

**MINUTES
GREEN TOWNSHIP COMMITTEE
OCTOBER 16, 2017**

CALL TO ORDER

Mayor Phillips called the October 16, 2017, 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, Mr. Bader Qarmout, Mrs. Ginnie Raffay, and Mayor Peg Phillips
Also present: Mr. Mark Zschack, Clerk/Administrator; Mrs. Ursula Leo, Township Attorney; Mr. Watson Perigo, Municipal Department Head; and Mrs. Patty DeClesis, Deputy Clerk

Absent: Mr. Daniel Conkling

Mr. Chirip motioned to excuse the absent member.

Seconded: Mr. Qarmout

Discussion: None

All were in favor

DISCUSSIONS:

- a. Cell Tower Lease Agreement - Mayor Phillips stated this discussion is based on the letter received September 5, 2017, from American Tower offering to purchase the land of the cell tower. Mr. Zschack distributed and reviewed the cell tower lease comparison of what the Township would be paid through 2034. The Committee reviewed the current contract. At this time, the Committee is of the opinion that this is a great revenue for the Township and will retain the current lease agreement.

CONSENT AGENDA:

RESOLUTIONS:

- a. Resolution 2017-149 - Developers Escrow Trust (08/30/2017 to 10/10/2017)
- b. Resolution 2017-150 - To Join the Sussex County Economic Development Partnership

CORRESPONDENCE: (Acceptance for Filing of the Following)

- a. Resolution dated September 28, 2017, adopted by the New Jersey General Assembly encouraging New Jersey homeowners to plant native plants that support bee populations and create habitat for all populations
- b. Letter dated September 21, 2017, from New Jersey Senate thanking Green Township for their support for Assembly Bill 4532 and Senate Bill 3049
- c. Letter dated October 5, 2017, from State of New Jersey Division of Rate Counsel concerning the Sussex-Warren Area Energy Cooperative Program
- d. Resolution dated October 2, 2017, from the Borough of Hamburg Supporting a Sussex County Consolidated School System

REPORTS: (Acceptance for Filing of the Following)

- a. Sussex County Water Quality Management Advisory Committee Minutes - July 13, 2017
- b. Tax Collector's Report - August and September 2017
- c. Open Space Advisory Committee Meeting Minutes - August 2, 2017
- d. Trinca Airport Inspection Report - September 27, 2017 and October 1, 2017
- e. Construction Permit Fee Log Report - September 2017
- f. Sussex County Agriculture Development Board Minutes - August 21, 2017
- g. Sussex County Open Space Committee Minutes - August 24, 2017 and September 9, 2017
- h. Treasurer's Report - August 31, 2017

APPLICATIONS: (Approval of the Following)

None

MINUTES GREEN TOWNSHIP COMMITTEE OCTOBER 16, 2017

MINUTES:

Minutes ready for approval - October 2, 2017, regular session

Mr. Chirip motioned to approve the Consent Agenda.

Seconded: Mr. Qarmout

Discussion: None

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

OLD BUSINESS: None

NEW BUSINESS:

- a. Resolution 2017-147 - Award Contract to Suburban Consulting Engineers to conduct an inspection of the Lake Tranquility Dam

Motion: Mr. Chirip

Seconded: Mrs. Raffay

Discussion: Mrs. Raffay questioned if this is a conflict of interest for Suburban Consulting Engineers to inspect their own work. It was noted that Suburban Engineers did not build the dam, they are conducting an annual inspection.

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

- b. Resolution 2017-148 - Appoint Agricultural Advisory Committee Members

Motion: Mr. Qarmout

Seconded: Mrs. Raffay

Discussion: Mayor Phillips asked if Mr. Chirip should recuse himself. Mr. Chirip indicated that he will recuse himself from the vote.

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

- c. Resolution 2017-151 - Authorize Agreement to Join Statewide Insurance Fund

Motion: Mr. Chirip

Seconded: Mrs. Raffay

Discussion: Mr. Chirip noted all the coverages included under the Statewide Insurance.

