

**MINUTES
GREEN TOWNSHIP COMMITTEE
REGULAR MEETING MARCH 1, 2021**

CALL TO ORDER

Mayor Phillips called the March 1, 2021, meeting of the Green Township Committee to order at 7:02 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

Mr. Qarmout motioned to excuse the absent member

Seconded: Mr. Conkling

Discussion: None

All were in favor

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

OPEN PUBLIC SESSION #1 Mayor Phillips opened the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. Mayor Phillips noted that no public members were present at this time and closed Open Public Session #1.

DISCUSSIONS:

- a. Draft Ordinance Duty to Remove and Clear Snow from Fire Hydrants - A draft ordinance was presented to the Township Committee for review. Mr. Qarmout stated that "ice" is referred to in only one section and should be eliminated or added to all references. After a brief discussion it was the consensus to remove the reference to "ice". An extensive discussion ensued concerning the enforcement of said ordinance and who the appropriate authority would be. The Committee agreed to discuss and consider a revised draft ordinance at the next meeting.
- b. Draft Ordinance Wood Importation - A draft ordinance was presented to the Township Committee for discussion. Mrs. Raffay commented that this draft is too complex and regulates more than expected. The Committee discussed how the enforcement could be very difficult and whom would perform such duties. After continued discussion it was the consensus that any regulations should be a state initiative from the Department of Environmental Protection (DEP). Mr. Zschack was asked to send an email to the officials in the DEP to see if there is any regulation at the state level.

CONSENT AGENDA:

1. **RESOLUTIONS:** (Approval of the Following)
None
2. **CORRESPONDENCE:** (Acceptance for Filing of the Following)
 - a. Board of County Commissioners Municipal Liaisons Resolution
3. **REPORTS:** (Acceptance for Filing of the Following)
 - a. Annual Zoning Report Green Land Use Board
 - b. Sussex County Open Space Committee Minutes - November 21, 2019 and November 19, 2020
4. **APPLICATIONS:** (Approval of the Following)
None

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Mr. Conkling motioned to move the Consent Agenda

Seconded: Mrs. Raffay

Discussion: None

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

OLD BUSINESS:

- a. Public Hearing Ordinance 2021-06 - Fully Funded Ordinance for the Purchase of One Freightliner 108SD Conventional Chassis and Mark-E Dump Body Truck and Equipment

Mayor Phillips opened the meeting for public comments.

There being no public comments presented, Mrs. Raffay motioned to close Public Hearing and adopt the ordinance

Seconded: Mr. Qarmout

Discussion: None

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

NEW BUSINESS:

- a. **Introduction** Ordinance 2021-05 - Fixing Salary Ranges for Officers and Employees of the Township of Green

Mr. Conkling motioned to introduce the ordinance and move to Public Hearing on March 15, 2021

Seconded: Mrs. Raffay

Discussion: Mr. Qarmout asked how long the salary range is good for. The New Jersey minimum wage will be increased effective January 1, 2022. This increase will affect two positions. The two positions will be changed to reflect "NJ minimum wage".

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

- b. **Introduction** Ordinance 2021-07 - Authorize Public Sale of Block 56, Lots 15 and 17

Mr. Conkling motioned to introduce the ordinance and move to Public Hearing on March 15, 2021

Seconded: Mr. Qarmout

Discussion: Mrs. Raffay questioned if a contiguous owner purchased this property and wants to expand their original home, will this ordinance prevent that any expansion. The Township Attorney explained that the property cannot be sold to only surrounding properties. The sale is open to the entire public. A discussion ensued regarding allowable improvements to the property.

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

c. Resolution 2021-57 - Release of Escrow - Stephen Shears and Amanda Breem

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			

d. Resolution 2021-58 - Authorizing Redemption of Tax Sale Certificate #944 for Block 116, Lot 05

Motion: Mrs. Raffay

Seconded: Mr. Qarmout

Discussion: Mr. Qarmout asked for clarification on who cleared the tax sale. The Township Attorney responded that the lienholder has cleared of the tax sale.

