

**GREEN TOWNSHIP COMMITTEE
JUNE 13, 2016**

CALL TO ORDER

Mayor Phillips called the June 13, 2016, meeting of the Green Township Committee to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ADEQUATE NOTICE: Mrs. Peralta read the statement of adequate notice.

ROLL CALL: Present: Mr. Conkling, Mr. Kurzeja, Mrs. Phillips and Mr. Qarmout

Absent: Mr. Chirip

Mr. Conkling motioned to excuse the absent member

Seconded: Mr. Kurzeja

Discussion: None

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

Also present: Mrs. Linda Peralta, Clerk/Administrator; Mr. Richard Stein, Township Attorney; Mr. Watson Perigo, Municipal Department Head; and Mrs. Patty DeClesis, Deputy Clerk

DISCUSSIONS: None

CONSENT AGENDA:

- b. Resolution 2016-83 – Tax Refund – Isabel R. Brown
- c. Resolution 2016-84 – Tax Refund – Ronald Williamson
- d. Resolution 2016-85 – ABC License – Pub 517, Inc.
- e. Resolution 2016-86 – ABC License – Greendell Deli, LLC
- d. Minutes ready for approval – May 23, 2016, regular and executive session
- e. Department Reports

Motion: Mr. Qarmout

Seconded: Mr. Kurzeja

Discussion: Mr. Conkling questioned how long the licensee can keep their ABC license when they are not operating. Mrs. Peralta stated that as long as it is acceptable with the ABC.

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

OLD BUSINESS:

- a. Ordinance 2016-07 – Amending the Code of the Township of Green by the Adoption of a New Chapter to be Entitled “Building or Structures, Repair or Demolition of” Providing for the Repair or Demolition of Dilapidated Structures in the Township of Green (Public Hearing)

Mayor Phillips opened the meeting for public comments.

Mrs. Josephine Fracasso, 111 Hibler Road asked what the Ordinance entails. Mr. Stein explained this Ordinance is different from the Ordinance adopted dealing with vacant and abandoned properties. This Ordinance deals with properties that have fallen into disrepair and may be a public health hazard. This gives the Township the authority to file a complaint against the property, hold a public hearing and have the property owner repair or demolish the structure within a given period of time. If they do not comply, the Township could have the structure demolished and the cost be assessed against the property owner as a tax lien. The vacant and abandoned properties are not necessarily in bad shape, however they have been abandoned. The Township Committee is considering adopting

**GREEN TOWNSHIP COMMITTEE
JUNE 13, 2016**

an Ordinance so that these properties do not become a problem. Mr. Stein reviewed the Ordinance process with the Committee.

Mr. Conkling motioned to close Public Hearing and adopt the Ordinance.

Seconded: Mr. Kurzeja

Discussion: No further discussion

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

Mr. Larry Sampey, 6 Michael Court - stated that he lives next door to 8 Michael Court which is an abandoned property. Mr. Sampey asked if the Township has started action on that property. Mrs. Peralta noted that the bank has received the notice and inspection report by certified mail.

Mr. Jon Baker, 8 Quaker Road - asked what the motivation was for this Ordinance, have there been complaints about dilapidated buildings and buildings in disrepair in the Township. Mr. Stein explained that it was an Ordinance that he suggested the Township Committee adopt. Mr. Stein further explained that he represents many different towns that have adopted the Ordinance. This enables the Township to take care of properties that have fallen into disrepair. Without this Ordinance the Township has no provision to take corrective action on the properties.

NEW BUSINESS:

a. Resolution 2016-87 – Bills List (05/05/2016 to 06/08/2016)

Motion: Mr. Conkling

Seconded: Mr. Kurzeja

Discussion: None

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

b. Resolution 2016-88 – Corrective Action Plan

Motion: Mr. Conkling

Seconded: Mr. Kurzeja

Discussion: None

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

c. Ordinance 2016-08 – Establishing and Laying Out a Public Street to be Known as “Municipal Road” on Lands Owned by the Township of Green and Establishing Boundaries Thereof (Introduction)

Mr. Qarmout motioned to introduce the Ordinance and move to Public Hearing on July 11, 2016.