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

**MINUTES
GREEN TOWNSHIP COMMITTEE
OCTOBER 16, 2017**

d. Resolution 2017-152 - Appoint Fund Commissioner

Motion: Mr. Chirip

Seconded: Mrs. Raffay

Discussion: Mr. Qarmout questioned the Fund Commissioner. Mayor Phillips clarified that a Fund Commissioner is named each year.

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

MATTERS FROM THE GOVERNING BODY: No matters for discussion.

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

One of the Green Township Volunteer Fire Trucks was involved in a minor accident on October 12, 2017. There is no damage to the truck.

Letter received from Sussex County Probation Community Service notifying us of a person to do community service in Green Township. The Committee briefly discussed recommended projects to be done on the outside the municipal building

MATTERS FROM THE TOWNSHIP ATTORNEY: One matter to be discussed in Executive Session regarding pending litigation with Mid-American Salt.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD:

- Mayor Phillips asked about the guard rails on County Roads. They have been damaged for quite some time. Mr. Zschack will send a letter to the County.
- Morris County Co-op salt prices are 91 cents a ton.
- Crack sealing is nearly complete.

PUBLIC COMMENTS AND/OR QUESTIONS: No public comments.

EXECUTIVE SESSION: Resolution ES2017-13 - Potential Litigation - Mid American Salt

Mr. Qarmout motioned to enter into Executive Session at 7:35 p.m.

Seconded: Mr. Chirip

Discussion: None

All were in favor.

Mayor Phillips announced that no action is expected to be taken.

Mrs. Raffay motioned for the Committee to return to Open Session at 7:47 p.m.

Seconded: Mr. Chirip

Discussion: None

All were in favor.

ADJOURNMENT:

Mr. Chirip motioned to adjourn at 7:47 p.m.

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

**MINUTES
GREEN TOWNSHIP COMMITTEE
OCTOBER 16, 2017**

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



Mark Zschack, RMC
Township Clerk

Date Approved: November 6, 2017

RESOLUTION 2017-149
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

DEVELOPERS ESCROW TRUST (08/30/2017 to 10/10/2017)

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the List of Bills for the Developers Escrow Trust dated from 08/30/2017 to 10/10/2017 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: October 16, 2017

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 October 16, 2017.



Mark Zschack, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

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

Meeting Date: 10/16/2017 For bills from 08/30/2017 to 10/10/2017

Check#	Vendor	Description	Payment	Check Total
7325	1908 - Brady & Correale, LLP	PO 12919 LU1305 Crossed Keys	2,625.00	
		PO 12920 LU1704 Turner & Johnsson	112.50	2,737.50
7326	1877 - J. Caldwell & Associates	PO 12881 LU1305 Crossed Keys	1,309.00	1,309.00
7327	520 - Suburban Consulting Engineers, Inc.	PO 12884 DW1506 Alles	560.51	
		PO 12909 DW1508 Petillo	446.85	
		PO 12910 SE1212 Oak Run LLC	79.25	
		PO 12911 SE1412 Crossed Key-Inspections	51.00	
		PO 12912 DW7035 Forest Knoll	659.68	
		PO 12913 SE1214 Ridge Rock LLC	51.00	
		PO 12914 SE1408 Ceder Peak LLC	79.25	
		PO 12921 SE1615 NJ Conf of Seventh-Day Adven	51.00	1,978.54
7328	520 - Suburban Consulting Engineers, Inc.	PO 12915 SE1611 Besbris	102.00	
		PO 12916 SE1616 Sonick Realty/Cavallone, 223	51.00	
		PO 12917 LU1305 Crossed Keys	1,240.99	1,393.99
TOTAL				7,419.03

Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST

7,419.03

7,419.03

RESOLUTION 2017-150
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 2017 contribution to the Sussex County Economic Development Partnership, Inc. in the amount of \$200.00.

DATED: October 16, 2017

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 October 16, 2017.



