

**MINUTES  
GREEN TOWNSHIP COMMITTEE  
REGULAR MEETING NOVEMBER 4, 2024**

**CALL TO ORDER**

Mayor Phillips called the November 4, 2024, meeting of the Green Township Committee to order at 7:05 p.m.

**PLEDGE OF ALLEGIANCE**

**PUBLIC NOTICE:** The Township Clerk read the statement of adequate notice.

**ROLL CALL:** Present: James DeYoung, Bader Qarmout, Virginia “Ginnie” Raffay, Michael Rose, and Mayor Margaret “Peg” Phillips

Also present: Mark Zschack, Township Clerk; Ursula Leo, Esq., Township Attorney; Linda Di Lorenzo, CMFO; and Patty DeClesis, Deputy Clerk

**APPROVAL OF AGENDA:** Mayor Phillips requested a motion to approve the agenda

Motion: Raffay

Seconded: Qarmout

Discussion: None

All were in favor.

**OPEN PUBLIC SESSION #1:** Mayor Phillips opened the meeting for public comments for items on the agenda.

Josephine Fracasso asked if the introduction of Ordinance 2024-09 is related to the law that if a tree is taken down it must be replaced. Mayor Phillips responded that the ordinance regulates when and how trees can be taken down to limit clear cutting. The ordinance does not regulate replacing trees.

There being no further public comments offered, Mayor Phillips closed Open Public Session #1.

**BUDGET WORKSHOP:** The CMFO reviewed the departmental budget worksheets and addressed questions asked by the Committee. The Township Clerk reviewed in detail the capital budget. The CMFO provided an update on the American Resue grant funds. A discussion ensued concerning the remaining balance and allowable expenses. The Committee discussed options that the Township Clerk and CMFO will explore for further discussion.

The Township Clerk and CMFO will explore allowable costs for the remaining funds.

**CONSENT AGENDA:**

2. **CORRESPONDENCE:** *(Acceptance for Filing of the Following)*  
None

3. **REPORTS:** *(Acceptance for Filing of the Following)*  
a. *Sussex County Division of Health Inspection Report - 09/01/2024 to 10/01/2024*

Rose motioned to move Consent Agenda minus 1a.

Seconded: DeYoung

Discussion: None

Upon roll call vote:

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Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips  
Nays: None  
Abstentions: None  
Absent: None

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

**a. Resolution 2024-175 - Land Use Board Appointment - Timothy Smith**

Motion: Qarmout

Seconded: Raffay

Discussion: Raffay asked why the term is expiring December 2024, if just being appointed. Mayor Phillips explained that the position is being filled for the term which expires at the end of the year. The position will be filled for the full term at the January Reorg meeting.

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips

Nays: None

Abstentions: None

Absent: None

**DISCUSSIONS: Pavilion Rentals** - Mayor Phillips stated that the Recreation Committee Secretary who handles the scheduling for the pavilion had suggested increasing the rental fees. DeYoung stated that the Recreation Subcommittee evaluated the rental fees and researched neighboring municipalities pavilion rental fees. A discussion ensued regarding renting the pavilion to residents and non-residents. The Subcommittee's recommendation is to not charge Green Township residents; fees will be incurred for non-residents.

The consensus of the Committee is to rent the pavilion to residents free of charge. The fee for non-residents will be \$75 up to 4 hours and \$100 greater than 4 hours or up to park closure. The "kitchen" will not be rented. An ordinance to amend the fee schedule will be considered at the next Committee meeting. Proper signage should be at the pavilion noting the reservation rules. A Use of Facilities form is required to reserve the pavilion.

**Affordable Housing Coalition** - Mayor Phillips referred to the affordable housing numbers received for Green Township's obligations. Mayor Phillips stated that the coalition reached out again to see if there is interest in joining the coalition for \$10,000.00 this year and \$10,000.00 next year. The consensus of the Committee is that they are not interested in the coalition.

The Township Attorney explained that the Township Planner will start working on the vacant land analysis.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**a. Introduction Ordinance 2024-09** - Amending the Code of the Township of Green to Create a New Section 30-17.1B Entitled "Tree Preservation" To Control Tree Removal and Replacement in Order to Reduce Stormwater Runoff and Pollutants, and to Promote Infiltration of Rainwater into the Soil

Mayor Phillips noted the amendment to the ordinance with regards to the hazard tree definition.

DeYoung motioned to introduce the ordinance and move to Public Hearing on November 25, 2024

Seconded: Rose

Discussion: None

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Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Rose, and Mayor Phillips

Nays: None

Abstentions: None

Absent: None

- b. Introduction Ordinance 2024-10** - To Amend and Supplement Section 30-17.1A, Stormwater Control in the Code of the Township of Green, To Prevent Stored Salt and Other Solid De-Icing Materials from Being Exposed to Stormwater

Raffay motioned to introduce the ordinance and move to Public Hearing on November 25, 2024

Seconded: DeYoung

Discussion: Qarmout commented that there is no the quantity included. The Township Clerk stated that the Township Engineer and Township Attorney discussed and the consensus is that it is better not to have a minimum. The Township Attorney commented that it is an enforcement issue trying to determining the amount of de-icing material.