Seconded: Mr. Kurzeja

Discussion: Mr. Conkling asked why the Ordinance is being done again when it was done many years ago. Mr. Stein explained the Ordinance was never recorded at the County Clerk’s office. The Township Clerk reviewed the records from 1975, but could not find any definitive proof that the Ordinance had been adopted and published

GREEN TOWNSHIP COMMITTEE
JUNE 13, 2016

properly. Mr. Stein's recommendation is to readopt the Ordinance and publish appropriately. The Ordinance contains the exact same legal description and the exact same boundary of the road as was previously considered.

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

CORRESPONDENCE: Mrs. Peralta noted the following:

- Letters sent to various banks on foreclosed properties. One of the letters pertains to 8 Michael Court. The bank has been notified that they need to register the property with the Township and are required to maintain the exterior of the property. Violations must be completed within 30 days of receipt of the notice. Violations that present a hazard or threat to public health and safety must be addressed within 10 days of notice received.

Mr. Larry Sampey, 6 Michael Court - asked when the bank would have to do something by. Mayor Phillips explained that the Ordinance was passed at the end of March. The Township had to come up with an internal process. The Township now has the ability to address these properties and take action much quicker.

Ms. Liz Sampey, 6 Michael Court - asked how long the Township will wait for a response from the bank. Mr. Stein stated under the Statute the bank has 30 days to respond. If no response, then the Township can go after the bank. Ms. Sampey also stated that she contacted Wells Fargo and was told they no longer own the mortgage on 8 Michael Court. Mr. Stein explained that they must respond back to the municipality and the municipality will then go to the next party. The Township must follow the policy.

Mr. Larry Sampey was told other towns have landscapers that clean up vacant properties then bill the responsible party. This process can go on for quite some time. Mr. Stein stated that this may be something the Township could undertake.

Mayor Phillips explained that the Township Committee is sympathetic with the residents which is why the Ordinance was passed. The Township is now trying to address these issues and make it work for all the residents of Green Township.

Mr. Neil Kenny, 82 Hibler Road - how can the Township pass an Ordinance and have it apply retroactively. Mr. Stein stated that the Ordinance applies to the current condition of the property. Once the Ordinance goes into effect, they have to comply with the law.

Mrs. Josephine Fracasso, 111 Hibler Road - asked if a property on Hibler Road is on the list to receive the notice. Mrs. Peralta stated that letter has not yet been sent to the bank yet.

Ms. Dawn Casey, 10 Michael Court - asked if the property on Wolf's Corner Road is on the list. Mrs. Peralta confirmed that property is on the list.

MATTERS FROM THE GOVERNING BODY: Mr. Qarmout has received several phone calls that the grass at Papa Park had not been cut on a regular basis. Mayor Phillips stated that corrective action has been taken with the contractor.

Mr. Conkling inquired about 231 Pequest Road. The front of the property looks much better, however windows are still missing and the grass has not been cut. Mrs. Peralta mentioned that the Zoning Official has recently spoken with the property owner. The clean-up process is still being worked on.

GREEN TOWNSHIP COMMITTEE
JUNE 13, 2016

Mr. Conkling inquired about the Scenic Drive intersection. Mr. Stein stated he has not heard anything from the County. Mr. Stein stated he will contact Mr. Williams, County Counsel to see if there is any new information. Mr. Stein provided the history of the issue at that intersection for Mr. Qarmout's benefit.

MATTERS FROM THE TOWNSHIP CLERK/ADMINISTRATOR: Mrs. Peralta noted the following:

- Mr. Pete Sklannik drafted a complaint/incident report for Trinca Airport. Mrs. Peralta noted that many complaints are received from people who will not identify themselves. After a brief discussion, the Committee agreed that a person calling in a complaint or incident should give an approximation of their address in order to know where the incident is occurring. The person can identify themselves for internal purposes and request anonymity. Mr. Pete Sklannik also drafted a policy for ultralight pilots who wish to use Trinca Airport. There have been several requests from ultralight pilots to use the airport. Mrs. Peralta asked the Committee to review the draft policy for discussion at the next meeting. The pilot will be required to pay a registration fee and provide a Certificate of Insurance.
- Mrs. Peralta asked the Committee to begin thinking of a recipient for the Older American Award to be presented at Green Township Day, September 17.
- Update – Old Firehouse/Greendell Post Office - discussion to be carried to the July 11, 2016, meeting.