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

e. Resolution 2021-60 - Authorizing Farming of Block 19, Lots 15 and 15.01 and Block 32, Lot 1

Motion: Mr. Conkling

Seconded: Mrs. Raffay

Discussion: Mr. Qarmout asked for confirmation that this is to extend the agreement for one year. Mr. Zschack stated the agreement is to extend for one year and allow an expansion on the area being farmed. A discussion ensued concerning farming on the runway. The Committee agreed to discuss further at the next meeting after a review of previous discussions regarding the runway.

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

f. Resolution 2021-61 - Spring Recreational Activities

Motion: Mrs. Raffay

Seconded: Mr. Qarmout

Discussion: Mr. Zschack stated that there is a new program, Neighbors Teaching Neighbors, that Recreation would like to offer. The program would entail residents volunteering to teach classes or workshops. Examples of classes could be painting, drawing, crafts, wreath making, kids projects, etc. Classes can be held virtually or in person at EverGreen Park when warmer weather allows. A small fee for supplies may apply if necessary. All classes will need approval from the Municipal Clerk and/or Recreation Sub-Committee.

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

g. Minutes ready for approval - February 17, 2021, regular and executive sessions

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

	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:

Filming Request - A request has been received from EnMaze Pictures to use a section of Creek Road near Airport Road to film a foreign television show. The request is to film for approximately one day in late May with 15 crew and cast on site. We are awaiting the additional information pertaining to road closures and emergency services before a Use of Facilities form is requested. A fee will be collected for usage of the airport property and DPW employee coverage.

Recombine DPW Personnel - The plan is to merge to two DPW teams by the end of March. A plan is in place to set up the DPW building and still maintain COVID-19 restrictions.

Bicentennial - This is just a reminder that the 2024 bicentennial of Green Township is fast approaching and will be upon us before we know it. It is the recommendation that a Sub-Committee be formed to come up with ideas and logistics for an event. The number of committee members and function of said committee will need to be established.

Firetruck Sale - On February 26, 2021, the final sale of the firetruck was executed and a \$10,000.00 check has been deposited.

COVID-19 Restrictions - There has been some discussion recently concerning the reopening of the municipal building. Two of the main reasons for closing, dog licenses and tax payments, have now diminished. A few scheduling circumstances could delay the reopening, but I'm sure we can work around them. The Committee is in agreement for reopening the municipal building.

Recreation and Use of Township Facilities - The Township has not held any recreation events nor allowed any use of township facilities in almost a year. Would the Committee wish to keep this policy or consider a change? We are starting to receive requests therefore would the Committee wish to keep this policy or consider a change? The Committee discussed reopening the township facilities and is in agreement with opening the pavilion (not the kitchen), downstairs of the municipal building with COVID-19 restrictions in place by mid-April. The Township Attorney will review the Hold Harmless Agreement and add the appropriate language.

MATTERS FROM THE GOVERNING BODY: Mayor Phillips provided an update regarding the cable. The last communication with Altice stated they are still confirming information with their construction department. Mr. Conkling stated that the Open Space Advisory Committee is working on extending the trail across Kennedy Road to connect to Allamuchy in Warren County.

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

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MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Mr. Perigo stated the DPW is winding down on winter storms and will continue working on maintenance of the trucks.

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

EXECUTIVE SESSION: Resolution ES2021-03 - Attorney-Client Advice
Contract Negotiations, Fire Truck Agreement
Potential Litigation, Block 16, Lot 21.02

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

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

The Committee returned to Open Public Session at 9:59 p.m.

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

Seconded: Mr. Qarmout

Discussion: None

All were in favor.

The Township Attorney verbally read Resolution 2021-62 to Authorize Extension of the Family First Coronavirus Response Act for Green Township employees.

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			

Mayor Phillips noted the next Township Committee Meeting is scheduled for Monday, March 15, 2021, at 7:00 p.m.

ADJOURNMENT:

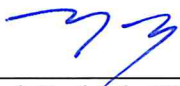
Mrs. Raffay motioned to adjourn at 10:00 p.m.