Upon roll call vote:

Ayes: DeYoung, Raffay, Rose, Mayor Phillips

Nays: Qarmout

Abstentions: None

Absent: None

- c. Introduction Ordinance 2024-11** - To Amend and Supplement Section 30-17.1A Stormwater Control in the Code of the Township of Green

Rose motioned to introduce the ordinance and move to Public Hearing on November 25, 2024

Seconded: DeYoung

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Raffay, Rose, Mayor Phillips

Nays: Qarmout

Abstentions: None

Absent: None

- d. Resolution 2024-177** - Bills List (10/17/2024 to 10/31/2024)

Motion: Qarmout

Seconded: Raffay

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips

Nays: None

Abstentions: None

Absent: None

- e. Resolution 2024-178** - Developers Escrow Trust (10/03/2024 to 10/30/2024)

Motion: Raffay

Seconded: Rose

Discussion: None

Upon roll call vote:

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Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips

Nays: None

Abstentions: None

Absent: None

- f. Resolution 2024-179** - Authorize the Use of the Morris County Cooperative Pricing Council for Milling, Paving and Line Striping of Pequest, Sutton, and Mackerley Roads

Motion: Qarmout

Seconded: Raffay

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips

Nays: None

Abstentions: None

Absent: None

- g. Resolution 2024-180** - Refund Property Tax Due to Overpayment - Block 7, Lot 11.01

Motion: Raffay

Seconded: DeYoung

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips

Nays: None

Abstentions: None

Absent: None

- h. Minutes ready for approval** - October 21, 2024, Regular Meeting

Motion: Rose

Seconded: Qarmout

Discussion: None

Upon roll call vote:

Ayes: DeYoung, Qarmout, Raffay, Rose, Mayor Phillips

Nays: None

Abstentions: None

Absent: None

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

**Election Day** - *General Election Day is tomorrow November 5<sup>th</sup> with polls open from 6:00 a.m. to 8:00 p.m. We encourage all residents to get out and vote.*

**Bicentennial Gala** - *Reminder that RSVPs and monies are due by November 22<sup>nd</sup> for the Bicentennial Gala.*

**Tree Lighting** - *The Annual Tree Lighting will be held on Sunday, December 1<sup>st</sup> at 4:30 p.m. at EverGreen Park. The Recreation Committee will provide cookies, hot chocolate, and crafts and the Green Hills School 8<sup>th</sup> Graders will be selling pizza as a class fundraiser.*

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*Cycling Event - The annual cycling event that takes place in Allamuchy with parking in EverGreen Park has made an informal request to use EverGreen Park for the Saturday of Easter weekend in 2025. This event will be approved unless there are concerns from the Township Committee.*

*Trinca Sale Single Family Home - We have an inquiry about the potential of purchasing the former Trinca Airport property for the construction of single-family residence. Would the Township Committee wish for me to have further conversations with the requester. This property is located in the AI-10 Zone.*

The Committee discussed the request; the consensus is the Committee is not interested at this time.

**MATTERS FROM THE GOVERNING BODY:**

Mayor Phillips stated that the Personnel Subcommittee met with a candidate for the Recreation Advisory Committee. Their recommendation is to appoint Mike Gaskill. A resolution will be on the agenda for the next meeting.

Raffay commented that she drove down Whitehall Road and stated that the issue at the intersection of County Route 517 and Whitehall Road is not related to corn but another weed. Mayor Phillips commented that the DPW should have the over the rail mower extended further to reach the weeds.

Raffay commented that Whitehall Road desperately needs paving.

Raffay commented that the over the rail mowing on Township roads has been excellent.

Mayor Phillips stated that the patchwork on Pequest Road and the bottom of Phillips is far better.

DeYoung provided no report.

Qarmout reminded the Township Clerk about a phone call. The Township Clerk responded that an email was sent today.

Rose provided no report.

**MATTERS FROM THE TOWNSHIP ATTORNEY:** The Township Attorney provided an update regarding the affordable housing coalition.

**MATTERS FROM THE SUPERINTENDENT OF PUBLIC WORKS:** Not in attendance, however the following report was provided:

*October was an eventful month for the Green DPW, with a wide range of activities focused on maintaining and enhancing our community's infrastructure and environment.*

*1. Mowing and Maintenance:*

*- DPW crews continued their mowing and maintenance of Green properties. Both rail mowers are fully operational, ensuring that our public spaces remain well-kept.*

*2. Pothole Repair:*

*- Crews have been actively filling potholes town-wide, improving road safety and driving conditions for our residents.*

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3. *Community Events:*

- *The DPW crew provided support for community events, including the setup and takedown of the "Movie in the Park" event.*

- *Assistance was also rendered during the rabies clinic.*

4. *Trail Maintenance:*

- *Grass along the county connecting trail has been mowed, brush has been cut back, and leaves have been blown off, ensuring a clean and safe recreational area for residents.*

5. *Storm Cleanup:*

- *In response to summer storms, the DPW successfully pushed back and removed numerous fallen trees, enhancing safety and accessibility in affected areas.*

6. *New Equipment Update:*

- *Progress continues with the new dump truck order; the cab and chassis have been delivered to Henderson for the installation of the body and winter equipment.*

7. *Safety Inspection:*

- *A pop-up inspection by PEOSHA took place on October 18th. The inspection identified a few minor infractions, which will be addressed by the end of the week to ensure compliance and safety in our operations.*

8. *Tree Management:*

- *Tree King has been contracted to elevate and remove dead trees along Hibler Road, improving safety and visibility for drivers and pedestrians.*

DeYoung asked how many attended the Rabies Clinic. The Deputy Clerk responded that 47 vaccines were administered. The Township Clerk commented that the set-up system works very well.

**OPEN PUBLIC SESSION #2:** Mayor Phillips opened the meeting for public comments.

Josephine Fracasso commented that she has not noticed the signage in EverGreen Park to pick up pet waste and that dogs must be leashed. The Township Clerk will relay to the Superintendent of Public Works.