MATTERS FROM THE TOWNSHIP ATTORNEY: Update - Lake Tranquility Bridge - Mr. Stein and Mrs. Peralta reviewed all files pertaining to the Lake Tranquility Bridge but were not able to find the warrantee on the weathering steel. Mr. Stein will work with Mr. John Miller, Township Engineer, to put together a demand letter to send to the bridge company that built the bridge to have them honor the ten year warrantee on the steel.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Mr. Perigo has been informed that vehicles have been driving on the pavement at Trinca Airport. The Committee agreed to install a split rail fence at the airport to prevent vehicles from entering.

PUBLIC COMMENTS AND/OR QUESTIONS: Ms. Carol Hardcastel, 5 Meadow Lane commented that last week's storm caused a tree to land on her property. She noted that there are many unstable trees across the street from her property and asked what the town's process is for managing these trees. Mr. Perigo will look into the right of way.

Mr. Neil Kenny, 82 Hibler Road asked why the right of way can be used for those trees and not the bushes at the Scenic Drive intersection. Mayor Phillips explained that Green Township does not have jurisdiction off the County road. Meadow Lane is a Township road. Mr. Kenny also asked if anyone attends the Freeholder meetings to voice concerns of the bushes at that intersection. Mr. Conkling explained there have been numerous conversations with the Freeholders. Their process is that they take recommendations from their Department Heads. Their Department of Engineering and County Administrator have not made the recommendation to have the bushes removed.

Mrs. Josephine Fracasso, 111 Hibler Road made the following comments:

- What is the Corrective Action Plan? Mrs. Peralta explained that it is a response as to what the Township will do to correct the Auditor's comments and recommendations.
- The old firehouse has been an issue and the Township has spent more money on engineer's evaluation on what could be done and discussions at meetings. Will anything ever be done with this? Mayor Phillips explained there is a new corrective plan in place which will be done by the Road Department this summer.
- Scenic Drive is another issue that is never getting taken care of. Mrs. Fracasso asked if the Township can get action taken on this issue. A lot of time and investment have been spent on this issue. Mr. Stein explained the County had their own ideas on how to make it better which put all of the expense on Green Township and would make it very inconvenient for a large percentage of the population that lives in the Lake Tranquility section. The Township Committee will look into again.
- The red barberry bush that is in the island by the old firehouse blocks the view at the egress of the parking lot. Mayor Phillips asked if the fire department can be asked to remove or trim the bush.
- Should the Township charge a fee for the glider planes to use our airport? Mr. Conkling explained the fee is part of the policy of what they are looking into.

GREEN TOWNSHIP COMMITTEE
JUNE 13, 2016

Mr. Neil Kenny, 82 Hibler Road – stated that ultralights have engines and generally fly lower which increases the noise level. Mr. Stein explained that ultralights must fly at the same 1000 feet above ground level.

Mr. Conkling motioned to close Public Comments, seconded by Mr. Qarmout.

Mayor Phillips asked for a brief recess for a Board of Health meeting to start at 8:00 p.m. At the conclusion of the Board of Health Meeting, the Township Committee Meeting will resume and move into Executive Session. Official action may be taken.

Recess began at 7:57 p.m.

The Township Committee resumed at 9:17 p.m.

EXECUTIVE SESSION: Mr. Stein read the Resolution ES 2016-04 to enter Executive Session to discuss two personnel issues and one potential litigation regarding COAH certification. Mr. Stein added that official action may be taken at the conclusion of Executive Session.

Mr. Conkling motioned to enter Executive Session at 9:18 p.m.

Seconded: Mr. Kurzeja

Discussion: None

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

The Committee returned from Executive Session at 10:25 p.m.

Mr. Conkling motioned to close Executive Session, seconded by Mr. Qarmout.

Mr. Conkling motioned to authorize the Clerk/Administrator to make an offer of full-time employment to Kimberlee Mantz for the Land Use Board Secretary and affiliated positions including health benefits for the employee only effective July 1, 2016.

Seconded: Mr. Kurzeja

Discussion: None

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

ADJOURNMENT:

Mr. Kurzeja motioned to adjourn at 10:27 p.m.