Seconded: Mr. Conkling

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: March 15, 2021

ORDINANCE NO. 2021-06
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**FULLY FUNDED CAPITAL ORDINANCE TO PROVIDE FUNDING FOR THE
PURCHASE OF ONE FREIGHTLINER 108SD CONVENTIONAL
CHASSIS & MARK-E DUMP BODY TRUCK AND EQUIPMENT
AND
APPROPRIATING THE SUM OF
\$162,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND \$19,000.00 FROM
THE GENERAL CAPITAL RESERVE "PURCHASE OF DPW TRUCK"
FOR SAID PURCHASE**

BE IT ORDAINED by the Mayor and Township Committee of the Township of Green, County of Sussex, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1. The Township Committee of the Township of Green hereby authorizes the following improvement:

- a. The Township Committee of the Township of Green hereby authorizes the purchase of a new Freightliner 108SD Conventional Chassis from Robert H. Hoover & Sons, 149 Gold Mine Road Flanders, New Jersey, 07836 in the amount, not to exceed, \$102,000.00. Said purchase is authorized utilizing the Sussex County Cooperative.
- b. The Township Committee of the Township of Green hereby authorizes the purchase of a new Mark-E SA Dump Body from Henderson Products, Inc., 94 North Dell Avenue Kenvil, New Jersey, 07847 in the amount, not to exceed, \$79,000.00. Said purchase is authorized utilizing the Sourcewell Cooperative Contract 080818-HPI.

The Township Committee appropriates the sum of \$162,000.00 from the Township's Capital Improvement Fund and \$19,000.00 from the Township's General Capital Reserve "Purchase of DPW Truck" for said acquisition.

The useful life of this equipment is at least five (5) years. No Supplemental Debt Statement is required since there is no authorization of any debt within this Capital Ordinance. The gross debt of the Municipality as defined by law is not increased by this ordinance, and no obligation in the matter of bonds or notes are authorized by this ordinance.

SECTION 2. This Capital Ordinance shall take effect immediately after publication following the final adoption as provided by law.

ORDINANCE NO. 2021-06
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

NOTICE

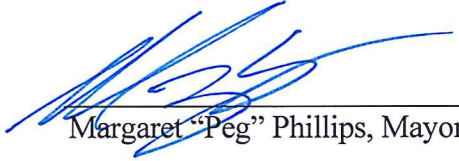
The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on February 17, 2021, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on March 1, 2021.

ATTEST:

TOWNSHIP OF GREEN
IN THE COUNTY OF SUSSEX



Mark Zschack, RMC, Township Clerk



Margaret "Peg" Phillips, Mayor

cc: Linda Padula, CFO

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: February 17, 2021
ADOPTED: March 1, 2021

ADVERTISED: February 19, 2021
ADVERTISED: March 4, 2021

ORDINANCE NO. 2021-05
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**“AN ORDINANCE FIXING SALARY RANGES FOR OFFICERS AND EMPLOYEES
OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX
AND STATE OF NEW JERSEY”**

BE IT ORDAINED by the Township Committee of the Township of Green that effective January 1, 2021, the salary ranges for officers and employees shall be as hereinafter specified:

Section 1. The minimum and maximum salary range for officers or employees of the Township of Green who are employed on an annual salary basis shall be and is hereby fixed as follows:

POSITION	MINIMUM	MAXIMUM
Member, Township Committee	\$ 0.	\$ 2,000.
Mayor, Township Committee	0.	2,500.
Municipal Clerk/Registrar	45,000.	115,000.
Deputy Clerk	15,000.	40,000.
Deputy Registrar	3,000.	7,500.
Deputy Clerk/Deputy Registrar	10,000.	60,000.
Receptionist	7,500.	35,000.
Clerk/Typist	2,000.	50,000.
Chief Financial Officer/Treasurer	25,000.	98,000.
Tax Assessor	25,000.	55,000.
Certified Property Lists (Tax Assessor)	2,000.	5,000.
Tax Collector/Tax Search Officer	25,000.	50,000.
Fire Prevention Official	0.	5,000.
Municipal Department Head (DPW Manager)	25,000	92,000.
Secretary Board/Committee	3,500.	55,000.
Court Treasurer	1,000.	5,000.
Animal Control Officer	3,000.	12,000.