Joel Medina stated there has been an increase in truck traffic on County Route 517. The sign on County Route 517 directs trucks to use County Route 603, however trucks are staying on County Route 517. Joel commented that it is a very dangerous area with the narrow curves in the road. There is no shoulder on the road and sometimes there are walkers and bikers in that area.

Mayor Phillips commented that the sign for County Route 603 is for the height issue at the tunnel in Andover Borough, it doesn't prohibit trucks from travelling on County Route 517. Mayor Phillips commented that it is a county road which the Township does not control nonetheless we will look into the rules.

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

**EXECUTIVE SESSION:** None

Mayor Phillips noted the next Township Committee Meeting is scheduled for Monday, November 25, 2024, at 7:00 p.m.

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**ADJOURNMENT:**

DeYoung motioned to adjourn at 8:50 p.m.

Seconded: Rose

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: November 25, 2024

**RESOLUTION 2024-175**  
**TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**  
**SUSSEX COUNTY, NEW JERSEY**

**LAND USE BOARD APPOINTMENT**

**BE IT RESOLVED** by the Township Committee of the Township of Green in the County of Sussex and State of New Jersey that the following appointment made by the Mayor as members of the Green Township Land Use Board commencing this date are confirmed:

Margaret "Peg" Phillips - Class I	1-year term expiring December 31, 2024
Jason Miller - Class II	1-year term expiring December 31, 2024
James DeYoung, Committee Member - Class III	1-year term expiring December 31, 2024
Scott Holzhauer, Class IV	4-year term expiring December 31, 2025
Jenny Kobilinski, Class IV	4-year term expiring December 31, 2024
Sharon Mullen, Class IV	4-year term expiring December 31, 2024
Richard Wilson, Class IV	4-year term expiring December 31, 2024
Joseph Cercone, Class IV	4-year term expiring December 31, 2027
John Lynch, Class IV	4-year term expiring December 31, 2025
Samuel Diaz, Alternate 1	2-year term expiring December 31, 2024
Kate Douglass, Alternate 2	2-year term expiring December 31, 2025
Robert Cahill, Alternate 3	2-year term expiring December 31, 2025
<b>Timothy Smith, Alternate 4</b>	<b>2-year term expiring December 31, 2024</b>

DATED: November 4, 2024

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 November 4, 2024.

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



RESOLUTION 2024-175  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
SUSSEX COUNTY, NEW JERSEY

cc: Kim Mantz, Land Use Board Secretary

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
DeYoung			√			
Qarmout	√		√			
Raffay		√	√			
Rose			√			
Mayor Phillips			√			

**ORDINANCE NO. 2024-09**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE AMENDING THE CODE OF GREEN TOWNSHIP TO  
CREATE A NEW SECTION 30-17.1B ENTITLED “TREE  
PRESERVATION” TO CONTROL TREE REMOVAL AND  
REPLACEMENT IN ORDER TO REDUCE STORMWATER RUNOFF  
AND POLLUTANTS, AND TO PROMOTE INFILTRATION OF  
RAINWATER INTO THE SOIL**

**Purpose Statement:** The purpose of this section is to protect trees and woodlands from indiscriminate destruction and damage, and further to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

**WHEREAS**, the New Jersey Department of Environmental Protection requires that all Tier A municipalities take measures to control the removal of trees in order to reduce stormwater runoff and to promote infiltration of rainwater into the soil. In order to comply with the requirements of the Township of Green’s Municipal Stormwater General Permit, the Township Committee wishes to amend the revised general ordinances to require that measures be taken to preserve trees within the Township and provide guidelines for the replacement of trees when unauthorized removal occurs.

**NOW, THEREFORE, BE IT ORDAINED** by the Green Township Committee that the Code of the Township of Green is amended as follows:

**Section 1.** The Code is amended to add a new Section 30-17.1B, “Tree Preservation” and to state in its entirety as follows:

**30-17.1B Tree Preservation.**

**a. Purpose:**

The purpose of this section is to protect trees and woodlands from indiscriminate destruction and damage, and further to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

**b. Definitions:**

*Definitions* are created to include the following:

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular

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number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely discretionary.

*CLEAR CUTTING* - The removal of most or all trees on a property at one time for the purpose of creating a lawn or graded areas on that property.

*HAZARD TREE* - A tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

1. Has an infectious disease or insect infestation
2. Is dead or dying
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective
4. Is located near an existing structure and poses a threat to that structure since the structure is located in the fall zone of said tree
5. Has a root system that is causing or has the potential to cause damage to structures (such as building foundations, sidewalks, etc.)
6. Located in close proximity to a municipal right-of-way, infrastructure or property (real or personal)
7. Could pose a threat to safety or public health

*LOT DISTURBANCE* – Includes all areas disturbed for the purpose of the construction of buildings and structures as well as all graded areas and lawns. The total shall include disturbed areas both inside and outside of the building envelope.

*PERSON* - Any individual, resident, corporation, utility, company, partnership, firm, or association.

*RESIDENT* - An individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

*STREET TREE* - A tree planted within a Municipal right-of-way strip.

*TRACT DISTURBANCE* - Any lot improvement, including construction or expansion of buildings, decks, sheds, garages, driveways, lawns, pools, septic fields, land clearing, tree removal, terracing and other land improvements.

*TREE* - A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

*TREE REMOVAL* - to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

**c. *Clear Cutting or Tree Harvesting is Prohibited***

With the exceptions of the exemptions established in this section, no person shall cut or remove, or cause to be cut or removed, any existing trees for the purpose of clear cutting or harvesting unless the cutting and removal can be accomplished in accordance with the provisions set forth in this chapter.

