 13882 Signs	540.00	540.00
9052	1380 - Garden State Labs Inc.	PO 13860 Water Test MB	170.00	170.00
9053	1846 - Gebhardt and Kiefer, P.C.	PO 14007 Green Twp (Holenstein) ads Wolosky,	1,895.51	1,895.51
9054	1913 - Government Forms And Supplies LLC	PO 14248 Envelopes/No Knock Decals	358.89	358.89
9055	190 - JCP&L	PO 13927 Street Lighting	38.87	38.87
9056	973 - Kidz Play, Inc.	PO 14059 Summer Bbq/Miss Green/Green Twp Day	1,401.00	1,401.00
9057	1723 - Kyocera Document Solutions, Inc.	PO 13807 Copier	7,597.00	7,597.00
9058	2010 - Michael Morodan	PO 14243 Background Check 2019	21.25	21.25
9059	45 - Municipal Clerks' Assoc of NJ Inc.	PO 14261 2019-2020 Membership - Zschack & De	175.00	175.00
9060	1960 - Navitend	PO 13811 2019 Agreement Office 365 Monthly S	250.00	
		PO 13810 2019 Agreement Office 365	800.00	1,050.00
9061	90 - New Jersey Herald, Inc.	PO 14045 Legal Ads	33.90	
		PO 14156 Legal Ads	421.69	455.59
9062	977 - Smith Motor Company, Inc.	PO 13870 Truck Parts/Repairs	60.08	60.08
9063	123 - Staples Advantage	PO 14258 Blueprints	10.14	10.14
9064	114 - Sussex County MUA	PO 13910 Municipal/Household Waste	5,857.92	5,857.92
9065	179 - Sussex County Rental Center	PO 13899 Equipment Rentals	204.00	
		PO 14043 Rentals for Green Twp Day 2019	1,239.00	1,443.00
9066	182 - T.A. Mountford Inc.	PO 14006 Copier Service Contract	1,430.00	1,430.00
9067	76 - Tomar Industries, Inc.	PO 14090 Janitorial Supplies	180.95	180.95
9068	34 - Verizon	PO 14262 August Phone Bill	948.66	948.66
9069	1962 - Viking Terminite & Pest Control Inc	PO 13923 Pest Control Services	147.66	147.66
9070	1158 - W.B. Mason Co. Inc.	PO 14242 July Supplies Order 2019	271.29	271.29
TOTAL				26,301.11

Total to be paid from Fund 01 CURRENT FUND

26,301.11

26,301.11

**Checks Previously Disbursed**

9999	Payroll Account	8/30/2019	35,285.08	8/27/2019
9045	Hunterdon Hills Playhouse	PO# 14160 Deposit for Hunterdon Hills Playho	1,524.36	8/26/2019
				-----
				36,809.44

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	35,285.08	26,301.11	61,586.19
Fund 19 TRUST FUND	1,524.36		1,524.36
-----			
BILLS LIST TOTALS	36,809.44	26,301.11	63,110.55
=====			



**RESOLUTION 2019-150  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF GREEN TO ENTER INTO A  
COOPERATIVE PRICING AGREEMENT WITH THE BERGEN COUNTY COOPERATIVE  
PRICING SYSTEM**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Bergen County Cooperative Pricing System, hereinafter referred to as the "Lead Agency " has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04 - a Cooperative Pricing System - for the purchase of goods and services; and

**WHEREAS**, on September 4, 2019 the governing body of the Township of Green, County of Sussex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

**NOW, THEREFORE BE IT RESOLVED** as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Green.

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Township Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

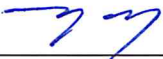
**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

This Resolution shall take effect immediately.

DATED: September 4, 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 September 4, 2019.

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

**Record of Vote:**

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

**ORDINANCE NO. 2019-13**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE ADOPTING NEW ARTICLE III, SOIL IMPORTATION TO  
CHAPTER XXVI, SOIL AND SOIL REMOVAL OF THE GREEN TOWNSHIP CODE**

**WHEREAS**, the Township of Green has reviewed the current Code and determined that additional regulations are required related to soil importation within the Township.

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

**SECTION 1.**

A new Article III, Soil Importation, added to Chapter XXVI, Soil and Soil Removal, is hereby adopted and set forth herein:

**Article III – Soil Importation**

**26-23 Soil Importation Regulations**

**26-23.1 Definitions**

**ACCEPTABLE SOIL MATERIAL**

Earth, sand, clay, loam, gravel, humus, rock or dirt, and may include soil, subsoil or topsoil. No construction debris or contaminated material is permitted.