Section 2. The minimum and maximum rates of compensation for each employee or class of employees who are employed on an hourly basis shall be and are hereby fixed as follows:

POSITION	MIN. PER HR	MAX. PER HR
Supervisor Roads	\$ 15.00	\$ 50.00
Road Foreman	N.J. Min. Wage	40.00
Senior Road Repairer	N.J. Min. Wage	35.00
Road Repairer	N.J. Min. Wage	35.00
Superintendent of Public Works	30.00	40.00
Laborer	N.J. Min. Wage	27.00
Mechanic/Road Repairer	N.J. Min. Wage	35.00
Park Attendant	N.J. Min. Wage	75.00
Building Maintenance Worker/Messenger	N.J. Min. Wage	28.00
Grant Writer	N.J. Min. Wage	35.00
Clerk/Typist	N.J. Min. Wage	25.00
Tax Collector	15.00	40.00
Secretary Board/Committee	N.J. Min. Wage	30.00
Zoning Officer	N.J. Min. Wage	38.00
Seasonal/Road Repairer	N.J. Min. Wage	30.00

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TOWNSHIP OF GREEN, COUNTY OF SUSSEX, NJ

POSITION	MIN. PER HR	MAX. PER HR
Seasonal/Truck Driver	N.J. Min. Wage	\$ 30.00
Recreation Director	N.J. Min. Wage	25.00
Seasonal/Recreation Sr. Counselors	N.J. Min. Wage	15.00
Seasonal/Lawn Maintenance	N.J. Min. Wage	20.00
Seasonal/Recreation Property Maintenance	N.J. Min. Wage	25.00

Section 3. The minimum and maximum rates of compensation for each employee or class of employee who are employed on a basis other than annually or hourly shall be and are hereby fixed as follows:

POSITION	MINIMUM	MAXIMUM
Grant Administrator (stipend)	500	3,000.
Certified Recycling Coordinator (stipend)	500	5,000.
Inspector (per smoke cert inspection)	20.00	80.00
Emergency Management Coordinator (stipend)	.00	5,000.
Emergency Management Coordinator (per diem with Township Committee approval)	.00	250.
Deputy Emergency Management Coordinator (stipend)	.00	1000.
Secretarial (per meeting for attendance at Township Committee, Land Use Board, Open Space, Recreation, Environmental and other miscellaneous meetings)	40.00	100.
Seasonal/Recreation Program Coordinator (stipend)	500.	2,000.
Seasonal/Recreation Sports Coordinator (stipend)	500.	1,500.
Seasonal/Recreation Arts & Crafts Coordinator (stipend)	500.	1,500.
Seasonal/Recreation – other special programs	250.	1,500.
Animal License Coordinator (stipend)	1,000.	1,500.
Alternate Deputy Registrar (stipend)	500.	1,000.
Clean Communities Coordinator (stipend)	500.	1,200.
Special Project (per project)	100.	10,000.

Section 4. No officer or employee shall be entitled to receive an additional increment of salary until the same has been approved by resolution of the Township Committee.

Section 5. The Township Committee reserves the right to pay a salary to any new employee during his or her probationary period of ninety (90) days which may be less than the minimum rate of salary or compensation as herein above provided. However, upon the satisfactory completion of such probationary period said employee shall be paid not less than the minimum salary provided for the particular office or employment.

Section 6. The Township Committee further reserves the right to pay a salary to any new employee at any figure between the minimum and maximum salary provided for such office or position and not necessarily the minimum salary.

Section 7. The adoption of this Ordinance shall not operate to either increase or decrease the present pay of any officer or employee of the Township of Green, and the salaries or compensations provided by existing ordinances shall remain in full force and effect until such time as the Township Committee may grant and approve such additional increments of salary as may be deemed advisable

ORDINANCE NO. 2021-05
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, NJ

pursuant to the terms of this Ordinance. A resolution of the Township Committee establishing specific salaries or wages may be made retroactive to January 1st of the year in which the resolution is adopted or may establish the date on which salary shall take effect.

Section 8. Salaries shall be paid in the manner and the same time as heretofore provided by ordinance.

Section 9. This ordinance shall take effect after final passage and publication as prescribed by law.

Section 10. All ordinances or parts of ordinances, which may be inconsistent with the terms of this ordinance, are to the extent of such inconsistency hereby repealed.

NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on March 1, 2021, 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 "Peg" Phillips, Mayor

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 1, 2021
ADOPTED:

ADVERTISED: March 4, 2021
ADVERTISED:

ORDINANCE NO. 2021-07

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE AUTHORIZING THE PUBLIC SALE
OF REAL PROPERTY**

WHEREAS, the Township of Green is the owner of certain real property set forth in Schedule "A", which properties are not needed or required for municipal use; and

WHEREAS, the Township Committee deems it in the best interest of the Township of Green to sell the properties at public auction, in accordance with the provisions of N.J.S.A. 40A:12-13, et seq.; and

WHEREAS, the Township Committee on January 20, 2021 introduced Ordinance 2021-02 that included a flaw in the legal notice; and

WHEREAS, the sale shall be conducted as an auction to the highest bidder, after advertisement, with such auction to be held at the Township of Green Municipal Building, 150 Kennedy Road, Tranquility, New Jersey 07879 on April 5, 2021, at 7:00 pm or such adjourned date as may be determined by the Green Township Committee; and

NOW, THEREFORE, BE IT ORDAINED by the Green Township Committee as follows:

1. The introduction of Ordinance 2021-02 on January 20, 2021 is hereby rescinded.
2. The Township of Green shall offer for sale by auction, pursuant to the provisions of N.J.S.A. 40A:12-13(a), et seq., the properties listed on Schedule "A". Schedule "A" also contains the minimum sale price for both properties. If sold to a contiguous property owner, the sale is conditioned upon the property being sold merging with the contiguous property owner's existing property. The properties being sold are without any improvements and the sale is conditioned upon no further subdivision of the merged lot or lots created by this sale and no structure or improvements shall be built on or under such property. A deed restriction is required, prohibiting any structures and/or improvements on the property. The Township Committee reserves the right, in its discretion to reject all bids for each property for any reason, including but not limited to, in the event that the minimum sale price for such property is not met.
3. Upon final passage of this Ordinance, the sale shall take place on April 5, 2021 at 7:00 pm at the Green Township Municipal Building, 150 Kennedy Road, Tranquility, New Jersey 07879, after offering same to the highest bidder, at said time and place.
4. A copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the Green Township Municipal Building. Notice of adoption of this Ordinance shall be made in the official Township newspaper within five (5) days following the enactment of the Ordinance. Notice of the public sale shall be published in the official Township of Green newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication shall be within seven (7) days prior to the sale date.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

5. The property shall be sold subject to the following terms and conditions:

(a) The property is sold "as is". No representations of any kind are made by the Township as to the conditions of the property, and the descriptions of the property are intended as a general guide only and may not be accurate. The properties are being sold in the present "as is", "where is", with all faults.

(b) The sale shall be made after legal advertisement of this Ordinance to the highest bidder, which if sold to a contiguous property owner, such property shall merge with the property being sold, and become part of the contiguous property owned by the successful bidder.

(c) The Township does not warrant or certify title to the property and in no event shall the Township of Green be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.

(d) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(e) The highest bidder shall deposit with the Township cash, check or money order in the amount of not less than 10% of the bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township of Green will re-auction the property at the same public sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.

(f) The highest bidder must pay the balance of the purchase price, plus (1) the sum of \$350.00 for the legal services incurred by the Township; (2) the Township of Green's advertising and the actual recording fees within thirty (30) days after the date the Council adopts a resolution confirming the winning bid(s); (3) all costs and expenses for the sale including, but not limited to, the appraisal costs incurred by the Township; and (4) realty transfer fees, if any. The balance shall be paid by certified funds. Once the purchase price has been paid, a Quitclaim Deed without covenants will be prepared by the Township Attorney and, after execution by the Township Officials, shall be recorded with the Sussex County Clerk's Office by the Township Attorney. Additional work performed by the Township Attorneys beyond the standard preparation of the sale resolutions, notice of sale, letters to property owners and adjoining property owners, Deed and closing statement shall be billed at the rate charged by the Township Attorney and shall be the responsibility of the purchaser, which fees must be paid prior to the Deed being recorded.

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(g) The Deed will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Green and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements, if any, on the premises and the continued right of maintenance and flow thereof.

(h) The deeded conveyance shall contain a restriction that there shall be no subdivision of the merged lot or lots created by this sale and no structure or improvements shall be built on or under such property. The successful bidder, if a contiguous property owner, shall provide a copy of their existing property Deed to the Municipal Attorney within seven (7) days of their being notified that they are the successful bidder of the sale.