**d. *Exemptions***

The following shall be exempted from the requirements of this article:

1. Commercial nurseries or fruit orchards.
2. Christmas tree farms.
3. Any tree which is a part of a cemetery.
4. Trees directed to be removed by the Township, County, State or Federal authority pursuant to law.
5. Removal of hazard trees.
6. Pruning or removal of street trees by utility companies or maintenance of utility wires or pipelines and the pruning of trees within sight easements.
7. Trees removed in conjunction with the Right to Farm Act, on qualifying farms.

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8. Parcels of land with a forest management plan or woodland management plan that has the required approval by the NJDEP Division of Forestry or the appropriate State agency. These plans are on file in the Tax Assessors office.
  
9. Tree removal on a property for the purpose of constructing a firebreak that will create a strip of ground where vegetation will be removed to stop the progress of forest fires.
  
10. Street trees which are required to be removed by property owners due to said trees interfering with driver sight distances or are dead or dying and need to be removed to preserve the public health, safety and general welfare.
  
11. Parcels of land with preliminary site plan or subdivision approval, major or minor. Removal of trees prior to Township Land Use Board approval is prohibited, unless it is part of site investigation such as percolation test for septic system suitability.
  
12. Trees to be removed as necessary to permit the construction of buildings, structures, decks, pools, driveways, septic field, lawn area for recreational use for the residents of the dwelling and any other improvements approved by way of a Zoning Permit issued by the Township Zoning Officer.
  
13. Trees removed as required to install a new and/or repair an existing septic system as approved by the Sussex County Health Department or the New Jersey Department of Environmental Protection.

**e. *Review and Design Standards***

- A. Healthy trees outside of the approved building disturbance areas should be retained to maintain resource protection and buffering to neighboring properties, unless the trees pose a hazard to person or property or whereby the approved construction grading or disturbance would cause damage to a tree creating an unsafe condition.
  
- B. Trees and vegetation shall not be removed in wetlands, wetland buffers, slopes in excess of 25 percent, flood plains, stream buffers, dedicated conservation easements or other environmentally protected areas unless approvals from the New Jersey Department of Environmental Protection (NJDEP) and/or Green Township have been obtained.
  
- C. No trees shall be removed, unless exempted as defined in subsection d, above, from steep slope areas unless the disturbance area is less than the allowable disturbance areas as defined by the Township's Land Use Regulations. Approval

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from the Township Land Use Board will be required for any removal of trees from areas that exceed the allowable disturbance area. Any cutting that occurs prior to the necessary approvals being granted will be considered unauthorized.

- D. Commercial properties removing trees, planting of trees and landscaping are part of any Land Use Board approval and shall be in accordance with Chapter 30, Land Use Regulations of the Code of Green Township. Any cutting that occurs prior to receiving the necessary approvals being granted will be considered unauthorized.

**f. *Enforcement***

This section shall be enforced by the Township's Zoning Officer, or designee of the Township Administrator during the course of ordinary enforcement duties. It shall be unlawful for any reason to violate any part of this section adopted by the Green Township Committee.

**g. *Violations and Penalties***

- A. Any removal of trees that is not part of a zoning permit or Land Use Board approval or are exempt as defined in subsection d will be considered not permitted and disturbed areas will need to be replaced and restored in a manner approved by the Land Use Board by resolution.
- B. Penalty. The Township Administrative Code Section 1-5 shall apply to any violation of the tree removal regulations contained in this section.

**Section 2. Severability:**

Each section, subsection, sentence, clause, and phrase of this Section is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Section to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Section.

**Section 3. Inconsistency/Repealer:**

All prior ordinances or parts of the same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

**Section 4. Effective Date:**

This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

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NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on November 4, 2024, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on \_\_\_\_\_.

ATTEST:

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

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

\_\_\_\_\_  
Margaret Phillips, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung	√		√			
Qarmout			√			
Raffay			√			
Rose		√	√			
Mayor Phillips			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung						
Qarmout						
Raffay						
Rose						
Mayor Phillips						

INTRODUCED: November 4, 2024

ADVERTISED: November 8, 2024

ADOPTED:

ADVERTISED:

**ORDINANCE NO. 2024-10**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE TO AMEND AND SUPPLEMENT**  
**SECTION 30-17.1A, STORMWATER CONTROL**  
**IN THE CODE OF THE TOWNSHIP OF GREEN,**  
**TO PREVENT STORED SALT AND OTHER SOLID DE-ICING**  
**MATERIALS FROM BEING EXPOSED TO STORMWATER**

**WHEREAS**, the New Jersey Department of Environmental Protection requires that all Tier A municipalities take measures to prevent the discharge of solids and floatables from private properties into municipal separate storm sewers systems. In order to comply with the requirements of the Township of Green's Municipal Stormwater General Permit, the Township Committee wishes to amend the revised general ordinances to require that all salt and other solid de-icing materials be stored in a manner to prevent those materials from being exposed to stormwater will result in runoff into the Township's municipal separate storm sewer system.

**BE IT ORDAINED** by the Green Township Committee that certain sections within Section 30-17.1A, Stormwater Control, of the Code of the Township of Green be amended as follows:

**SECTION 1.** Section 30-17.1A(b), Definition, is amended to include the following definitions:

*DE-ICING MATERIALS* - Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

*STORM DRAIN INLET* - The point of entry into the storm sewer system.

*PERMANENT STRUCTURE* - A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak
3. The structure shall be erected on an impermeable slab
4. The structure cannot be open sided



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5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall

*PERSON* – Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

*RESIDENT* - person who resides on a residential property where de-icing material is stored.

