

**MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING APRIL 5, 2021**

CALL TO ORDER

Mayor Phillips called the April 5, 2021, 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. Daniel Conkling, Mr. Bader Qarmout, Mrs. Virginia "Ginnie" Raffay, and Mayor Margaret "Peg" Phillips

Absent: Mr. Chirip

Mrs. Raffay motioned to excuse the absent member

Seconded: Mr. Qarmout

Discussion: None

All were in favor

Mayor Phillips announced that Mr. Chirip will be present via teleconference in Executive Session.

Also present: Mr. Mark Zschack, Township Clerk/Administrator; Mrs. Ursula Leo, Township Attorney; Mr. Watson Perigo, Municipal Department Head; Mr. Jason Miller, Superintendent of Public Works; and Mrs. Patty DeClesis, Deputy Clerk

PUBLIC AUCTION: Block 56, Lots 15 and 17 Minimum Sale Price \$20,000.00 - The Township Attorney stated at this time the Committee will seek and request anyone who is here for the auction of Block 56, Lots 15 and 17 with a minimum sale price of \$20,000.00 to make such bid.

Mr. Chris Lopanik, 80 Forest Road, announced his bid of \$6,500.00.

No other bids were offered. The Township Attorney stated that the Ordinance sets the minimum sale price of \$20,000.00 therefore Mr. Lopanik's bid does not meet the minimum requirement.

Mayor Phillips announced the Public Auction is closed.

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.

Mr. Chris Lopanik, 80 Forest Road, stated that he was willing to pay property taxes for the right price, however Mr. Lopanik commented that \$20,000.00 for unusable land is simply outrageous.

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

CONSENT AGENDA:

1. RESOLUTIONS: (Approval of the Following)

None

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

- a. Township of Andover Pending Ordinance Amending the Code to Permit the Cultivation and Processing of Cannabis and Regulate the Location of the Cultivation and Processing of Legal Cannabis Within the Township
- b. Letter Received March 18, 2021, from Municipal Excess Liability Joint Insurance Fund Regarding Annual Report
- c. Letter Received March 29, 2021, from the Sussex County Clerk Regarding Costs Associated with Elections
- d. Letter Received March 29, 2021, from the Department of Transportation Regarding Agreement for the Pequest Road - Phase I Improvements

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

- a. Sussex County Planning Board Meeting Minutes - January 4, 2021
- b. Green Township Municipal Court Report - February 2021
- c. Sussex County Solid Waste Advisory Council Minutes - February 9, 2021
- d. Sussex County Department of Public and Environmental Health Services - 02/01-28/2021
- e. Treasurer's Report - February 28, 2021

4. APPLICATIONS: (Approval of the Following)

None

Mayor Phillips requested that the DPW Reports be removed from the Consent Agenda and discussed separately.

Mr. Conkling motioned to move the Consent Agenda with the removal of the DPW Reports

Seconded: Mrs. Raffay

Discussion: None

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

f. Acceptance of Department of Public Works Status Report - March 14, 21 and April 1, 2021

Motion: Mr. Conkling

Seconded: Mr. Qarmout

Discussion: Mayor Phillips stated that if questions or comments are warranted concerning the reports, they will need to be pulled from the Consent Agenda each meeting. It was recommended that these reports be placed under Matters from the Municipal Department Head to allow for discussion.

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

DISCUSSIONS: None

OLD BUSINESS:

- a. Public Hearing Ordinance 2021-08 - Requiring Property Owners to Remove and Clear Snow Away from Fire Hydrants

Mayor Phillips opened the meeting for public comments.

There being no public comments presented, Mr. Conkling motioned to close Public Hearing and adopt said ordinance.

Seconded: Mrs. Raffay

Discussion: None

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

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NEW BUSINESS:

- a.** Introduction Ordinance 2021-09 - Deleting Sections 30-50.3(h) and 30-82.18 of the Township Code and Prohibiting the Operation of Any Class of Cannabis Businesses Within its Geographical Boundaries

Mr. Conkling motioned to introduce said ordinance and move to Public Hearing on April 19, 2021

Seconded: Mr. Qarmout

Discussion: Mr. Conkling clarified that when the new law goes into effect on August 21, 2021, all previous ordinances are null and void. The Township Attorney confirmed that the adoption of this ordinance removes these sections from the code. Mayor Phillips stated that the Township Committee will continue to review the ordinance.