Potential Bidders are advised:

- (1) To conduct all necessary title searches prior to the date of sale.
- (2) No representations of any kind are made by the Township of Green as to the conditions of the Property, including habitability or usability; the Property is being sold in its present conditions "as is".
- (3) The Property will be conveyed by a Quit Claim Deed and such conveyance shall be subject to all covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the Property to be conveyed.
- (4) The highest bidder for the Property shall have the right, at its sole cost and expense, to obtain a new survey of the Property. Provided such survey depicts the Property and is certified to be correct to the Township of Green, the Township of Green shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the highest bidder provides such legal description and a copy of the certified survey to the Township of Green not less than one week prior to the date set for closing of title.

Additional Terms the Successful Bidder must comply with:

- (1) To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.
- (2) That the failure to close title as agreed shall forfeit to the Township of Green any and all money deposited with the Township.
- (i) The property will be sold subject to the current year taxes, prorated from the date of sale.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

(j) The Township Committee reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.

(k) All bidders currently owing property within the Township must have their taxes, as well as all municipal utility charges, if applicable, paid to date in order to be a qualified bidder. In the event the bidder's taxes or municipal utility charges are delinquent, the bidder shall be deemed unqualified and such bid shall be rejected.

(l) This same is made subject to all applicable laws, statutes, regulations, resolutions and ordinances of the United States, State of New Jersey and Township of Green.

(m) No employee, agent or officer of the Township of Green has any authority to waive, modify or amend any of the conditions of sale.

(n) The purchaser must abide by appropriate zoning, subdivision, health and building regulations and code, and agrees that this sale will not be used as ground to support any variance from or realization of the regulations.

(o) The failure of the purchaser to close on title within sixty (60) days of the Township award of the bid shall constitute a breach of this Ordinance unless the Township agrees in writing prior to that date to extend the time of the closing. In the event the purchaser fails to close within 60 days or such date as may be extended by the Township, the deposit paid by the purchaser shall be retained by the Township as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs including but not limited to advertising costs, attorney's fees, lost tax revenues from the date of the required closing as well as additional cost of resale and the difference in the sales price, to the extent the property is sold for a lower price and any subsequent sale. The only exception to this section is in the event that the purchaser fails to close as a result of the title being unmarketable, in which case the Purchaser shall be entitled to a refund of their deposit.

(p) The purchase shall not be used for any County, Board of Taxation, Tax Court of New Jersey, or in any Courts of the State as grounds to support a challenge of the existing assessments with regard to other properties.

(q) The sale shall be subject to final approval by the Township Committee.

6. 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.

7. 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.

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

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

This Ordinance shall take effect upon final adoption of publication as may be 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 March 1, 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

Mark Zschack, RMC, Township Clerk

Margaret "Peg" Phillips, Mayor

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 1, 2021
PUBLIC HEARING:

ADVERTISED: March 4, 2021
ADVERTISED:

ORDINANCE NO. 2021-07
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

SCHEDULE A

	<u>Tax Block</u>	<u>Lot</u>	<u>Location</u>	<u>Lot Size</u> <u>(acres)</u>	<u>Minimum</u> <u>Sale Price</u>
1.	56	17	72 Forest Road	2.750	
	56	15	76 Forest Road	0.229	<u>\$20,000.00</u>

RESOLUTION 2021-57
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

RELEASE OF BOND / ESCROW

WHEREAS, the attached request has been received for the release of a bond / escrow;

WHEREAS, the application mentioned below has proceeded according to approvals granted; and,

WHEREAS, this office has obtained notices from the appropriate Township Officials (attached), authorizing the release of the bond / escrow account listed below.

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 escrow / bond fund:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME AND ACCOUNT #</u>	<u>AMOUNT</u>
46	14/9	Stephen Shears and Amanda Bream 8 Willow Terrace, Andover, NJ 07821 SE#1706 - #14-288-30-1706-00 LU#1613 - 14-288-95-1613-00 DW#1707 - 14-288-70-1707-00	 \$ 625.68 \$ 470.93 \$,3998.00

DATED: March 1, 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 March 1, 2021.