**SECTION 4.** Section 30-17.1A(m), Privately-Owned Salt Storage, is created, to include the following:

m. Privately-Owned Salt Storage. The purpose of this section is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This section is meant to establish requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the Township of Green (privately-owned), including residences, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

1. Deicing Material Storage Requirements

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through
2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use
4. Loose materials shall be covered as follows:
  - a. The cover shall be waterproof, impermeable, and flexible
  - b. The cover shall extend to the base of the pile(s)
  - c. The cover shall be free from holes or tears
  - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and

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TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

- e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

- (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used

- 5. Containers must be sealed when not in use

- 6. The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.

- C. All temporary and/or permanent structures must comply with all other local ordinances, including building and zoning regulations.

- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

- 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

- 2. Exemptions. Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This Ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

- 3. Enforcement. The Township Administrator and/or Zoning Officer, shall enforce the provisions of this section. It shall be unlawful for any reason to violate any part of this section adopted by the Green Township Committee.

ORDINANCE NO. 2024-10  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**SECTION 2.** Section 30-17.1A(n), Violations and Penalties, is created to include the following:

n. Violations and Penalties. Any person(s) who is found to be in violation of the provisions of this Ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be liable to a penalty not to exceed \$500 for each day on which the violation exists beyond the 72-hour compliance limit.

**SECTION 3.** Severability. Each section, subsection, sentence, clause, and phrase of this Section is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Section to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Section.

**SECTION 4.** Effective date. This Ordinance shall take effect upon final adoption and will be published as required by law.

NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on November 4, 2024, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on November 25, 2024.

ATTEST:

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

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

\_\_\_\_\_  
Margaret Phillips, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung		√	√			
Qarmout				√		
Raffay	√		√			
Rose			√			
Mayor Phillips			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung						
Qarmout						
Raffay						
Rose						
Mayor Phillips						

INTRODUCED: November 4, 2024

ADVERTISED: November 8, 2024

ADOPTED:

ADVERTISED:

**ORDINANCE NO. 2024-11**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE TO AMEND AND SUPPLEMENT**  
**SECTION 30-17.1A, STORMWATER CONTROL**  
**IN THE CODE OF THE TOWNSHIP OF GREEN**

**WHEREAS**, the New Jersey Department of Environmental Protection requires that all Tier A municipalities update their stormwater control ordinance to reflect amendments to the Stormwater Management rules defined in N.J.A.C. 7:8, adopted March 2, 2020, and July 17, 2023. In order to comply with the requirements of the Township of Green's Municipal Stormwater General Permit, the Township Committee wishes to amend the revised general ordinances to incorporate the amendments of the rules.

**BE IT ORDAINED** by the Green Township Committee that certain sections within Chapter 30-17.1A, Stormwater Control, of the Code of the Township of Green be amended as follows:

**SECTION 1.** Section 30-17.1A(b), Definitions, is amended to include the following definitions:

**Public Roadway or Railroad:** A pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

**Public Transportation Entity:** A Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

**SECTION 2.** Section 30-17.1A(d), *Stormwater Management Requirements for Major Development* is amended as follows:

The last sentence of Item 5 shall be deleted and replaced with:

The most current version of the BMP Manual can be found on the Department's website at: <https://dep.nj.gov/stormwater/bmp-manual/>.

**SECTION 3.** Section 30-17.1A(d)(16), *Groundwater Recharge Standards* is amended as follows:

ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Section 30-17.1A(d)(16)(b)(2) shall be deleted and replaced with:

Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm is infiltrated.

Section 30-17.1A(d)(16)(d)(1) shall be deleted and replaced with:

Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

**SECTION 4.** Section 30-17.1A(d)(18), *Stormwater Runoff Quantity Standards* is amended as follows:

The following text shall be revised in Section 30-17.1A(d)(18)(b)(1), (2) and (3):

Delete the phrase: the two-, ten- and 100-year storm events

Replace with: the current and projected two-, ten- and 100 year storm events

**SECTION 5.** Section 30-17.1A(e), Calculation of Stormwater Runoff and Groundwater Recharge, is deleted in its entirety and replaced to include the following:

e. Calculation of Stormwater Runoff and Groundwater Recharge.

A. Stormwater runoff shall be calculated in accordance with the following:

(1) The design engineer shall calculate runoff using the following method:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986, incorporated herein by reference as amended and supplemented.

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Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

- (2) For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term curve number applies to the NRCS methodology above. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

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TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

(1) The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

[https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html?bkmrk=nj](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj); and

(2) The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located.

**Table 5: Current Precipitation Adjustment Factors**

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Sussex	1.03	1.04	1.07

D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located.

**Table 6: Future Precipitation Change Factors**

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Sussex	1.24	1.29	1.50

**SECTION 6.** Section 30-17.1A(f), *Sources for Technical Guidance*, is deleted in its entirety and replaced to include the following:

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at: <https://dep.nj.gov/stormwater/bmp-manual/>.

(1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

(2) Additional maintenance guidance is available on the Department’s website at: <https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

**SECTION 7.** Section 30-17.1A(h), *Safety Standards for Stormwater Management Basins* is amended as follows:

Section 30-17.1A(h)(3)(b)(2), shall be deleted and replaced with:

The overflow grate spacing shall be no greater than two inches across the smallest dimension

**SECTION 8.** Section 30-17.1A(k), is deleted in its entirety and replaced to create a new section, Private Storm Drain Inlet Retrofitting, as follows:

k. Private Storm Dain Inlet Retrofitting.