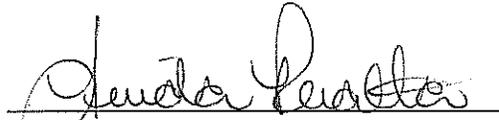
Seconded: Mr. Conkling

Discussion: None

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

GREEN TOWNSHIP COMMITTEE
JUNE 13, 2016

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



Linda Peralta, RMC
Clerk/Administrator

7/11/2016
Date Approved

**RESOLUTION 2016-83
TOWNSHIP COMMITTEE- TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

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 taxes be refunded as hereinafter set forth:

BLOCK	LOT	NAME AND REASON	AMOUNT
03	3.05	Isabel R. Brown PO Box 59 Blairstown, NJ 07825	\$3,300.37

Mortgage company paid taxes after property was sold. Mortgage account closed, therefore, a refund is due directly to prior homeowner.

DATED: June 13, 2016

I, Linda Peralta, 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 June 13, 2016.


Linda Peralta, Township Clerk

cc: Karen Ferrone, Tax Collector
Linda Padula, CMFO

Vote on Resolution:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	1st ✓			
Mrs. Phillips	✓			

**RESOLUTION 2016-84
TOWNSHIP COMMITTEE- TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

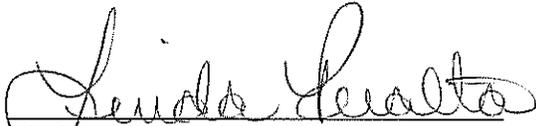
BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the following taxes be refunded as hereinafter set forth:

BLOCK	LOT	NAME AND REASON	AMOUNT
006	12	Williamson, Ronald 19 Shotwell Rd Newton, NJ 07860	\$ 5,000.00

Refund 2016 pre-paid taxes, 3rd & 4th quarter.

DATED: June 13, 2016

I, Linda Peralta, 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 June 13, 2016.


Linda Peralta, Township Clerk

cc: Karen Ferrone, Tax Collector
Linda Padula, CMFO

Vote on Resolution:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	1st ✓			
Mrs. Phillips	✓			

**RESOLUTION 2016-85
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

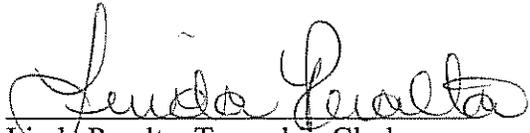
WHEREAS, Pub 517, Inc., License Name has applied for the renewal of License No. 1908-33-002-010 to the State of New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Governing Body of the Township of Green is not aware of any circumstances or provisions or law or local ordinance which would prohibit this issuance of the license renewal.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green, County of Sussex, State of New Jersey that this Governing Body has no objections to the issuance of this renewal.

DATED: June 13, 2016

I, Linda Peralta, 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 June 13, 2016.


Linda Peralta, Township Clerk

Cc: Division of ABC
Pub 517, Inc.

Record of Vote:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	1st ✓			
Mrs. Phillips	✓			

RESOLUTION 2016-86
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

WHEREAS, Greendell Deli, LLC, License Name has applied for the renewal of License No. 1908-44-001-011 to the State of New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Governing Body of the Township of Green is not aware of any circumstances or provisions or law or local ordinance which would prohibit this issuance of the license renewal.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green, County of Sussex, State of New Jersey that this Governing Body has no objections to the issuance of this renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39.

DATED: June 13, 2016

I, Linda Peralta, 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 June 13, 2016.


Linda Peralta, Township Clerk

Cc: Division of ABC
Greendell Deli, LLC

Record of Vote:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	1st ✓			
Mrs. Phillips	✓			

ORDINANCE 2016-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF GREEN
BY THE ADOPTION OF A NEW CHAPTER TO BE ENTITLED
“BUILDINGS OR STRUCTURES, REPAIR OR DEMOLITION OF” PROVIDING
FOR THE REPAIR OR DEMOLITION OF DILAPIDATED STRUCTURES
IN THE TOWNSHIP OF GREEN

BE IT ORDAINED, by the Township Committee of the Township of Green, Sussex County, New Jersey, that a new chapter of the Code of the Township of Green to be entitled “Buildings or Structures, Repair or Demolition of” be adopted as follows:

Section 1. Definitions.

The following terms, whenever used or referred to in this chapter, shall have the following respective meanings for the purposes hereof, unless a different meaning clearly appears from the context:

BUILDING - Any building or structure or part thereof, whether used for human habitation or otherwise, including any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

PUBLIC OFFICER - The Construction Official or such other public official as shall from time to time be designated by the Governing Body.

GOVERNING BODY - The Mayor and Committee of the Township of Green.

OWNER - The holder or holders of the title in fee simple.