**APPLICANT**

The person requesting a soil permit as provided for in this Article.

**CONTAMINANT**

Any hazardous substance, hazardous constituent, hazardous waste or pollutant.

**CONTAMINATED MATERIAL**

Any soil containing contaminants exceeding the present requirements for residential direct contact pursuant to N.J.A.C. 7:26E-1.1 et seq., technical requirements for site remediation, as may be amended.

**FILL/FILL MATERIAL**

Any sand, gravel, earth, soil, dredged material or other material of any composition whatsoever, the placement of which upon a site results in a change of topography of the site.

**GARBAGE**

Meat and vegetable waste solids resulting from the handling, preparation, cooking and consumption of foods. Garbage is considered to originate primarily in kitchens, stores, markets, restaurants, hotels and other places where food is stored, cooked and consumed.

**HAZARDOUS SUBSTANCE**

Any hazardous substance as defined pursuant to the Spill Compensation and Control Act (N.J.S.A. 58:10-23.11b), hazardous waste as defined pursuant to the Solid Waste Management Act (N.J.S.A. 13:1E-38), and/or pollutant as defined pursuant to the Water Pollution Control Act (N.J.S.A. 58:10A-3) as may be amended.

**REFUSE**

Includes all miscellaneous matters, such as, but not limited to, bottles, construction debris, rags, mattresses, worn-out furniture, old clothes, old shoes, broken glass, leather, carpets, crockery, rubber, newspaper, cartons, tin cans, metals, abandoned automobiles or parts thereof.

**SOIL**

All unconsolidated mineral and organic material of any origin.

**26-23.2 Depositing of contaminated or unwholesome material prohibited.**

No owner, agent, lessor, lessee, tenant or occupant of any lot, grounds, street, road or alley in the Township of Green shall deposit thereon or permit the depositing thereon of any contaminated material, or animal or vegetable substance or garbage or refuse or dirt gathered in cleaning sewers, or waste of mills or factories, or any materials which are offensive to health or tend to decay, to become putrid or to render the atmosphere impure or unwholesome, or any other environmentally inappropriate materials as determined by the New Jersey Department of Environmental Protection.

**26-23.3 Permit required for deposit of acceptable soil material; exemptions.**

No owner, agent, lessor, lessee, tenant or occupant of any lot, grounds, street, road or alley in the Township of Green shall deposit thereon or permit the depositing thereon of any acceptable soil material unless a permit is issued by the Township Engineer.

Exempt from the provisions of this section shall be the following:

- A. Select fill for septic installation and/or repair certified to be such by a licensed New Jersey Professional Engineer; or
- B. Routine landscaping activities that do not require an excess of 100 cubic yards of approved soil material, in any 12-month period, conducted in connection with residential use not subject to any other permitting requirements set forth in the ordinances of the Township of Green. Any materials used in activities permitted herein shall nevertheless conform to all applicable local, state and federal regulations.



- C. Soil material moved to and from properties located within Green Township, so long as all properties have common ownership.

**26-23.4 Hours of Operation.**

Hours of operation shall be limited, from 7:00 a.m. to 6:00 p.m., Mondays through Saturdays, except in emergencies when authorized by the Township Committee. There shall be no operation of any kind or character on Sundays, or legal holidays, except in emergencies when authorized by the Township Committee.

**26-23.5 Deposit of acceptable soil material in connection with development approval.**

Unless otherwise exempt under the terms of this Chapter, no permit to deposit approved soil material upon or used to fill up or raise the surface or level of any lot, grounds, street, road, or alley in the Township of Green shall be issued unless such fill operation is performed in connection with:

- A. A grading permit; or
- B. Site plan or subdivision approval granted by the Township of Green Land Use Board.

**26-23.6 Proof of compliance with soil cleanup criteria.**

- A. Unless otherwise exempt under the terms of this Chapter, no permit to deposit acceptable soil material upon or used to fill up or raise the surface of any lot, grounds, street, road, or alley in the Township of Green shall be issued unless the applicant submits proof that the acceptable soil material has been tested in conformance with § 26-23.8 of this Chapter, if required, and that it complies with the Technical Requirements for Site Remediation found in N.J.A.C. 7:26E-1.1 et seq., as may be amended.
- B. Proof shall be a letter from a laboratory certified by the State of New Jersey to perform soil analysis, stating that results meet or exceed the present requirements for residential direct contact as contained above, along with the actual test results.