Mark Zschack, RMC, Township Clerk

cc: Kim Mantz, Land Use Board Secretary
Linda Padula, CMFO

Record of Vote:

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

RESOLUTION 2021-58
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

RESOLUTION AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #944
FOR BLOCK 116, LOT 05

WHEREAS, the Township's Tax Collector, Karen Ferrone, advises that she has received \$ 73,402.01 for the redemption of Tax Sale Certificate #944 and all subsequent taxes, interest and fees on Block 116, Lot 05 and requests that \$ 73,402.01 along with \$100.00 premium on deposit be refunded to the lien holder Park Finance II, LLC


NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Green that the Tax Collector has received \$ 73,402.01, for the redemption of Tax Sale Certificate #944 and all subsequent taxes, interest and fees on Block 116, Lot 05 and requests that \$73,402.01 along with \$100.00 premium be refunded to the lien holder Park Finance II, LLC, PO Box 109, Cedar Knolls, NJ 07927.



Karen Ferrone, Tax Collector

DATED: March 1, 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 March 1, 2021.



Mark Zschack, Township Clerk

cc: Karen Ferrone, Tax Collector
Linda Padula, CFO

Record of Vote:

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

RESOLUTION 2021-60
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

RESOLUTION REGARDING FARMING PORTIONS OF
BLOCK 19, LOTS 15 & 15.01 AND BLOCK 32, LOT 1

WHEREAS, on March 4, 2019 the Governing Body adopted Resolution 2019-66 authorizing the Township Clerk and Mayor to execute a twenty-four (24) month contract with Mr. Peter J. Bast of Bast Dairy, Green Township, NJ, in the amount not to exceed \$0.00; and

WHEREAS, on March 29, 2019 a two (2) year agreement to farm portions of Block 19, Lots 15 & 15.01 and Block 32, Lot 1 between Mr. Peter J. Bast of Bast Dairy, Green Township, NJ and the Township of Green was executed; and

WHEREAS, it is in the best interest of the Township to extend this agreement for one year under 40A:12-14, et seq. for an additional one (1) year.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Green, County of Sussex, State of New Jersey, authorizes the Township Clerk and/or the Mayor to execute a twelve (12) month contract with Mr. Peter J. Bast of Bast Dairy, Green Township, NJ, in the amount not to exceed \$0.00.

DATED: March 1, 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 March 1, 2021

Mark Zschack, RMC, Township Clerk

cc: Linda Padula, CMFO
Mr. Peter Bast

Record of Vote:

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

RESOLUTION 2021-61
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

SPRING RECREATIONAL ACTIVITIES

BE IT RESOLVED that the Township Committee of the Township of Green approves the following activities for the spring 2021 season as well as seasonal expenses and registration fees:

ACTIVITY	REGISTRATION FEE	SEASONAL EXPENSES
Easter Egg Hunt – Date: TBD Throughout town	No Participation Fee	Not to Exceed \$450.00
Spring Yard Sale – May 1 Rain date - May 2 – Homes on Map	\$5.00	Advertising only – not to exceed \$50.00
“Neighbors Teaching Neighbors” Multiple Dates: TBD Virtual/EverGreen Park	Minimal participation fee depending on class/supplies. Not to exceed \$15 per person	Not to exceed \$1000.00

DATED: March 1, 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 March 1, 2021.



Mark Zschack, RMC, Township Clerk

Cc: Linda Padula, CMFO
Kim Mantz, Recreation Secretary

Record of Vote:

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

RESOLUTION ES 2021-03
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: March 1, 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 March 1, 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 2021-62
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ

AUTHORIZE EXTENSION OF THE FAMILY FIRST CORONAVIRUS RESPONSE
ACT FOR GREEN TOWNSHIP EMPLOYEES

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Green, County of Sussex, State of New Jersey, that it hereby authorizes the extension of the Family First Coronavirus Response Act for Green Township employees through March 31, 2021. Recognizing that the expanded Family Leave Act mandate expired on December 31, 2020, the municipality voluntarily agrees to expand the Family First Coronavirus Response Act through March 31, 2021, for all Township employees.

Dated: March 1, 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 March 1, 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			√			