PARTIES IN INTEREST - All individuals, associations and corporations who have interests of record in a building and any who are in actual possession thereof.

PUBLIC AUTHORITY - Any housing authority or any official who is in charge of any department or branch of the government of the Township of Green, relating to health, fire, building regulations or to other activities concerning buildings in the Township of Green.

Section 2. Investigation Upon Charge of Unfit Building

Whenever it shall be found that there exists in the Township of Green buildings which are unfit for human habitation or occupancy or use due to dilapidation, disrepair, structural defects increasing the hazards of fire, accidents or other calamities, lack of adequate ventilation, light or sanitary facilities or due to other conditions rendering such buildings unsafe or unsanitary and dangerous or detrimental to the health or safety or otherwise inimical to the welfare of the residents, the Construction Official shall, upon the filing of a petition by a public authority or by at least five (5) residents of the Township of Green, charging that any building is unfit for human habitation or occupancy or use, or if it shall appear to such Construction Official, on his own motion, that any building is unfit for human habitation or occupancy or use, make a preliminary investigation or cause such preliminary investigation to be made concerning the basis for such charges.

Section 3. Basis for Determination of Unfit Building

- A. Buildings shall be considered unfit for human habitation or occupancy or use, within the meaning hereof, when one (1) or more of the below listed conditions are found to exist. Not all of the below listed conditions would be applicable to all buildings depending on the design or use of any particular building. The conditions are as follows:
1. Condition of structure. The condition of the structure is such as to make it unsafe or unsanitary through the presence of serious safety hazards resulting from the need for major repairs to the roof, walls, ceiling, floors or stairs or through the presence of serious health hazards resulting from continuous dampness or exposure brought about by neglect or dilapidation.
 2. Water supply: lack of potable running water within each dwelling or lack of hot water facilities available to each dwelling.
 3. Sewerage system: no connection between plumbing fixtures and adequate sewage disposal system.
 4. Toilet facilities: no flush toilet fit for use in each building.
 5. Bath facilities: no bathtub or shower fit for use in each dwelling.
 6. Kitchen facilities: lack of permanent, safe and reasonably efficient kitchen facilities within each dwelling unit, including a sink with running water and provisions for a cooking stove.
 7. Lighting facilities: building inadequately wired for electricity
 8. Heating facilities: heating facilities inadequate or unsafe
 9. Light and ventilation: living room, bedroom or kitchen with no windows or with windows opening on an air shaft, or toilet or bathroom without adequate ventilation.
 10. Unsecured building: any building without adequate doors or windows in place capable of being locked or otherwise secured to prevent the unauthorized entrance into said building by any person.
- B. The generality of the condition rendering a building unfit for human habitation or occupancy or use, specified in Section 2 hereof, shall not be deemed in anywise limited by the foregoing specification of conditions.
- C. Any building or buildings, or parts thereof, which have been damaged to such an extent that nothing remains but the walls, or parts of the walls and other supports, shall, regardless of the safety and sturdiness of those remaining walls or parts thereof, be deemed inimical to the welfare of the residents of the Township of Green and the Township may exercise its police powers to

repair, demolish, or cause the repairing or demolishing of the building or buildings, or parts thereof, pursuant to P.L. 1942, c. 112 (C. 40:48-2.3 et seq.), and the provisions of this chapter.

Section 4. Issuance of Complaint.

If a preliminary investigation shall disclose to said Construction Official a basis for the charges filed, he shall issue and cause to be served upon the owner of and parties of interest in such building a complaint stating the charges in that respect. Said complaint shall also contain a notice that a hearing will be held before him at a place therein fixed not less than seven (7) days nor more than thirty (30) days after the serving of said complaint.

Section 5. Answer to Complaint.

The owner and parties in interest shall have the right to file an answer to the complaint and to appear in person, by counsel or otherwise, and give testimony at the time and place fixed in the complaint.

Section 6. Rules of Evidence.

The rules of evidence prevailing in courts of law or equity shall not be controlling in a hearing before the Construction Official.

Section 7. Determination of Unfit Building.

The Construction Official may determine that a building is unfit for human habitation or occupancy or use if he finds that conditions exist in such buildings which are dangerous or injurious to the health and safety of the occupants of such building, the occupants of neighboring buildings or other residents of the Township of Green. Such conditions shall be deemed to include, without limiting the generality of the foregoing, defects increasing the hazards of fire, accidents or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; failure to comply with the requirements of the building code or the certificate of occupancy; and the conditions set forth in Section 2 and Section 3 of this Chapter.

