

**MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING OCTOBER 17, 2022**

CALL TO ORDER

Mayor Phillips called the October 17, 2022, 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, James DeYoung, Mr. Virginia "Ginnie" Raffay, and Mayor Margaret "Peg" Phillips

Absent: Mr. Bader Qarmout

Chirip motioned to excuse the absent member.

Seconded: Raffay

Discussion: None

All were in favor.

Also present: Mr. Mark Zschack, Township Clerk/Administrator; Mr. Angelo Bolcato, Township Attorney; Mr. Jason Miller, Superintendent of Public Works; and Mrs. Patty DeClesis, Deputy Clerk

OPEN PUBLIC SESSION #1: Mayor Phillips opened the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. There being no public comments presented, Mayor Phillips closed Open Public Session #1.

CONSENT AGENDA:

1. RESOLUTIONS: (Approval of the Following)

- a. Resolution 2022-160 - Establish Halloween Curfew

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

- a. Letter Received October 5, 2022, from New Jersey State League of Municipalities Regarding Notice of Proposed Membership Dues
- b. Township of Hardyston Resolution Adopted on September 28, 2022, Opposing Tier A Designation
- c. Township of Hampton Resolution Adopted on September 27, 2022, Opposing Tier A Designation
- d. Notice of Public Hearing Aqua New Jersey, Inc., Scheduled for October 26, 2022

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

- a. Tax Collector's Report - September 2022
- b. Sussex County Planning Board Minutes - June 6, 2022
- c. Sussex County Open Space Committee Minutes - June 23, 2022
- d. Sussex County Planning Board Minutes - September 12, 2022
- e. Animal Control Officer Report - July to September 2022

Raffay motioned to move Consent Agenda

Seconded: DeYoung

Discussion: None

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

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DISCUSSIONS: State Health Benefits Plan Proposed Increase - A lengthy, detailed discussion ensued concerning the benefit plans for the Township employees. The discussion resulted in the Committee agreeing to limit the medical plans to the following under the State Health Benefits Program (SHBP):

- NJ Direct 15 Plan in Category 1
- NJ Direct 1525 Plan in Category 2
- Omnia Health Plan in Category 3
- NJ Direct 2035 in Category 4
- NJ Direct HD1500 Plan in Category 5

Motion: DeYoung

Seconded: Raffay

Discussion: Mr. Zschack stated that he has concerns that this will affect the DPW employees.

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

OLD BUSINESS: None

NEW BUSINESS:

a. Resolution 2022-158 - Authorize Change Order and Final Payment for Cape Seal Project

Motion: Chirip

Seconded: DeYoung

Discussion: Raffay commented that the two streets have not yet changed color after the completion of the cape seal process. Mr. Zschack stated that they will change and become smoother with more traffic on the road.

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

b. Resolution 2022-159 - Bills List (09/27/2022 to 10/13/2022)

Motion: Raffay

Seconded: Chirip

Discussion: None

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

c. Resolution 2022-161 - In Opposition to the Reassignment by the NJDEP From Tier B to Tier A

Motion: Chirip

Seconded: Raffay

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GREEN TOWNSHIP COMMITTEE
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Discussion: Mr. Zschack stated the number missing on resolution is 32%. Mayor Phillips asked if there is a breakdown of the percentage, which Mr. Zschack provided. A discussion ensued concerning whether to include the percentage in the resolution. The Committee agreed to remove the paragraph that includes the percentage of

Chirip motioned to amend the previous motion to remove the paragraph

Seconded: DeYoung

Discussion: None

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

Discussion: None

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

d. Minutes ready for approval - October 3, 2022, Regular Meeting and Executive Session

Motion: Raffay

Seconded: DeYoung

Discussion: None

Upon roll call vote:

Ayes: Chirip, DeYoung, Raffay, Phillips

Nays: None

Abstentions: None

Absent: Qarmout

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

2023 Budget - The CFO has sent the department budgets to the respective employees. The first budget workshop will be held November 7th starting at 6:30 p.m.

SCMUA - The proposed 2023 SCMUA rate for ID10 garbage disposal will remain the same at \$96.00 per ton.

Annual PEOSH Training - All six DPW personnel attended and completed the annual PEOSH training for: Hazard Communication RTK, Bloodborne Pathogens and Fire Safety/Fire Extinguisher training.