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

- b.** Resolution 2021-74 - Authorize Appointment of Administrative Agent - Jessica Caldwell

Motion: Mr. Conkling

Seconded: Mrs. Raffay

Discussion: Mr. Zschack stated that the agreement also covers COAH. Mr. Qarmout questioned the fees to which Mr. Zschack stated there is a slight hourly increase and authorized as a Professional Services Contract.

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

- c.** Resolution 2021-75 - Bills List (03/12/2021 to 03/31/2021)

Motion: Mrs. Raffay

Seconded: Mr. Qarmout

Discussion: None

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

- d.** Resolution 2021-76 - Developers Escrow Trust (03/12/2021 to 03/31/2021)

Motion: Mr. Qarmout

Seconded: Mrs. Raffay

Discussion: None

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

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e. Resolution 2021-77 - Refund Property Taxes - Richard Vohden

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

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

f. Resolution 2021-78 - Refund Property Taxes - Dennis Wagner

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

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

g. Resolution 2021-79 - Governor's Council on Alcoholism and Drug Abuse

Motion: Mr. Conkling
Seconded: Mr. Qarmout
Discussion: None

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

h. Resolution 2021-80 - Supporting S-3522 Creating Local Part of the Public Employees' Retirement System (PERS)

Motion: Mr. Conkling
Seconded: Mrs. Raffay
Discussion: Mr. Conkling asked for an explanation. The Township Attorney explained that local and the state are together in one fund. As of July 1, 2019, the local part of PERS has a 67.4% funded. The state part has a 41.6% funded. The point of this legislation is that each entity is responsible for their own funding. Municipalities are doing their part to fund PERS and the state is not.

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

i. Minutes ready for approval - March 15, 2021, Regular and Executive Sessions

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

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

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

Rail Trail - As the pursuit to extend the County Connector Rail Trail to the south is ongoing there is also a need to extend the trail northward. The current plan is to rent equipment in May and have Mr. Perigo clear the trail from Creek Road to Airport Road. Once completed bids will be solicited to construct the walking path.

Forest Management - On April 4, 2021, the Township Committee received an email concerning three new forest management bills. The bills would require municipalities to prepare and implement a Forest Stewardship plan for any wooded property over 25 acres. A quick review indicates that the Township owns two properties that will be affected by these regulations (EverGreen Trail & Highland Avenue properties). We will further research these bills and return with a recommendation.

Golf on Municipal Property - The Township received a complaint from a resident concerning the hitting of golf balls in EverGreen Park. No reference forbidding said action in the municipal code could be found. If the Township Committee agrees, what would be the process to ban said activity? After discussion, the Committee agrees to prohibit hitting golf balls at EverGreen Park.

Petitions for Municipal Office and Party County Committee - The deadline to submit a petition for Municipal office and County Committee was today at 4:00 p.m. The Green Township Clerk's office has received one petition for Township Committee for a three-year term as a Republican and zero from any Democratic candidate. Also received were one petition for Democratic Member of County Committee and eight petitions for Republican County Committee.

MATTERS FROM THE GOVERNING BODY: Mayor Phillips stated they are still waiting to hear from Altice and Optimum. Altice indicated that they will have an expansion phone number for residents to call.

With regards to COVID cases in Sussex County are the worst in the State right now. Mayor Phillips asked everyone to continue to be diligent and be safe.

Mr. Conkling asked about patch on Whitehall Road done by Elizabethtown Gas. Mr. Perigo explained that the Township Engineer feels that since Whitehall Road will be repaved this year, the current patch is sufficient.

Mr. Conkling complimented the DPW on the street sweeping.

Mrs. Raffay received several comments complimenting the Spring Letter Hunt hosted by the Recreation Advisory Committee.

MATTERS FROM THE TOWNSHIP ATTORNEY: Mrs. Leo noted no matters to report.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Mr. Perigo reviewed the status reports. Mayor Phillips questioned the replacement of various signs throughout town. Mr. Miller stated that they are replacing signs that have been stolen, damaged or graffitied.

The bathrooms at EverGreen Park will be opened this week.

OPEN PUBLIC SESSION #2: Mayor Phillips noted that no members of the public were present at this time and closed Open Public Session #2.

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EXECUTIVE SESSION: Resolution ES2021-05 - Contract Negotiations - Fire Truck Agreement
Attorney-Client Privilege

Mr. Qarmout motioned to enter Executive Session at 7:47 p.m.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

The Committee returned to Open Session 8:17 p.m.