Section 8. Order to Abate Conditions.

When, after such notice and hearing, the Construction Official determines that the building under consideration is unfit for human habitation or occupancy or use, he shall state, in writing, his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and the parties in interest an order as follows:

- A. Requiring the repair, alteration or improvement of said building to be made by the owner within a reasonable time, which time shall be set forth in the order or, at the option of the owner, to vacate or have said building vacated and closed within the time set forth in the order.
- B. If the building is in such a condition as to make it dangerous to the health and safety of the persons on or near the premises and the owner fails to repair, alter or improve said building within the time specified in the order, then the owner shall be required to remove or demolish said building within a reasonable time to be specified in said order.

Section 9. Failure to Repair.

If the owner fails to comply with an order to repair, alter or improve or, at the option of the owner, to vacate and close the building, the Construction Official may cause such building to be repaired, altered or improved or to be vacated and closed. The Construction Official shall cause to be posted on the main entrance of any building so closed a placard with the following words: "This building is unfit for human habitation or occupancy or use; the use or occupancy of this building is prohibited and unlawful."

Section 10. Failure to Demolish.

If the owner fails to comply with an order to remove or demolish the building, the Construction Official may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement and after receipt of bids therefor.

Section 11. Recovery of Costs.

The amount of the cost of such repairs, alterations or improvements or vacating and closing or removal or demolition, when done by the Construction Official, shall be a municipal lien against the real property upon which such cost was incurred. If the building is removed or demolished by the Construction Official, he shall sell the materials of such building and shall credit the proceeds of such sale against the cost of the removal or demolition, including the clearance and, if necessary, the leveling of the site, and any balance remaining shall be deposited in the Superior Court of New Jersey, Chancery Division, by the Construction Official, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court; provided, however, that nothing in this section shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement by summary proceeding or otherwise.

Section 12. Service of Complaint.

Complaints or orders issued by the Construction Official, pursuant to this chapter, shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown, and the same cannot be ascertained by the Construction Official in the exercise of reasonable diligence, and the Construction Official shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once in a newspaper printed and published in the Township of Green or circulated in said Township. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall be duly recorded or lodged for record with the County Clerk of Sussex County.

Section 13. Petition for Relief from Order.

Any person affected by an order issued by the Construction Official may petition the Chancery Division, Superior Court, for relief in accordance with P.L. 1942, c. 112, N.J.S.A. 40:48-2.3 et seq.

Section 14. Remedies to be Exclusive

The remedies herein provided shall be exclusive remedies, and no person affected by an order of the Construction Official shall be entitled to recover any damage for action taken pursuant to any order of

the Construction Official or because of non-compliance by such person with any order of the Construction Official.

Section 15. Authority to Seek Judgment

If an actual and immediate danger to life is posed by the threatened collapse of any fire-damaged or other structurally unsafe building, the public officer may, after taking such measures as may be necessary to make such building temporarily safe, seek a judgment in summary proceedings for the demolition thereof.

Section 16. Powers of Construction Official.

In addition to the powers herein granted to the Construction Official, he shall also have the following powers:

- A. To investigate the building conditions in the Township of Green in order to determine which buildings therein are unfit for human habitation or occupancy or use.
- B. To administer oaths, affirmations, examine witnesses and receive evidence.
- C. To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.

Section 17. Effect on Power of Other Authorities.

Nothing in this chapter shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise, nor is anything in this chapter intended to limit the authority of the enforcing agency or Construction Official under the State Uniform Construction Code Act P.L. 1975, c. 127, (N.J.S.A. 52:27D-119 et seq.) or any rules or regulations adopted thereunder.

Section 18. Rehabilitation Director.

For the enforcement of provisions of this chapter, the office of Rehabilitation Director is hereby created, and appointment to the office shall be by the Mayor and Committee for such term or terms and with such compensation as it may fix. The Construction Official may also serve as the Rehabilitation Director.

Section 19. Posting of Notice of Dangerous Condition.

Every building which shall have been damaged by fire or other cause so as to be dangerous by reason of the bad condition of walls, floors, construction or otherwise shall be held to be unsafe, and the Construction Official, besides proceeding as hereinabove provided, shall also fix a notice of the dangerous character of the structure to a conspicuous place on the exterior of the building.