DPW Software - We will be purchasing a software program that will map and track all Township assets such as:

- All street Signs
- Fire hydrants
- Guide rails
- Catch Basins
- Manholes

MINUTES
GREEN TOWNSHIP COMMITTEE
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- Outflow drainage structures
- Trees in need of removal
- Inventory
- Monthly Reports
- Any and all assets

The initial cost can be covered with 2021 monies that are no longer needed for the designed purpose. If a contract is executed for November 1, 2022, the \$3,500 would be pro-rated for the remainder of the year. (Approx \$600) With a \$2,000 start-up cost total would be about \$2,600. Future yearly costs will be \$3,500 utilizing existing monies within the DPW budget to cover cost.

MATTERS FROM THE GOVERNING BODY: Mrs. Raffay commented that she has encountered two off road motorized vehicles. It is suggested to send a letter asking to secure the area to the former train tracks.

Mayor Phillips stated that the Personnel Subcommittee met with a candidate for the Land Use Board and recommend for the Alternate 4 position. A resolution will be on the agenda for the next Committee meeting.

Mayor Phillips asked if we are having any issues with recycling in town, with residents using plastic bags for recycling and Blue Diamond not picking them up. Mr. Zschack and Mrs. DeClesis responded that they are unaware of any issues. Mayor Phillips asked to contact Blue Diamond to get clarification so that the residents can be notified.

MATTERS FROM THE TOWNSHIP ATTORNEY: Mr. Bolcato stated that he has a few matters for discussion in Executive Session.

MATTERS FROM THE SUPERINTENDENT OF PUBLIC WORKS: Mr. Miller stated that the DPW had their yearly hazard communication, right to know and fire extinguisher training. Still working on switching gears

OPEN PUBLIC SESSION #2: Mayor Phillips opened Public Session #2 for public comments.

Mrs. Josephine Fracasso, 111 Hibler Road commented on the health care benefits.

There being no further public comments offered, Mayor Phillips closed Open Public Session #2.

EXECUTIVE SESSION: Resolution ES2022-22 - Contract Negotiations - Fire Coverage Services
- Attorney-Client Privilege - Discrimination Complaint
- Contract Negotiations - Township Attorney

Raffay motioned to enter Executive Session at 8:47 p.m.

Seconded: DeYoung

Discussion: None

All were in favor.

The Committee returned to Open Public Session at 9:11 p.m.

Raffay motioned to adjourn Executive Session and return to Open Public Session

Seconded: Chirip

MINUTES
GREEN TOWNSHIP COMMITTEE
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Discussion: None
All were in favor.

Mayor Phillips noted the next Township Committee Meeting is scheduled for Monday, November 7, 2022, at 6:30 p.m.

ADJOURNMENT:

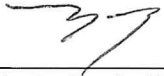
Raffay motioned to adjourn at 9:11 p.m.

Seconded: DeYoung

Discussion: None

All were in favor.

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



Mark Zschack, RMC
Township Clerk

Date Approved: November 7, 2022

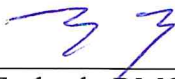
RESOLUTION 2022-160
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

ESTABLISH HALLOWEEN CURFEW

BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, State of New Jersey does hereby declare a curfew time of 9:00 p.m. for all minors for the evenings of October 30 and 31, 2022.

Dated: October 17, 2022

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on October 17, 2022.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

**RESOLUTION 2022-158
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

**AUTHORIZE CHANGE ORDER NO. 1 AND FINAL PAYMENT
FOR
CHIP SEALING VARIOUS STREETS
(Quaker Road & Old Forge Road)**

WHEREAS, on September 7, 2022 the Township of Green adopted Resolution 2022-152 awarding a contract to Morris Asphalt Company, Inc., in an amount not to exceed \$18,680.00 for oil and stone treatment (chip sealing) various streets; and

WHEREAS, the Township Engineer has reviewed the submitted invoices and recommends the approval of said invoices; and

WHEREAS, the total amount to be paid to Morris Asphalt Company, Inc., for the work completed will result in a change order that will **decrease** the final contract amount by \$2,798.66.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green that it does hereby approve the Change Order No. 1 for a **decrease** of \$2,798.66 and authorize final payment of \$15,881.34 to Morris Asphalt Company, Inc.

DATED: October 17, 2022

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on October 17, 2022.