1. Purpose. The purpose of this section is to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing



ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system operated by Green Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply. Installation of all new storm drain inlets must include a catch basin or other BMP designed for solids collection in areas which drain to surface waters and that do not have any other downstream BMPS prior to the surface water discharge.

2. Definitions. For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

*MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)* - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Green Township or other public body, and is designed and used for collecting and conveying stormwater.

*PERSON* - Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

*STORM DRAIN INLET* - The point of entry into the storm sewer system.

3. Design Standards.

A. No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- (1) Already meets the design standard below to control passage of solid and floatable materials; or
- (2) Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

B. The below design standard applies to the following types of storm drain inlet retrofit projects unless a more stringent standard is specified by the municipality’s Stormwater Control Ordinance:

- (1) Privately-owned or operated storm drain inlets (e.g., condominium association) must be retrofitted where the storm drains are:

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TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

- a. In direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or
  - b. In direct contact with any reconstruction or alteration of facilities. This does not include single family homes.
- C. Grates in pavement or other ground surfaces shall meet either of the following standards:
- (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see [www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf](http://www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf)); or
  - (2) A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.
    - a. Examples of grates subject to this standard include grates in grate inlets; the grate portion (noncurb opening portion) of combination inlets; grates on storm sewer manholes; ditch grates; trench grates; and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads, (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors used to collect stormwater from the surface into a storm drain or surface water body.
    - b. For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.

4. Exemptions.

The following exemptions from the design standard apply:

- A. Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- B. Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

- C. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
- (1) A rectangular space four and five-eighths inches long and one and one-half inches wide; or
  - (2) A bar screen having a bar spacing of 0.5 inches; Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).
- D. Where flows are conveyed through a trash rack that has parallel bars with one inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or
- E. Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**SECTION 9.** Severability. Each section, subsection, sentence, clause, and phrase of this Section is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Section to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Section.

**SECTION 10.** Effective date. This Ordinance shall take effect upon final adoption and will be published as required by law.

NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on November 4, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on \_\_\_\_\_.

ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

ATTEST:

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

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

\_\_\_\_\_  
Margaret Phillips, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung		√	√			
Qarmout				√		
Raffay			√			
Rose	√		√			
Mayor Phillips			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung						
Qarmout						
Raffay						
Rose						
Mayor Phillips						

INTRODUCED: November 4, 2024

ADVERTISED: November 8, 2024

ADOPTED:

ADVERTISED:

**ORDINANCE NO. 2024-11**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
SECTION 30-17.1A, STORMWATER CONTROL  
IN THE CODE OF THE TOWNSHIP OF GREEN**

**WHEREAS**, the New Jersey Department of Environmental Protection requires that all Tier A municipalities update their stormwater control ordinance to reflect amendments to the Stormwater Management rules defined in N.J.A.C. 7:8, adopted March 2, 2020, and July 17, 2023. In order to comply with the requirements of the Township of Green's Municipal Stormwater General Permit, the Township Committee wishes to amend the revised general ordinances to incorporate the amendments of the rules.

**BE IT ORDAINED** by the Green Township Committee that certain sections within Chapter 30-17.1A, Stormwater Control, of the Code of the Township of Green be amended as follows:

**SECTION 1.** Section 30-17.1A(b), Definitions, is amended to include the following definitions:

**Public Roadway or Railroad:** A pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

**Public Transportation Entity:** A Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

**SECTION 2.** Section 30-17.1A(d), *Stormwater Management Requirements for Major Development* is amended as follows:

The last sentence of Item 5 shall be deleted and replaced with:

The most current version of the BMP Manual can be found on the Department's website at: <https://dep.nj.gov/stormwater/bmp-manual/>.

**SECTION 3.** Section 30-17.1A(d)(16), *Groundwater Recharge Standards* is amended as follows:

ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

- (2) For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term curve number applies to the NRCS methodology above. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

**Table 6: Future Precipitation Change Factors**

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Sussex	1.24	1.29	1.50

**SECTION 6.** Section 30-17.1A(f), *Sources for Technical Guidance*, is deleted in its entirety and replaced to include the following:

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at: <https://dep.nj.gov/stormwater/bmp-manual/>.

(1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

(2) Additional maintenance guidance is available on the Department’s website at: <https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

**SECTION 7.** Section 30-17.1A(h), *Safety Standards for Stormwater Management Basins* is amended as follows:

Section 30-17.1A(h)(3)(b)(2), shall be deleted and replaced with:

The overflow grate spacing shall be no greater than two inches across the smallest dimension

**SECTION 8.** Section 30-17.1A(k), is deleted in its entirety and replaced to create a new section, Private Storm Drain Inlet Retrofitting, as follows:

k. Private Storm Dain Inlet Retrofitting.

1. Purpose. The purpose of this section is to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing

ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

- a. In direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or
  - b. In direct contact with any reconstruction or alteration of facilities. This does not include single family homes.
- C. Grates in pavement or other ground surfaces shall meet either of the following standards:
- (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see [www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf](http://www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf)); or
  - (2) A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.
    - a. Examples of grates subject to this standard include grates in grate inlets; the grate portion (noncurb opening portion) of combination inlets; grates on storm sewer manholes; ditch grates; trench grates; and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads, (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors used to collect stormwater from the surface into a storm drain or surface water body.
    - b. For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.

