

GREEN TOWNSHIP COMMITTEE
MARCH 19, 2018

CALL TO ORDER

Mayor Conkling called the March 19, 2018, 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. Peg Phillips, Mr. Bader Qarmout, Mrs. 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

CONSENT AGENDA:

1. **RESOLUTIONS:**
 - a. Resolution 2018-67 - Approval of License Raffles - Green Township PTA
 - b. Resolution 2018-68 - April is Child Abuse Prevention Month
2. **CORRESPONDENCE:** (Acceptance for Filing of the Following)
 - a. NJLM Legislative Bulletin - February 2018
 - b. Invitation from The Sussex County Chamber of Commerce for May 9, 2018, to attend Dinner and Award Program
 - c. Letter Dated March 1, 2018, from the NJ Marijuana Retailers Association
 - d. Letter Dated March 5, 2018, from Ginnie's House Children's Advocacy Center Regarding Open House for Professionals on April 25, 2018
 - e. Resolution from Sandyston Township Making Formal Complaint to the Board of Public Utilities for the Neglect and Lack of Maintenance of Phone and Cable Lines and Requesting Phone and Cable Companies Visit Sandyston Township to Inspect Their Lines in an Effort to Improve and/or Initiate Vegetation and Management Plan
 - f. Resolution from Sandyston Township Urging the Department of Transportation to Inspect Their Right of Way on the Route 206 Corridor in Sandyston Township and Trim and Remove Dangerous Trees, Their Limbs and Branches, Debris, Trim Vegetation and Initiate a Regular Maintenance Schedule
3. **REPORTS:** (Acceptance for Filing of the Following)
 - a. Sussex County Agriculture Development Board Minutes December 18, 2017
 - b. Tax Collector's Report - February 2018
 - c. Trinca Airport Safety Inspection Report - March 1, 2018
 - d. Shared Municipal Courts of Newton and Green Township February 2018
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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BUDGET:

- a. Resolution 2018-69 - To Read the 2018 Municipal Budget by Title Only

Motion: Mrs. Phillips

Seconded: Mr. Chirip

Discussion: None

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

- b. Resolution 2018-70 - Introduce 2018 Budget

Mr. Chirip motioned to introduce the budget and move to Public Hearing on April 16, 2018

Seconded: Mr. Qarmout

Discussion: Mayor Conkling noted this is the tenth consecutive year the municipal increase has been kept at zero.

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

DISCUSSIONS:

- a. **Presentation by Recreation Advisory Committee Chairperson, Colleen McLean** - Mrs. McLean provided a summary of the Summer Recreation Program that has been in place for approximately 35-40 years. The program typically ran three weeks in July for three hours per day with a field trip on the last day. There has been a decline in enrollment over the last few years. In 2017 the enrollment was only 42 participants. The Recreation Committee has been discussing ways to change the program in order to increase enrollment but keep the costs down. The feedback received is generally attributed to the limited hours the program operates. The three-hour program is difficult for many parents that are both working. There are also a number of other day camp programs offered throughout the summer. Mrs. McLean reviewed the costs for payroll, supplies, insurance and the field trip. There have also been issues with using Green Hills School where the program is held. There are concerns of meeting camp regulations. It is the recommendation of the Recreation Advisory Committee to move to a new program for 2018 to allow the Committee time to research guidelines to be sure the program is running properly. The Recreation Advisory Committee is recommending a two-hour weekly program to be held at EverGreen Park for eight weeks in the summer. The Committee would hire one person to coordinate the program each day to include art, science, and an organized sports game. There would be no charge to the participants and parents are obligated to stay with their child, no supervision will be provided. Mrs. McLean addressed questions of the Committee members. The Committee is in favor of the new program and appreciates the time and effort that went into the presentation.

Mrs. McLean informed the Committee of the change in venue for the Easter Egg Hunt. The Recreation Advisory Committee will hold the event at the firehouse on Sunday, March 25, 2018, at 2:00 p.m. The park remains closed with more snow predicted this week.