Mark Zschack, RMC, Township Clerk

cc: Linda Di Lorenzo, CFO

Record of Vote:

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

RESOLUTION 2022-159
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

BILLS LIST (09/27/2022 to 10/13/2022)

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the List of Bills dated from 09/27/2022 to 10/13/2022 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: October 17, 2022

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on October 17, 2022.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

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

Meeting Date: 10/17/2022 For bills from 09/27/2022 to 10/13/2022

Check#	Vendor	Description	Payment	Check Total
11532	1993 - ACF Landscape Design, Inc.	PO 15556 2022 Mowing and Trimming	6,460.00	6,460.00
11533	1625 - Aqua New Jersey	PO 15523 Fire Hydrant Bill 2022	2,514.78	2,514.78
11534	33 - AT&T	PO 15430 Long Distance 2022	78.43	78.43
11535	1825 - Ben Shaffer Recreation Inc.	PO 15698 Park Equipment	48.31	48.31
11536	14 - Blue Diamond Disposal, Inc.	PO 15323 2022 Waste & Recycling Collection	25,000.00	25,000.00
11537	498 - Blue Ridge Lumber Co., Inc.	PO 15384 Hardware Supplies	118.48	118.48
11538	358 - FRA Technologies Inc.	PO 15699 2023 Contract MAC's Program	675.00	675.00
11539	2046 - General Code, LLC	PO 15623 2022 Codification Services/Annual Mainte	1,195.00	1,195.00
11540	528 - Griffith-Allied Trucking LLC	PO 15353 Diesel Fuel Delivery	1,875.33	
		PO 15354 Gasoline Delivery	1,098.74	2,974.07
11541	188 - Home Depot Credit Services	PO 15385 Supplies	528.05	528.05
11542	190 - JCP& L	PO 15700 September Electric Bill 2022	1,010.62	1,010.62
11543	1153 - Lowe's	PO 15387 Supplies/Hardware	2,713.65	2,713.65
11544	1277 - Morris Asphalt Company, Inc.	PO 15691 Chip Sealing various streets	15,881.34	15,881.34
11545	192 - Newton Trophy & Sport Center LLC	PO 15675 Plaque for Danny Conkling's Pavillion De	600.00	600.00
11546	1892 - PenTeleData	PO 15434 Internet Service for MB 2022	170.90	170.90
11547	2039 - Rutgers, The State University of NJ	PO 15657 Registration for Intro to Accounting Kim	575.00	575.00
11548	1046 - Sheaffer Supply, Inc	PO 15388 Nuts & Bolts	139.86	139.86
11549	114 - Sussex County MUA	PO 15397 Municipal/Household Waste	4,170.24	4,170.24
11550	76 - Tomar Industries, Inc.	PO 15487 Janitorial Supplies 2022	240.30	240.30
11551	1703 - Town of Newton	PO 15316 Municipal Court - Shared Services	11,750.00	11,750.00
11552	2078 - UniFirst Corporation	PO 15366 Uniform Rental	461.88	461.88
11553	29 - Verizon Wireless	PO 15396 DPW Cell Phone Service 2022	247.50	
		PO 15444 Modem-OEM 2022	38.01	285.51
11554	105 - W.E. Timmerman Equipment Co., Inc.	PO 15363 DPW Sweeper	6,394.96	6,394.96
11555	75 - Weldon Quarry Co., LLC	PO 15334 Asphalt & Cold Patch	5,426.61	5,426.61
11556	994 - Wm. H. Wilson Enterprises, Inc.	PO 15330 Septic Tank Service- 9/22/2022	1,770.00	1,770.00
TOTAL				91,182.99

to be paid from Fund 01 CURRENT FUND
 Total to be paid from Fund 12 ANIMAL FUND

90,507.99

675.00

=====

91,182.99

Checks Previously Disbursed

9999	Payroll Account	9/30/2022	42,547.19	9/27/2022
11528	Ultimate Outdoor Movies, LLC	PO# 15121 10/16/21 Drive in Movie	1,440.24	10/07/2022
11529	GateHouse Media New York Holdings Inc	PO# 15564 Legal Ads	216.78	10/07/2022
11530	Optimum	PO# 15307 Cable-boxes MB 2022	30.00	10/13/2022
11531	Optimum	PO# 15308 Cable boxes-DPW 2022	12.00	10/13/2022

				44,246.21

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	44,246.21	90,507.99	134,754.20
Fund 12 ANIMAL FUND		675.00	675.00

BILLS LIST TOTALS	44,246.21	91,182.99	135,429.20
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RESOLUTION 2022-161
TOWNSHIP COMMITTEE — TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, AND STATE OF NEW
JERSEY IN OPPOSITION TO THE REASSIGNMENT BY THE NEW
JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OF
ALL MUNICIPALITIES CURRENTLY DESIGNATED TIER B UNDER
THE MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT
PROGRAM TO TIER A DESIGNATION