4. Exemptions.

The following exemptions from the design standard apply:

- A. Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- B. Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;



ORDINANCE NO. 2024-11  
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

ATTEST:

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX

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

\_\_\_\_\_  
Margaret Phillips, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung		√	√			
Qarmout				√		
Raffay			√			
Rose	√		√			
Mayor Phillips			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung						
Qarmout						
Raffay						
Rose						
Mayor Phillips						

INTRODUCED: November 4, 2024

ADVERTISED: November 8, 2024

ADOPTED:

ADVERTISED:

**RESOLUTION 2024-177  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**BILLS LIST (10/17/2024 to 10/31/2024)**

**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 10/17/2024 to 10/31/2024 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: November 4, 2024

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 November 4, 2024.



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

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
DeYoung			√			
Qarmout	√		√			
Raffay		√	√			
Rose			√			
Mayor Phillips			√			

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

Meeting Date: 11/04/2024 For bills from 10/17/2024 to 10/31/2024

Check#	Vendor	Description	Payment	Check Total
13068	1940 - Amazon	PO 16761 Movies & Popcorn for Movie in the Park 1	73.85	73.85
13069	2045 - Associated Appraisal Group, Inc.	PO 16671 2024 Appraisals	250.00	250.00
13070	14 - Blue Diamond Disposal, Inc.	PO 16371 2024 Waste & Recycling Collection	25,000.00	25,000.00
13071	1952 - Contral Security Corporation	PO 16642 Annual Burglar & Fire Alarm System Monit	360.00	360.00
13072	62 - County of Sussex - Treasury	PO 16385 2024 County Purpose Tax	654,891.93	654,891.93
13073	64 - County of Sussex - Treasury	PO 16386 2024 County Library Tax	52,600.29	52,600.29
13074	65 - County of Sussex - Treasury	PO 16387 2024 County Open Space Tax	2,387.95	2,387.95
13075	2283 - Estate of Ruth Gommell	PO 16778 Refund Property Taxes	4,016.55	4,016.55
13076	2241 - Gannett New York-New Jersey LocaliQ	PO 16318 Legal Ads 2024	97.02	97.02
13077	1380 - Garden State Labs Inc.	PO 16406 Water Testing MB 2024	100.00	100.00
13078	1913 - Government Forms And Supplies LLC	PO 16725 Business Cards for C. Bollman - Zoning	53.00	53.00
13079	528 - Griffith-Allied Trucking LLC	PO 16359 Gasoline Delivery 2024 Acct 10-7199868	814.78	814.78
13080	188 - Home Depot Credit Services	PO 16295 Supplies, Hardware, Small Tools 2024	166.92	166.92
13081	2258 - Lafayette Auto Parts Supply, LLC	PO 16589 2024 Motor Vehicle Parts	771.76	771.76
13082	1349 - LifeSavers, Inc.	PO 16478 AED for Municipal Bldg.	1,055.00	1,055.00
13083	390 - Linda Coriston	PO 16265 Reimbursement for Medicare Part B Premiu	524.10	524.10
13084	1153 - Lowe's	PO 16292 Hardware, Small Tools & Supplies	1,123.65	1,123.65
13085	326 - Maria C.Spiegler	PO 16319 Medicare Part B reimbursement	1,048.20	1,048.20
13086	157 - Patricia Sullivan	PO 16365 Reimbursement for Medicare Part B Premiu	1,048.20	1,048.20
13087	2141 - Primepoint, LLC	PO 16308 Time & Labor Management Program 2024	117.50	117.50
13088	2174 - PureSan	PO 16440 Janitorial supplies 2024	383.10	383.10
13089	1931 - PV Business Solutions, Inc.	PO 16774 2025 OSHA Compliance Journal	298.50	298.50
13090	2016 - Schenck, Price, Smith & King, LLP	PO 16307 Tax Appeals 2024	398.30	398.30
13091	908 - Service Tire Truck Centers, Inc.	PO 16325 Tires & Service 2024	2,050.92	2,050.92
13092	1046 - Sheaffer Supply, Inc	PO 16290 Supplies, Hardware & Small Tools 2024	397.81	397.81
13093	1210 - SK Paper Shred Inc.	PO 16391 DOCUMENT SHREDDING	69.99	69.99
13094	69 - Storr Tractor Co.	PO 16708 Bomord 3.4 Electric Control Fail head	24,000.00	
		PO 16708 Bomord 3.4 Electric Control Fail head	8,006.40	32,006.40
13095	624 - Suburban Propane	PO 16404 Propane-DPW Bulding Acct 2232-105941	104.33	104.33
13096	114 - Sussex County MUA	PO 16346 Solid Waste Disposal/Household 2024	7,152.95	7,152.95
13097	2194 - Township of Independence	PO 16511 Construction Receipts	14,328.00	14,328.00
13098	2078 - UniFirst Corporation	PO 16305 Uniform Rentals 2024	344.70	344.70
13099	34 - Verizon	PO 16479 Alarm Phone lines 2024	184.05	184.05
13100	1236 - W.W.Grainger Inc.	PO 16287 Supplies, Samll Tools, Hardware 2024	978.63	978.63
13101	710 - Watson Perigo Jr.	PO 16264 Medicare B reimbursement	524.10	524.10
13102	75 - Weldon Quarry Co., LLC	PO 16341 Asphalt & Cold Patch 2024	2,909.04	2,909.04
13103	2034 - Wielkotz & Company LLC	PO 16745 2024 Audit	13,875.00	13,875.00
TOTAL				822,506.52

Total to be paid from Fund 01 CURRENT FUND	784,108.53
Total to be paid from Fund 02 FEDERAL & STATE GRANTS	69.99
Total to be paid from Fund 04 GENERAL CAPITAL	24,000.00
Total to be paid from Fund 19 TRUST FUND	14,328.00
	<u>822,506.52</u>