Mrs. McLean stated the Recreation Committee was approached with an idea to do a Green Township Cookbook. The Recreation Committee would like to do this as a small fundraiser with proceeds to be used for the Bicentennial Celebration in 2024. Currently, \$1,000.00 each year is budgeted in a trust account for this event. Mrs. McLean provided samples of cookbooks and reviewed the costs associated with printing a cookbook. The idea is to do a time capsule with residents contributing recipes, artwork, photos and stories. The Committee is in favor of this idea. Mrs. Phillips asked for confirmation that it is acceptable that the Township is selling this item to raise funds

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and this money will be encumbered into the bicentennial trust. The Township Attorney recommends using the money that is already in the trust account to pay for the printing of the books, then reimburse that account after profits are received.

The Committee thanked Mrs. McLean and the Recreation Advisory Committee for all their efforts and work they do coordinating events for Green Township residents.

OLD BUSINESS: None

NEW BUSINESS:

- a. Minutes ready for approval - March 5, 2018, regular session

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			

- b. Resolution 2018-66 - Release of Bond/Escrow - Forest Knoll

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	

MATTERS FROM THE GOVERNING BODY: Mrs. Phillips would like to revisit communication issues from the Township to the residents in order to determine the most efficient ways to reach everyone. There are many social media aspects that are available, however the Township must look at legal guidance and rules when using social media. Mrs. Phillips remarked that Swift 911 was promoted by the Township and should be the preferred method used. The Committee directed the Township Clerk to find out how many are registered under Swift 911 and to include in the Green Grapevine how to register to sign up to receive communications. Mayor Conkling noted there will be a follow-up OEM meeting where communications will be discussed as well.

Mr. Qarmout thanked Mayor Conkling for his leadership during the recent snow storm. The relaying of information and updates made a difference and is very much appreciated.

Mrs. Raffay thanked Mayor Conkling also for an excellent job.

Mr. Chirip commended Mayor Conkling for his leadership, along with Mr. Mike Rose, Mr. Watson Perigo and everyone involved in the storm effort. Mr. Chirip noted that the Township should look into rules and regulations with the anticipation of New Jersey legalizing marijuana for recreational use. Mr. Chirip inquired if there is a noise ordinance on motor bikes in residential areas. The Township Attorney will research at the dais.

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Mayor Conkling stated that he tried to thank everyone that participated in the storm recovery in the Mayor's Letter in the Green Grapevine. Mayor Conkling would like to thank Congressman Gottheimer for his recent visit to Green Township. Mayor Conkling would like to work with the Congressman's office to see how JCP&L can be held accountable.

Mrs. Phillips referenced the two resolutions recently adopted by Sandyston Township formalizing their complaint to the Board of Public Utilities (BPU). The Committee is of the opinion that JCP&L should have a better management plan. After a brief discussion, Mrs. Phillips motioned to consider similar resolutions to encourage the BPU to make sure they are in compliance.

Seconded: Mrs. Raffay

Discussion: No further discussion.

All were in favor.

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

At the last meeting the Committee requested financial information concerning a proposed zone change in Ordinance 2018-03. It has been determined that a minimum of 1,600 properties would need to be noticed by Certified Mail. The current rate for Certified Mail is \$6.74 per letter. This would result in an additional cost of approximately \$10,700 to adopt this ordinance. The proposed zone changes can be reviewed by the Land Use Board in their review of the Master Plan this year.

The Township has received a request for the consideration of the sale of a portion of the EverGreen Trail property. Mr. Zschack reviewed the map which was distributed to show the current properties as well as a portion of the Township property in consideration. We are looking for direction from the Township Committee as what course of action to be taken. A brief discussion was held, the Committee is in favor of leasing the property. The Committee directed the Township Clerk to obtain the fair market value and report at the next meeting.