WHEREAS, it has come to the attention of the Township Committee of the Township of Green ('Township') that the New Jersey Department of Environmental Protection ('NJDEP') intends to reassign to 'Tier A' designation under the Municipal Separate Storm Sewer System permit program ('Permit Program') all New Jersey municipalities currently designated 'Tier B' ('Reassignment Plan'); and

WHEREAS, compliance with the Permit Program for a municipality designated 'Tier A' ("Tier A") is far costlier and more onerous than compliance for a municipality designated 'Tier B' ("Tier B"); and

WHEREAS, under the existing designation system ('Existing Designation System'), the Tier B designation was specifically created for municipalities that are located in more rural areas and non-coastal regions, while the Tier A designation was created for municipalities that are located within the more densely populated regions of the state or along or near the coast; and

WHEREAS, the Existing Designation System makes logical sense, as the costly and onerous compliance required for municipalities designated Tier A is necessitated by the population densities and environmental concerns of Tier A municipalities; and

WHEREAS, the Existing Designation System makes logical sense also for municipalities designated Tier B, as Tier B municipalities generally do not have the population densities; and environmental concerns of their Tier A counterparts; and

WHEREAS, many municipalities designated Tier B under the Existing Designation System simply do not have the resources to comply with Tier A designation, unlike their Tier A counterparts; and

WHEREAS, the State, however well-intentioned in its actions, continues to saddle municipalities with additional responsibilities via its **unfunded mandates**; and

WHEREAS, not only is this an unfunded mandate, the additional cost and expense on municipalities such as the Township of Green is unduly burdensome and unjustified. The NJDEP has not considered the impact that this will have on Township personnel and will necessitate the Township having to incurring additional costs and expenses for professional services and in house personnel in order to address the additional requirements being dumped on the Township; and

RESOLUTION 2022-161
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

WHEREAS, the NJDEP's decision to simply lump all municipalities in the State, regardless whether they are a high-density city, a coastal community or a rural, sparsely populated municipality, into one bucket creates a real material adverse effect on municipalities, such as the Township that are already facing significant budget constraints. While the NJDEP promises to offer some limited assistance in order to address the initial reporting requirements this is likely to pale in comparison to the ongoing financial burden that this will place on the Township. The NJDEP is effectively easing its burden by only having to regulate one Tier of properties, rather than the two (2) tiers currently in existence, at the expense of the existing Tier B communities that are going to have to bear the brunt of the NJDEP's unwarranted and intrusive decision.

WHEREAS, reassignment by the NJDEP to Tier A designation for all New Jersey municipalities currently designated Tier B under the Existing Designation System will result in a redistribution of these municipalities' limited resources, away from their crucial government functions; and

WHEREAS, the Township wholeheartedly supports taking action to better protect and improve the quality of its own waterways, as well as waterways throughout the State; and

WHEREAS, the Township simply views the NJDEP's Reassignment Plan as a costly, unfair, and ineffectual approach to improving the well-being of the State's waterways.

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

1. The Township of Green hereby urges members of the New Jersey Assembly and Senate to support, co-sponsor, and adopt legislation that would prevent the New Jersey Department of Environmental Protection ('NJDEP') from reassigning to 'Tier A' designation under the Municipal Separate Storm Sewer System permit program New Jersey municipalities that are currently designated 'Tier B.'

2. The Township of Green hereby urges the Governor of the State of New Jersey to sign any legislation adopted by the State Assembly and Senate which legislation would prevent the New Jersey Department of Environmental Protection ('NJDEP') from reassigning to 'Tier A' designation under the Municipal Separate Storm Sewer System permit program New Jersey municipalities that are currently designated 'Tier B.'

3. A certified true copy of this Resolution upon its adoption shall be furnished to New Jersey State Governor Philip D. Murphy, New Jersey State Senator Steven V. Oroho, New Jersey State Assemblyman Parker Space, New Jersey Assemblyman Harold Wirths, the New Jersey Department of Environmental Protection, the New Jersey State League of Municipalities, and the Municipal Clerks of all the Sussex County Municipalities.

4. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

5. This Resolution shall take effect immediately.

RESOLUTION 2022-161
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

DATED: October 17, 2022

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a regular meeting held on October 17, 2022.



Mark Zschack, RMC, Township Clerk

cc: Linda Di Lorenzo, CFO

Record of Vote as amended:

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

RESOLUTION ES 2022-22
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: October 17, 2022

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting held on October 17, 2022.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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