Mr. Conkling motioned to adjourn Executive Session and return to Open Session.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

Mayor Phillips noted the next Township Committee Meeting is scheduled for Monday, April 19, 2021, at 7:00 p.m.

ADJOURNMENT:

Mr. Conkling motioned to adjourn at 8:17 p.m.

Seconded: Mrs. Raffay

Discussion: None

All were in favor.

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



Mark Zschack, RMC
Township Clerk

Date Approved: April 19, 2021

ORDINANCE NO. 2021-08

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

**AN ORDINANCE REQUIRING PROPERTY OWNERS TO REMOVE
AND CLEAR SNOW AWAY FROM FIRE HYDRANTS**

WHEREAS, in 2016, the State of New Jersey passed a law that allows local governments to require property owners to clear snow away from a fire hydrant near their home within 24 hours after a snowstorm or face a fine of as much as \$75.00; and

WHEREAS, the Township Committee desires to specifically adopt a new section 17-2.7.1 "Removal of Snow Around Fire Hydrants" of the Green Township Code.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Green Township, Sussex County, New Jersey, that a new Section 17-2.7.1 shall be adopted as part of the Green Township Code, regarding the removal of snow from and around fire hydrants on any real property in the Township of Green, as set forth herein:

SECTION 1.

A new Section 17-2.7.1 shall be adopted as follows:

§ 17-2.7.1 Removal of Snow Around Fire Hydrants

The owner, owners or lessees of any real property in the Township abutting any fire hydrant shall maintain the area within a five (5) foot radius of the perimeter of any such fire hydrant free of snow. The removal of snow shall be completed within twenty-four (24) hours of daylight after the snow has formed or fallen or accumulated on or around any fire hydrant. Failure to perform the required clearance within the specified time frame, the Township, or any department thereof, may perform the clearance and bill the responsible party no more than \$75.00.

SECTION 2 - SEVERABILITY

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 3 - REPEALER

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

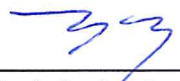
ORDINANCE NO. 2021-08
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

NOTICE

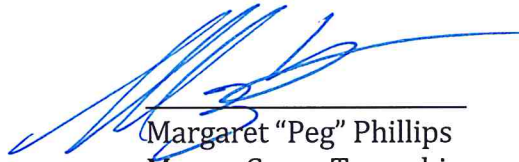
The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on March 15, 2021, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on April 5, 2021.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX



Mark Zschack, RMC
Township Clerk



Margaret "Peg" Phillips
Mayor, Green Township

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: March 15, 2021
ADOPTED: April 5, 2021

ADVERTISED: March 18, 2021
ADVERTISED: April 7, 2021

ORDINANCE NO. 2021-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE BY THE TOWNSHIP OF GREEN DELETING SECTIONS 30-50.3(h)
AND 30-82.18 OF THE TOWNSHIP CODE AND PROHIBITING THE
OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN
ITS GEOGRAPHICAL BOUNDARIES**

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

ORDINANCE 2021-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

WHEREAS, the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, the Act also stipulates that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, the failure of a municipality to act shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Township Committee of the Township of Green has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on Green Township in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township's residents and members of the public who visit, travel, or conduct business in Township of Green, to amend the Township's zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of Green Township; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

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

Section 1. Pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors and/or cannabis delivery services are hereby prohibited from operating anywhere in the Township, except for the delivery of cannabis items and related supplies by a delivery service.

ORDINANCE 2021-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Section 2. Section 30-59 of the Township Code of the Township of Green is hereby amended by adding the following:

“All classes of cannabis establishments or cannabis distributors and/or cannabis delivery, but not the delivery of cannabis items and related supplies by a delivery service, are prohibited in all zoning districts.”

Section 3. Section 30-50.3, “Conditional Uses”, delete subsection (h) “Medical Marijuana Growing, Production and Manufacturing in the AI-10 Zone Only” in its entirety.

Section 4. Section 30-82.18, Medical Marijuana Growing, Production and Manufacturing in the AI-10 Zone Only” is deleted in its entirety.

Section 5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 6. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 7. The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Land Use Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 8. This Ordinance shall take effect after publication and passage according to law.

NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on April 5, 2021 and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on _____, 2021.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, RMC, Township Clerk

Margaret “Peg” Phillips, Mayor

ORDINANCE 2021-09
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

Record of Vote - Introduction:

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

Record of Vote - Adoption:

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

INTRODUCED: April 5, 2021
ADVERTISED INTRODUCTION:
PUBLIC HEARING:

ADOPTED:
ADVERTISED ADOPTION:

RESOLUTION 2021-74
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

APPOINTMENT OF ADMINISTRATIVE AGENT

WHEREAS, the Township of Green has a need to award a contract for the services of Administrative Agent; and

WHEREAS, the Township is permitted to acquire such services through a “non-fair and open” process (as defined by N.J.S.A. 19:44A-20.7), meaning that the award is made by the Township Committee in its judgment of which provider will best serve the interests of the citizens of Green, and not by a “fair and open” process (as defined by N.J.S.A. 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is anticipated to exceed \$17,500, as certified in writing by the appropriate Township official; and

WHEREAS, J. Caldwell & Associates have submitted a proposal March 24, 2021; and

WHEREAS, J. Caldwell & Associates have completed and submitted the required Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2021 budget for this contract;

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Green authorizes a contract with J. Caldwell & Associates (Jessica Caldwell, Administrative Agent) pursuant to the attached proposal; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this contract will be published as required by law within ten days of the passage of this Resolution.

DATED: April 5, 2021

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at the meeting held on April 5, 2021.


Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Certification of Funds

The Chief Financial Officer certifies that the appropriations specified has been provided for within the 2021 Proposed Municipal Budget
Account: 16-380-56 Amount: \$10,000.00

CFO Signature 

Record of Vote:

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

RESOLUTION 2021-75
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

BILLS LIST (03/12/2021 to 03/31/2021)

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 03/12/2021 to 03/31/2021 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: April 5, 2021

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 April 5, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

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

Meeting Date: 04/05/2021 For bills from 03/12/2021 to 03/31/2021

Check#	Vendor	Description	Payment	Check Total
10285	2082 - All Gas & Welding Supply Co. Inc.	PO 14971 Tools	99.00	99.00
10286	1625 - Aqua New Jersey	PO 15001 Fire Hydrant Bill	3,213.33	3,213.33
10287	14 - Blue Diamond Disposal, Inc.	PO 14862 2021 Waste & Recycling Collection	25,000.00	25,000.00
10288	1908 - Brady & Correale, LLP	PO 14927 Legal Services - Land Use Board	75.00	75.00
10289	236 - Cahills Farm	PO 14810 Opening & Closing of Park Gates	491.66	491.66
10290	1228 - Chelbus Cleaning Co., Inc.	PO 14817 Cleaning Service 2021	395.00	
		PO 14821 Cleaning Service 2021-DPW	190.00	585.00
10291	40 - Gann Law Books	PO 14950 2021 Edition of NJ Zoning & Land Use	161.00	161.00
10292	1913 - Government Forms And Supplies LLC	PO 14953 Envelopes	326.64	326.64
10293	47 - Green Township	PO 14897 1st & 2nd quarter property taxes 2021	3,251.48	3,251.48
10294	528 - Griffith-Allied Trucking LLC	PO 14904 Diesel Fuel Delivery	802.39	802.39
10295	188 - Home Depot Credit Services	PO 14858 Supplies	1,047.06	1,047.06
10296	108 - Honeywell Inc.	PO 14824 2021 Contract	1,637.78	1,637.78
10297	2040 - Kev's Auto Repair LLC	PO 14984 Vehicle repair	1,595.37	1,595.37
10298	1826 - Kimball Midwest	PO 14861 Nuts & Bolts	115.66	115.66
10299	1632 - Laddey, Clark & Ryan LLP	PO 14990 Legal Services February 2021	3,288.00	3,288.00
10300	1153 - Lowe's	PO 14864 Hardware	60.28	60.28
10301	20 - MGL Printing Solutions, LLC	PO 14986 Developer's Escrow Checks	168.00	168.00
10302	1762 - Morton Salt Inc.	PO 14869 Road Salt	23,462.73	23,462.73
10303	1169 - NAPA of Stanhope, LLC	PO 14870 Truck Parts	95.13	95.13
10304	1960 - Navitend	PO 14816 2021 Agreement Office 365	820.00	820.00
10305	90 - New Jersey Herald, Inc.	PO 14956 Legal Ads 2021	209.70	209.70
10306	22 - New Jersey Registrars' Association	PO 14828 Membership Renewal for Patty DeClesis &	50.00	50.00
10307	2085 - Public Works assoc of NJ	PO 14989 2021 Membership Mark Zschack/Jason Mille	90.00	90.00
10308	2016 - Schenck, Price, Smith & King, LLP	PO 14985 Tax Appeals	435.75	435.75
10309	1210 - SK Paper Shred Inc.	PO 14994 Paper Shredding Bill 2021	65.00	65.00
10310	123 - Staples Advantage	PO 14982 March Supplies Order 2021	313.58	
		PO 14992 Copies	34.56	348.14
10311	624 - Suburban Propane	PO 14852 Propane Delivery DPW 2021	813.89	
		PO 14957 Propane Delivery to MB 2021	1,315.35	2,129.24
10312	270 - Sussex County Assessor's Assoc.	PO 14981 2021 Assessor Dues-Holenstein	175.00	175.00
10313	114 - Sussex County MUA	PO 14903 Municipal/Household Waste	2,615.04	2,615.04
10314	2078 - UniFirst Corporation	PO 14815 Uniform Rental	227.04	227.04
10315	34 - Verizon	PO 15000 March Phone Bill 2021	993.54	993.54
10316	342 - Vohden, Richard	PO 14999 Refund 2021 Taxes Block 21 Lot 15 Qfarm-	27.44	27.44
10317	105 - W.E. Timmerman Equipment Co., Inc.	PO 14961 DPW Sweeper	574.48	574.48
10318	1236 - W.W.Grainger Inc.	PO 14907 Supplies	812.13	812.13
10319	2036 - Wagner, Dennis	PO 14997 Homestead Credit Refund	664.07	664.07
10320	2056 - Wingle Supply Co	PO 14878 Landscape Materials	335.00	335.00
10321	1360 - Wire's Electrical Shop	PO 14962 Electrical Repairs	427.80	427.80
TOTAL				76,474.88
Total to be paid from Fund 01 CURRENT FUND		75,835.40		
Total to be paid from Fund 02 FEDERAL & STATE GRANTS		639.48		
		=====		
		76,474.88		