On Friday, March 16, 2018, the Municipal building lost electric power as a result of damage to the utility pole located at the rear of the building. The building was closed early but when power was resumed at approximately 2:00 p.m. the Deputy Clerk returned to complete the agenda. The generator failed to start due to an electric board malfunctioning. This part is now on order and should be replaced very soon. We still have questions for our generator maintenance service as to why this board failed. This event also wreaked havoc on the phone system that is only partially operating. This will be addressed tomorrow.

A few weeks ago, the Road Department workers approached Mr. Zschack concerning a stipulation with overtime pay. They feel that it is an unfair policy, on page 3.2, concerning overtime, so it was discussed with the Personnel Subcommittee. Mr. Zschack is in agreement with the road department and feels it is his obligation to speak up for them. We are in the middle of a revaluation of the current Employee Handbook and are looking for direction from the Township Committee on this important issue. A discussion ensued concerning overtime paid after 8 hours worked versus overtime paid after 40 hours worked.

Mrs. Phillips motioned to change the overtime policy to time and a half after 8 hours worked for a one-year period to be revisited on April 1, 2019, for reconsideration for setting the policy, effective immediately.

Seconded: Mr. Qarmout

Discussion: No further discussion

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

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MATTERS FROM THE TOWNSHIP ATTORNEY: Mrs. Leo requested to amend the agenda for Executive Session to include Attorney-Client Privilege concerning Social Media Use. Mrs. Leo researched the Ordinance concerning motor bikes in response to Mr. Chirip's question and found State Statute 362 stating no motorized bikes between 8:00 p.m. and 8:00 a.m., 30-51.2 contains general noise ordinance standards.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Mr. Perigo commented that the DPW is still doing some cleanup from the last storm. Mayor Conkling noted there are many trees that are leaning toward the power lines. There is concern of those trees impacting those lines in a major storm. Mr. Perigo stated the road department has been keeping a list of those areas of concern to be reported to JCP&L. Mr. Perigo noted that a few mailboxes have been damaged during plowing which will be replaced. Mailboxes that are not hit directly by the plow will not be replaced.

PUBLIC COMMENTS AND/OR QUESTIONS: Mrs. Josephine Fracasso, 111 Hibler Road, thanked Mayor Conkling and Mr. Zschack for the excellent communications and updates provided during the recent storm. Nextdoor Green Township is also very helpful. The Road Department did an excellent job clearing the township roads. Mrs. Fracasso asked if there will be notice of change of venue for the Easter Egg Hunt to be held this coming Sunday. Mrs. McLean stated that information will be posted where applicable.

Mayor Conkling closed Public Session.

EXECUTIVE SESSION: Resolution ES 2018-02 - Attorney-Client Privilege - Stagnari and Social Media Use
Mr. Chirip motioned to enter Executive Session at 9:04 p.m.

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

The Committee returned to Public Session at 9:48 p.m.

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

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

Mr. Chirip motioned to approve Resolution 2018-71 granting a refund request from Land Use Board application escrow fees.

Seconded: Mr. Qarmout

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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ADJOURNMENT:

Mr. Chirip motioned to adjourn at 9:40 p.m.

Seconded: Mr. Qarmout

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: April 2, 2018

RESOLUTION 2018-67
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

RAFFLE LICENSE APPROVAL

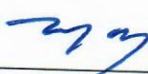
BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that four (4) Raffle Licenses be issued to the Green Township PTA for:

Purse Bingo
On Premises 50/50 Draw Raffle Draw
On Premises Merchandise Draw Raffle

to be held May 12, 2018, 3:00 p.m. to 12:00 a.m.
at the Green Hills School

DATED: March 19, 2018

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 December 12, 2016.



Mark Zschack, Township Clerk

Record of Vote:

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

**RESOLUTION 2018-68
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

APRIL IS CHILD ABUSE PREVENTION MONTH PROCLAMATION

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

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

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

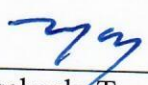
WHEREAS, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

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

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

DATED: March 19, 2018

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on March 19, 2018.