Section 20. Violations and Penalties.

Any person convicted of a violation of any of the provisions hereof by unlawfully removing any notice affixed to any building or by refusing to vacate any building, structure or premises or part thereof when lawfully ordered to vacate same shall, upon conviction, be punishable by a fine not exceeding \$2,000 or

imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

Section 21. Effect on Enforcement of Other Provisions

The imposition of the fine or imprisonment for a violation of this chapter shall not be construed as in any manner affecting the enforcement of the other provisions hereof.

Section 22. Severability.

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

Section 23. When Effective.

This chapter shall take effect immediately upon its final passage and publication as required by law.

ATTEST:

TOWNSHIP OF GREEN
IN THE COUNTY OF SUSSEX


Linda Peralta
Township Clerk/ Administrator


Margaret "Peg" Phillips
Mayor

Record of Vote – ^{Adoption:} Introduction:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout		✓		
Mrs. Phillips	✓			

Introduction: May 23, 2016
Public Hearing: June 13, 2016
Advertised Adoption: June 19, 2016

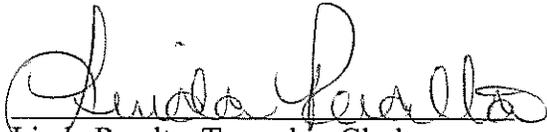
Advertised Introduction: May 31, 2016
Adopted: June 13, 2016

**RESOLUTION 2016-87
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

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 05/05/2016 to 06/08/2016 attached to and made a part of this Resolution is hereby accepted and approved for payment.

DATED: June 13, 2016

I, Linda Peralta, 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 June 13, 2016.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO

Vote on Resolution:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips	✓			

**RESOLUTION 2016-88
TOWNSHIP COMMITTEE – TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY
APPROVAL OF CORRECTIVE ACTION PLAN**

WHEREAS, the Division of Local Government Services requires preparation of a Corrective Action Plan in accordance with the Single Audit Act, U.S. Office of Management and Budget, and New Jersey Office of Management and Budget; and

WHEREAS, a Corrective Action Plan has been prepared by the Chief Financial Officer as required and copies have been distributed to the governing body and filed with the Township Clerk;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Green that said Corrective Action Plan is hereby approved as submitted.

BE IT FURTHER RESOLVED that a copy of the Plan be submitted to the Division of Local Government Services as required.

DATED: June 13, 2016

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JUNE 13, 2016.



Linda Peralta
Township Clerk

Record of Vote:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips	✓			

cc: Linda Padula, CFO

CORRECTIVE ACTION PLAN

Township of Green, Sussex County

For Audit Report Year: December 31, 2015

Finding #15-01:

Segregation of Duties: The Township does not maintain an adequate segregation of duties within the Tax Collector, Animal Control and Fire Prevention Departments. Since there is a limited number of employees, there is too much control over a transaction or class of transactions.

Recommendation #1

That adequate segregation of duties within the Tax Collector, Animal Control and Fire Prevention departments be maintained.

Analysis: There has always been one part-time employee in each department.

Corrective Action: Due to budget constraints the Township is unable to employ more employees at this time. The Township will consider strengthening internal control within reason of costs. A review of each department will be conducted.

Implementation Date: 8/01/2016

Recommendation #2

That dog tag fees be deposited within 48 hours of receipt.

Analysis: Part-time employees are unable to deposit within 48 hours.

Corrective Action: Arrangements will be made to deposit dog tag fees within 48 hours.

Implementation Date: 8/01/2016

Recommendation #3

That Fire prevention fees be deposited within 48 hours of receipt.

Analysis: Part-time employees are unable to deposit within 48 hours.

Corrective Action: Arrangements will be made to deposit fire prevention fees within 48 hours.

Implementation Date: 8/01/2016

Recommendation #4

That a proper cash receipts journal be maintained for fire prevention fees.

Analysis: Employee did not maintain a cash receipts journal.

Corrective Action: Arrangements have been made to have the cash receipts journal maintained.