Mark Zschack, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

RESOLUTION 2017-147
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that a regular dam inspection be conducted prior to the end of 2017 for the Lake Tranquility Dam;

WHEREAS, Daren Phil of Suburban Consulting Engineers, Inc. is the Municipal Engineer for the Township of Green for 2017; and

WHEREAS, Mr. Phil has submitted a written proposal dated October 4, 2017, for the dam inspection and report, the review of both the Environmental Action Plan (EAP) and operation and maintenance manual and coordinating, planning and conducting a tabletop drill to satisfy a condition of the EAP. Suburban Consulting Engineers, Inc. will schedule the inspection and coordinate the EAP drill; and

WHEREAS, Mr. Phil's proposal is in a total amount of \$2,850.00; and

WHEREAS, funds are available for this project;

NOW THEREFORE BE IT RESOLVED that the Mayor and Township Committee of the Township of Green that the proposal of Daren Phil of Suburban Consulting Engineers, Inc., of October 4, 2017, in the amount of \$2,850.00 be approved; and,

BE IT FURTHER RESOLVED that a professional services contract in an amount not to exceed \$2,850.00 be awarded to Daren Phil of Suburban Consulting Engineers, Inc. for the inspection and report updating and review of both the EAP and operation and maintenance manual and coordinating, planning and conduction of a tabletop drill for the EAP.

DATED: October 16, 2017

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 the regular meeting held on October 16, 2017.



Mark Zschack, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

RESOLUTION 2017-148
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY
AGRICULTURAL ADVISORY COMMITTEE APPOINTMENTS

BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, does hereby approve the following appointments as members of the Green Township Agricultural Advisory Committee:

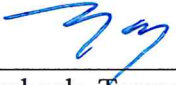
James Chirip

Louis Tomasso

Richard Vohden

DATED: October 16, 2017

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 October 16, 2017.



Mark Zschack, Township Clerk

Vote on Resolution:

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

RESOLUTION 2017-151
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY

RESOLUTION TO JOIN STATEWIDE INSURANCE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, the Township of Green (LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2018** terminating on **January 1, 2021** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s):

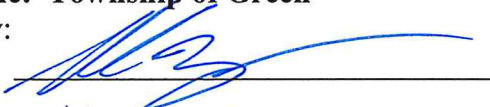
- Workers’ Compensation & Employer’s Liability
- Comprehensive General Liability
- Automobile Liability and Physical Damage
- Public Officials and Employment Practices Liability
- Pollution Liability
- Property
- Inland Marine Boiler and Machinery
- Crime-Faithful Performance and Fidelity
- Cyber Liability
- Non Owned Aircraft

RESOLUTION 2017-151
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY

BE IT FURTHER RESOLVED that Mark Zschack, Township Clerk/Administrator, is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Member name: Township of Green

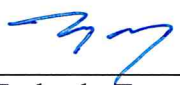
By: 

Title: Mayor, Green Township

DATED: October 16, 2017

ATTEST:

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 October 16, 2017.



Mark Zschack, Township Clerk

cc: Linda Padula, CFO

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

RESOLUTION 2017-152
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY

APPOINT FUND COMMISSIONER

WHEREAS, the Township of Green (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Green that the Green Township Clerk/Administrator is hereby appointed as the Fund Commissioner for the Local Unit for the year 2018; and

BE IT FURTHER RESOLVED that Green Township Deputy Clerk is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2018; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

DATED: October 16, 2017

Township of Green
Mayor, Margaret “Peg” Phillips



ATTEST:

I, Mark Zschack, Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on October 16, 2017.



Mark Zschack, Township Clerk

Vote on Resolution:

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

**RESOLUTION ES 2017-13
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

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

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

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

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

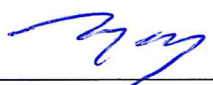
1. The public shall be excluded from discussion of and action upon and hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:

_____ Personnel _____ Contract _____ Real Property

_____ Public Safety X Litigation/Potential Litigation _____ Attorney-Client Privilege
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: October 16, 2017

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 October 16, 2017.



Mark Zschack, Township Clerk

Record of Vote:

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