Mark Zschack, Township Clerk

Record of Vote:

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

RESOLUTION 2018-69
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

A RESOLUTION TO READ THE 2018 MUNICIPAL BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection; and

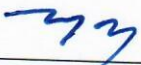
WHEREAS, the conditions required by N.J.S.A. 40A:4-8 will be satisfied for the 2018 Municipal Budget by Township Officials.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Green in the County of Sussex and State of New Jersey, that the 2018 Municipal Budget shall be read by title only at the Public Hearing on April 16, 2018.

This Resolution shall take effect immediately upon adoption according to law.

DATED: March 19, 2018

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on March 19, 2018.



Mark Zschack, Township Clerk

Record of Vote:

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

RESOLUTION 2018-70
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

INTRODUCE 2018 BUDGET

BE IT RESOLVED that the Local Municipal budget of the Township of Green, County of Sussex, New Jersey for the fiscal year 2018 be approved by the Township Committee of the Township of Green, and the Clerk is hereby instructed to advertise in the New Jersey Herald on March 23, 2018, and that a final public hearing before passage will be held on April 16, 2018, at 7:00 P.M. at the Municipal Building and that said budget shall authorize total general appropriations of \$3,515,690.98 and the anticipated revenues of \$1,003,885.49 leaving an amount to be raised by taxes for municipal purposes of \$2,511,805.49.

DATED: March 19, 2018

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on March 19, 2018.



Mark Zschack, Township Clerk

Record of Vote:

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

RESOLUTION 2018-66
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

RELEASE OF BOND / ESCROW

WHEREAS, the attached request has been received for the release of a bond / escrow;

WHEREAS, the application mentioned below has proceeded according to approvals granted; and,

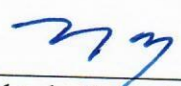
WHEREAS, this office has obtained notices from the appropriate Township Officials (attached), authorizing the release of the bond / escrow account listed below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY, is hereby authorized to refund said escrow / bond fund:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME AND ACCOUNT #</u>	<u>AMOUNT</u>
79.01	10	Forest Knoll – DW#1502 Acct. #14-288-70-1502-00	\$123.00
18	77	Forest Knoll – Bond DW Acct. # 14-288-56-4062-00	\$1,400.00

DATED: March 19, 2018

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on March 19, 2018.



Mark Zschack, Township Clerk

cc: Kim Mantz, Land Use Board Secretary
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION ES 2018-02
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;

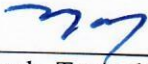
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green, County of Sussex, State of New Jersey as follows:

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

Dated: March 19, 2018

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on March 19, 2018.



Mark Zschack, Township Clerk

Record of Vote:

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

**RESOLUTION 2018-71
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY**

**RESOLUTION GRANTING A REFUND REQUEST FOR
LAND USE BOARD APPLICATION AND ESCROW FEES**

WHEREAS, Ronald and Denise Stagnari filed an administrative appeal of a Zoning/Construction permit issued for Block 20, Lot 11; and

WHEREAS, Green Township Code Section 33-2(a) requires payment of an application fee and escrow deposit for appeals of zoning officer decisions, per the MLUL; and

WHEREAS, the Stagnaris submitted a \$750 application fee and a \$2,000 escrow deposit in order to appeal the Zoning Officer's decision; and

WHEREAS, the Green Township Land Use Board granted the Stagnaris appeal of the Zoning Officer's decision; and

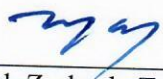
WHEREAS, the Stagnaris have made a request for a refund of the application fee and escrow deposit; and

WHEREAS, the Green Township Committee has considered the request and determined that in this unique instance, since the appeal was granted and in exchange for a waiver from the Stagnaris, the application fee and escrow should be returned.

NOW THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Green that the request of Ronald and Denise Stagnari for the refund of the application fee of \$750 and escrow deposit of \$2,000 for their administrative appeal is hereby approved.

DATED:

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on March 19, 2018.



Mark Zschack, Township Clerk

Record of Vote:

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