Checks Previously Disbursed

10284	PenTeleData	PO# 14908	Internet Service for MB 2021	170.90	3/30/2021	
10283	JCP&L	Multiple:		41.88	3/30/2021	
10282	AT&T	PO# 14939	Long Distance 2021	90.48	3/30/2021	
9999	Payroll Account		3/30/2021	51,497.50	3/25/2021	
9999	Payroll Account	PO# 14993	PERS Annual Employer Contribution	114,736.00	3/18/2021	
10281	Linda Krotje-Wall	PO# 14991	Rabies Clinic/Waste Disposal	400.00	3/18/2021	
10281	Tranquility Veterinary Clinic		Wrong vendor	-400.00	3/17/2021	*MANUAL VOID*
9999	Chase NYC ABA021000021	PO# 14980	Bond Interest	11,124.38	3/15/2021	

				178,061.14		
				-400.00		
				*VOIDED		

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

Meeting Date: 04/05/2021 For bills from 03/12/2021 to 03/31/2021

Check#	Vendor	Description	Payment	Check Total

			177,661.14	
Totals by fund	Previous Checks/Voids	Current Payments	Total	

Fund 01 CURRENT FUND	177,661.14	75,835.40	253,496.54	
Fund 02 FEDERAL & STATE GRANTS		639.48	639.48	

BILLS LIST TOTALS	177,661.14	76,474.88	254,136.02	
			=====	

RESOLUTION 2021-76
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

DEVELOPERS ESCROW TRUST (03/12/2021 to 03/31/2021)

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 03/12/2021 to 03/31/2021 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: April 5, 2021

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 April 5, 2021.



Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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

List of Bills - (1410101002) CASH - Developers Escrow-SB One Bank
DEVELOPERS ESCROW TRUST

Meeting Date: 04/05/2021 For bills from 03/12/2021 to 03/31/2021

ck#	Vendor	Description	Payment	Check Total
7481	1908 - Brady & Correale, LLP	PO 14931 PB1208 Ridge Rock LLC	563.50	563.50
	TOTAL			----- 563.50
Total to be paid from Fund 14 DEVELOPERS ESCROW TRUST		563.50		
		=====		
		563.50		

RESOLUTION 2021-77
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND PROPERTY TAX DUE TO OVERPAYMENT

WHEREAS, the Tax Collector advises of an overpayment of taxes for calendar year 2021 due to the property being sold to the State of NJ and now being exempt; and

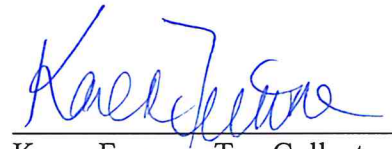
WHEREAS, the Tax Collector is requesting a refund be made to prior property owner.