**26-23.7 Fees – Soil Importation.**

0 to 100 cubic yards:      \$0.00

Over 100 cubic yards:      \$150.00 + 0.25 cents for each additional cubic yard

**26-23.8 Supplemental specifications for fill operations with acceptable soil material.**

- A. Any acceptable soil material that will be deposited within the Township of Green, which is to be brought into the Township from outside sources, or from sources as within the Township, must be reviewed by the Township engineer, and, if required by the Township engineer, tested at the source for compliance with the requirements found in N.J.A.C. 7:26E-1.1 et seq., in accordance with § 26-23.8 of this Chapter, and collected and evaluated by a laboratory certified by the State of New Jersey.
- B. Further:
- (1) All expenses connected with such testing are to be borne by the recipient of the fill;
  - (2) The Township shall have the authority to order additional reports or inspections as it may deem necessary and appropriate;
  - (3) Acceptance or rejection of any approved soil material is to be made according to this Chapter and any additional rules or regulations it may from time to time enact; and
  - (4) A minimum of two samples are to be extracted from the source for laboratory analysis for each 500 cubic yard lot, or fraction thereof if from undisturbed natural ground. Testing for all other sources shall be determined based upon the source and volume of the fill to be imported. Samples are to be extracted, tested and evaluated by a state certified laboratory. Samples must be biased to the location of the highest suspected contaminated concentrations, as determined by the laboratory professional or his duly assigned representative.

**26-23.9 Responsibility for obtaining permits.**

Responsibility for obtaining a permit for approval to deposit approved soil material is with the property owner.

**26-23.10 Duration of permit.**

Each permit issued under the terms of this chapter shall be valid only for the location(s) described in the permit and shall be valid for one year from the date of issuance, subject to renewal.

**26-23.11 Violations and penalties.**

Any person, firm or corporation who or which shall violate any provision of this Chapter shall pay the required fees in connection with the permit as outlined herein, plus all costs associated with having the material tested, plus a cost of \$5 for each and every cubic yard of material that has been imported to the site, as determined by the Township. Such person, firm or corporation shall also be liable to a fine of not more than \$2,000 or to imprisonment for a term not to exceed 90 days, or both such fine and imprisonment, at the direction of the Municipal Court. Every day in which such violation continues after due notice has been served shall constitute a separate violation or offense.

**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

\_\_\_\_\_  
Margaret "Peg" Phillips, Deputy Mayor

**Record of Vote – Introduction:**

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

**Record of Vote – Adoption:**

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

INTRODUCED: September 4, 2019  
PUBLIC HEARING: September 16, 2019  
ADVERTISED ADOPTION:

ADVERTISED:  
ADOPTED:



**RESOLUTION 2019-151**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**COUNTY OF SUSSEX, STATE OF NJ**

**CONTINUED SUPPORT OF**  
**FARMLAND PRESERVATION APPLICATION**

**WHEREAS**, the Green Township Committee previously expressed, via Resolution 2018-164, its support for the purchase and development of the following application to the Green Township Municipal Planning Incentive Grant (MUNI PIG) Program for Russell Pittenger, Block 19, Lot 10, approximately 33 acres in size; and

**WHEREAS**, a Green Light letter dated August 7, 2019 was received by the Township from the NJ State Agriculture Development Committee (SADC) stating that the application is complete, accurate and meets the minimum criteria referenced in N.J.A.C. 2:76-6.20.

**WHEREAS**, the Farmland Preservation Program requires two independent appraisals of the value of the farm for Farmland Preservation purposes; and

**WHEREAS**, the Township has received three proposals to provide the necessary appraisal; and


**WHEREAS**, Norman J. Goldberg. Inc. of West Caldwell, New Jersey and Joshua D. Mackoff, LLC of Morristown, New Jersey have provided the lowest quotations for the necessary appraisal work in the amounts of \$1,890.00 and \$1,950.00, respectively;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green that the Township shall engage the services of Norman J. Goldberg. Inc. of West Caldwell, New Jersey and Joshua D. Mackoff, LLC of Morristown, New Jersey, at their quoted price to perform the appraisals of Block 17, Lots 9 and 10.

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Green, County of Sussex, State of New Jersey does hereby continue to offer support for the process and the Pittenger application for the development easement.

DATED: September 4, 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 September 4, 2019.

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

**Record of Vote:**

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

**RESOLUTION ES 2019-11  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

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

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

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

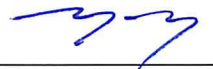
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, County of Sussex, State of New Jersey as follows:

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

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

Dated: September 4, 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 September 4, 2019.

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

**Record of Vote:**

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