Implementation: 5/01/2016


Prepared by Linda Padula, CFO/Treasurer Date 5/4/2016

**TOWNSHIP OF GREEN
ORDINANCE 2016-08**

**AN ORDINANCE OF THE TOWNSHIP OF GREEN, SUSSEX COUNTY,
NEW JERSEY ESTABLISHING AND LAYING OUT A PUBLIC STREET
TO BE KNOWN AS "MUNICIPAL ROAD" ON LANDS OWNED
BY THE TOWNSHIP OF GREEN AND ESTABLISHING
THE BOUNDARIES THEREOF**

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

SECTION 1: The parcel of land described in Section 2 of this Ordinance, being a portion of lands owned by the Township of Green, is hereby laid out and established as a public street.

SECTION 2: The public street established by Section 1 of this Ordinance is described on Schedule A attached hereto and made a part hereof.

SECTION 3: The public street herein established shall be known and designated by the name of "Municipal Road".

SECTION 4: The Township Clerk shall, upon final passage and publication of this Ordinance cause a certified true copy hereof to be recorded in the Office of the Clerk of Sussex County.

SECTION 5: This Ordinance shall take effect after passage and publication as required by law.

ATTEST:

Linda Peralta, Clerk/Administrator

Margaret "Peg" Phillips, Mayor

Record of Vote – Introduction:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	1st ✓			
Mrs. Phillips	✓			

Introduction: June 13, 2016
Public Hearing: July 11, 2016
Adoption:

Advertised Introduction:
Advertised Adoption:

**CORRESPONDENCE LIST
TOWNSHIP COMMITTEE MEETING
JUNE 13, 2016**

A.-#	FROM	SUBJECT	DATE
A. FOR YOUR ACTION			
A-1	NONE		
B. FOR YOUR INFORMATION:			
B-1	Association of United States Postal Lessors	Invitation to Become a Member of the Association of United States Postal Lessors	5/23/16
B-2	Linda Peralta	Letters to Banks Regarding Foreclosed Properties	6/16
C. COUNTY AND STATE*			
C-1	NJ Transit Corporation	Fiscal Year 2016 Request for Federal Financial Assistance	5/16/16
C-2	Clerk of the Board of Chosen Freeholders	Resolution Supporting the County C.L.E.A.R. Program – Community Law Enforcement Addiction Recovery	5/26/16
D. MAYOR'S FAX ADVISORY*			
D-1	NJ League of Municipalities	Weekly Policy Update	5/20/16
D-2	NJ League of Municipalities	Legislative Action on Local Priorities	5/25/16
D-3	NJ League of Municipalities	Weekly Update	5/27/16
D-4	NJ League of Municipalities	Mayor's Newsline	6/1/16
D-5	NJ League of Municipalities	Daily Update	6/2/16
D-6	NJ League of Municipalities	Weekly Update	6/3/16
D-7	NJ League of Municipalities	NJLM Mini One Day Conference – Pre Registration Ends June 9 th	6/7/16
E. RESOLUTIONS FROM OTHER TOWNS*			
E-1	Township of Montague	Request That District 24 Legislatures Provide and Support Legislation to Restore Citizens' Right to Vote on School Budgets	5/18/16
E-2	Borough of Stanhope	Resolution to Support Sussex County C.L.E.A.R. Program – Community Law Enforcement Addiction Recovery	5/24/16
E-3	Hardyston Township	Resolution to Support Sussex County C.L.E.A.R. Program – Community Law Enforcement Addiction Recovery	5/25/16

**RESOLUTION ES 2016-04
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

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

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

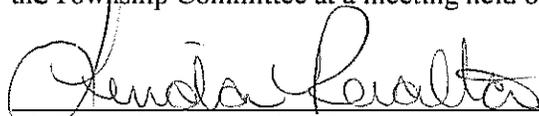
WHEREAS, N.J.S.A. 10:4-13 requires the adoption of a resolution prior to the Township Committee going into Closed Session stating the general nature of the subject matter to be discussed and generally the time and circumstances under which the discussion conducted in Closed Session can be disclosed to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

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

1. The public shall be excluded from discussion of and action upon and hereinafter specified subject matter(s)
2. The general nature of the subject matter(s) to be discussed is as follows:
 Personnel Contract Real Property
 Public Safety Litigation/Potential Litigation Attorney-Client
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately Time: 9:18pm Motion/2nd: _____

Dated: June 13, 2016

I, Linda Peralta, 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 June 13, 2016.


Linda Peralta, Township Clerk

Record of Vote:

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip				✓
Mr. Conkling	1st ✓			
Mr. Kurzeja	2nd ✓			
Mr. Qarmout	✓			
Mrs. Phillips	✓			