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>
21	15 Qfarm	Vohden/Laurel Rd	\$27.44

Richard Vohden
239 Pequest Rd
Andover, NJ 07821

\$27.44



Karen Ferrone, Tax Collector

DATED: April 5, 2021

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 April 5, 2021.



Mark Zschack, RMC, Township Clerk

cc: Karen Ferrone, CTC
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2021-78
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

REFUND PROPERTY TAX DUE TO OVERPAYMENT

WHEREAS, the Tax Collector advises of an overpayment of taxes for calendar year 2021 due to the NJ Homestead Credit from 2017 posting to a now exempt account.; and


WHEREAS, the Tax Collector is requesting a refund be made to property owner.

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:

BLOCK	LOT	NAME AND ACCOUNT #	AMOUNT
06	11	Wagner/23 Shotwell Rd	\$664.07

Dennis Wagner
23 Shotwell Rd
Newton, NJ 07860

\$664.07


Karen Ferrone, Tax Collector

DATED: April 5, 2021

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 April 5, 2021.


Mark Zschack, RMC, Township Clerk

cc: Karen Ferrone, CTC
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2021-79
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE FY2022

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Committee of the Township of Green, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages: and, therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee of the Township of Green, further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee of the Township of Green, has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex.

NOW, THEREFORE, BE IT RESOLVED by the Township of Green, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Township Committee of the Township of Green does hereby authorize submission of a strategic plan for the Action Municipal Alliance grant for the fiscal year 2022 in the amount of:

DEDR	\$6,037.00
Cash Match	\$1,509.25
In-Kind	\$4,527.75

2. The Green Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administration compliance and audit requirements.

DATED: April 5, 2021

APPROVED: 
Margaret "Peg" Phillips, Mayor

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on April 5, 2021.


Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION 2021-80
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

SUPPORTING S-3522 CREATING LOCAL PART OF THE PUBLIC EMPLOYEES'
RETIREMENT SYSTEM (PERS)

WHEREAS, county, municipal, and other local governments have met their pension obligations as employers for more than a decade while the State of New Jersey has continued to underfund the pension systems in varying degrees since 1996 and thus created one of the worst publicly funded retirement systems in the entire nation; and,

WHEREAS, despite fulfilling their fiduciary duties in meeting their pension obligations, local governments across the State will experience double digit percentage increases in total employer pension contributions in 2021 as determined in figures recently published by the Division of Pension and Benefits in the State Department of Treasury; and,

WHEREAS, even more alarming for local government employers is the fact that the unfunded accrued liability once again increased in 2021 to a staggering \$26.6 billion for the Public Employee's Retirement System ("PERS") alone, causing in part, a decrease in the funded ratio for the Local Part of PERS to 65.4%, the State Part to 31.2%, and the combined rate to a disconcerting 52.2% far below the target funded ratio of 75.0%; and,

WHEREAS, S-3522 would divide PERS into two parts: A State Part for State employees, and a Local Part for all other employees; and

WHEREAS, the legislation creates a seven-member board consisting of three labor employee representatives, three management representatives, and one determined by the Board, tasked with operating the retirement system and directing policies and investments to achieve and maintain full funding; and

WHEREAS, this legislation is similar to the legislation that separated the Police and Fire Retirement System (P.L. 2018, c. 55) except for the control of investments and that management has an equal representation on the board, which was overwhelmingly supported by the legislature and signed by the Governor; and

WHEREAS, S-3522 would protect local governing bodies from the State of New Jersey further directing property taxpayer dollars to subsidize its long mismanagement and underfunding of the pension systems as it would provide the new balanced board of trustees of PERS with the ability to determine or modify member benefits, direct policies and investments to achieve full funding, and serve as fiduciary of the system;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Green, in the County of Sussex and State of New Jersey does in fact hereby support S-3522, which would establish a new board of trustees for the Local Part of PERS to preserve the structure and integrity of the more solvent Local Part.

RESOLUTION 2021-80
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Governor Phil Murphy, Senate President Stephen M. Sweeney, Speaker of the General Assembly Craig Coughlin, Senator Steven V. Oroho, Assemblyman Parker Space, Assemblyman Harold J. Wirths, and the New Jersey League of Municipalities.

DATED: April 5, 2021

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at the meeting held on April 5, 2021.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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

RESOLUTION ES 2021-05
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: April 5, 2021

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 April 5, 2021.



Mark Zschack, RMC, Township Clerk

Record of Vote:

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