**Checks Previously Disbursed**

9999	Green Twp Board of Education	PO# 16402	School Taxes payable	960,619.16	10/29/2024
9999	Payroll Account		10/30/2024	41,083.66	10/28/2024
				-----	
				1,001,702.82	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	1,001,702.82	784,108.53	1,785,811.35
Fund 02 FEDERAL & STATE GRANTS		69.99	69.99
Fund 04 GENERAL CAPITAL		24,000.00	24,000.00
Fund 19 TRUST FUND		14,328.00	14,328.00

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

Meeting Date: 11/04/2024 For bills from 10/17/2024 to 10/31/2024

Check#	Vendor	Description	Payment	Check Total
<hr/>				
	BILLS LIST TOTALS		1,001,702.82	822,506.52
				<u>1,824,209.34</u>

**RESOLUTION 2024-178  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**DEVELOPERS ESCROW TRUST (10/03/2024 to 10/30/2024)**

**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 10/03/2024 to 10/30/2024 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: November 4, 2024

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 November 4, 2024.

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

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
DeYoung			√			
Qarmout			√			
Raffay	√		√			
Rose		√	√			
Mayor Phillips			√			

## List of Bills - (1410101002) CASH - Developers Escrow-Provident Bank DEVELOPERS ESCROW TRUST

Meeting Date: 11/04/2024 For bills from 10/03/2024 to 10/30/2024

Check#	Vendor	Description	Payment	Check Total
7611	1937 - Harold E. Pellow & Associates, Inc.	PO 16425 SE1408 Cedar Peak, LLC	87.00	
		PO 16501 LU2309 SAKS Properties	426.00	
		PO 16505 R02308 Elizabethtown Gas	131.25	
		PO 16742 5102 Inspections Oak Run LLC	448.00	
		PO 16764 SE2417 Rannou	535.88	
		PO 16765 DW2416 Rannou	491.63	2,119.76
TOTAL				2,119.76
Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST		2,119.76		
		2,119.76		

### Checks Previously Disbursed

7610	Renee & Andrew Seaman	PO# 16756 LU2206 Escrow release	326.12 10/07/2024
			326.12

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 14 DEVELOPERS ESCROW TRUST	326.12	2,119.76	2,445.88
BILLS LIST TOTALS	326.12	2,119.76	2,445.88

**RESOLUTION 2024-179  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**AUTHORIZING THE USE OF THE MORRIS COUNTY COOPERATIVE  
PRICING COUNCIL FOR MILLING, PAVING AND LINE STRIPING  
OF PEQUEST, SUTTON, AND MACKERLEY ROADS**

**WHEREAS**, the Township of Green had a need for contracting services for milling and paving of Pequest, Sutton, and Mackerley Roads; and

**WHEREAS**, the Morris County Cooperative Pricing Council (“MCCPC”) advertised and received bids for roadway milling, paving, and line striping; and

**WHEREAS**, the bids received allowed vendors to extend their pricing to municipalities who are a member of the MCCPC, a State regulated County Contract Purchasing System; and

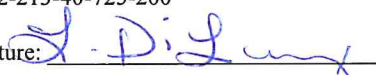
**WHEREAS**, the Green Township Engineer recommends the Township Committee award contracts for milling, paving and line striping through the use of the MCCPC to the following contractors:

1. Riverview Paving, Inc. for milling and paving in an amount not to exceed **\$178,405.36**
2. Denville Line Painting, Inc. for traffic striping in an amount not to exceed **\$7,658.00**

**WHEREAS**, the Chief Financial Officer, Linda Di Lorenzo, has certified that funds are available.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Green that the vendors, Riverview Paving, Inc., and Denville Line Painting, Inc., be utilized for the milling, paving, and line striping for Pequest, Sutton, and Mackerley Roads, through the respective MCCPC contracts at the amounts not to exceed listed herewith.

DATED: November 4, 2024

**Certification of Funds**  
 The Chief Financial Officer certifies that the appropriations specified have been provided for within the Grant Fund American Rescue Plan  
 Account: 02-213-40-725-200 Amount: \$186,063.36  
 CFO Signature: 

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 November 4, 2024.

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

cc: Linda Di Lorenzo, CMFO

**Record of Vote:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung			√			
Qarmout	√		√			
Raffay		√	√			
Rose			√			
Mayor Phillips			√			

**RESOLUTION 2024-180  
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN  
COUNTY OF SUSSEX, STATE OF NJ**

**REFUND PROPERTY TAX DUE TO OVERPAYMENT**

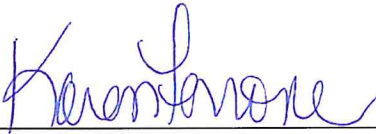
**WHEREAS**, the Tax Collector advises of overpayment of property taxes for calendar year 2025 due to prepayment: and

**WHEREAS**, the Tax Collector is requesting a refund be made to the property owners estate.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Green, in the County of Sussex, and State of New Jersey, is hereby authorized to refund said property taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME AND ACCOUNT #</u>	<u>AMOUNT</u>
7	11.01	12 Hunts School Rd	\$4,016.55

Estate of Ruth Gommoll  
PO Box 398  
Johnsonburg, NJ 07846

  
\_\_\_\_\_  
Karen Ferrone, Tax Collector

DATED: November 4, 2024

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 November 4, 2024.

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

cc: Karen Ferrone, CTC  
Linda Di Lorenzo, CMFO

**Record of Vote:**

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
DeYoung		√	√			
Qarmout			√			
Raffay	√		√			
Rose			√			
Mayor Phillips			√			