

**GREEN TOWNSHIP COMMITTEE  
SEPTEMBER 26, 2016**

**CALL TO ORDER**

Mayor Phillips called the September 26, 2016, meeting of the Green Township Committee to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ADEQUATE NOTICE:** Mr. Zschack read the statement of adequate notice.

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

Absent: Mr. Chirip

Mr. Conkling motioned to excuse the absent member

Seconded: Mr. Qarmout

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. Mark Zschack, Clerk/Administrator; Mr. Richard Stein, Township Attorney; and Mrs. Patty DeClesis, Deputy Clerk

**EXECUTIVE SESSION:** Mr. Stein read Resolution ES2016-08 to enter Executive Session for the purpose of one personnel matter.

Mr. Conkling motioned to enter Executive Session at 6:32 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 7:33 p.m.

Mayor Phillips announced that this is the last meeting with Mrs. Linda Peralta as Township Clerk/Administrator. Mayor Phillips turned the gavel over to Mrs. Peralta to run this evening's meeting.

**DISCUSSIONS:**

- a. **Key Lock Box System** – At the last meeting, the Committee considered a request from the Fire Department to institute a mandatory key lock box system for non-residential properties in Green Township. The Committee prefers a voluntary system to allow the Fire Department immediate access to a building in the event of an emergency. Mr. Stein drafted an ordinance for the Committee's consideration.

Mr. Conkling motioned to introduce Ordinance 2016-12 and move to Public Hearing October 12, 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			

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- b. **Fire Alarm System for Municipal Building and Associated Security Systems and Services** – Mrs. Peralta noted that the bid specs were opened on September 21, 2016. Mr. Stein stated that all bids submitted were in proper order and met the minimum requirements of the Local Public Contracts Law. Control Security Corp. noted an exception in their bid to use a single control box to control the fire alarm, burglar alarm and the access system. Mr. Stein spoke with Mr. O'Brien, the architect who designed the system. Mr. O'Brien commented that the system was designed with three separate control panels. Although it can be done as a single system and would be less expensive, Mr. O'Brien thought that if one of the systems becomes obsolete, the main control panel would have to be replaced which might make the other systems obsolete. Mr. O'Brien's recommendation is that it would be better for the municipality to do three separate panels and three separate systems. Mr. Stein added that the Committee has 60 days from September 21, 2016, to reject or award the contract and recommended waiting for Mr. O'Brien's report and discuss further at the next meeting.

Mrs. Peralta explained that Alternates A, A1, B and C are the most important and necessary. They include the fire alarm system, the magnetized door releases, the card access system and the surveillance system cameras. The least important is the burglar alarm system. This system requires setting each evening and reset in the following morning.

**CONSENT AGENDA:**

- a. **Resolution 2016-118 – Appoint Erik Cerame to Open Space Advisory Committee**  
b. **Minutes ready for approval – September 12, 2016, regular and executive sessions**

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

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

**OLD BUSINESS:**

- a. **Ordinance 2016-10 – Amending Chapter 2 “Administration” and Chapter 8 “Fees” to Establish a Fee for Ultralight Aircraft Use for Trinca Airport (Public Hearing)**

Mr. Conkling motioned to open the meeting for public comments, seconded by Mayor Phillips.

There being no public comments, Mr. Conkling motioned to close public comments and adopt the ordinance.

Seconded: Mrs. Phillips  
Discussion: None

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

**NEW BUSINESS:** None

**CORRESPONDENCE:** Mr. Zschack noted the following:

- Letter from Ursula Leo, Esq. concerning the affordable housing judgment
- Letter from Richard Stein, Esq. concerning the annexation of properties into Green Township.
- At the last Committee meeting, there was a request to add signage at the intersection of Scenic Drive and Highland Avenue. DPW added reflector signage. Mr. Zschack noted another letter from a resident that is not happy with the reflector signage. Mr. Zschack suggested the Committee members take a look at the signage for continued discussion at the next meeting.

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**MATTERS FROM THE GOVERNING BODY:** Each Committee member stated their appreciation and thanks to Mrs. Peralta for her service to the Township and wish her the best in her retirement.

Mrs. Peralta stated that it has been her honor and pleasure to serve the residents, the governing body, the employees, and all the volunteers in Green Township. Mrs. Peralta thanked everyone for the opportunity.

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

- Invitation from Laddey, Clark and Ryan to attend the 2017 Economic Outlook Forum
- The first Outdoor Public Event notification has been received.

**MATTERS FROM THE TOWNSHIP ATTORNEY:** Mr. Stein commented that the State is considering a procedure for making sure all emergency services and officials are aware of large public events being held.

Request received from Andover Borough for annexation of the two small properties. Mr. Stein spoke with Mr. McGovern, Attorney for Andover Borough, about an agreement rather than annexation. Mr. McGovern will present the idea to the Andover Borough officials and get back to Mr. Stein.

Mr. Stein spoke with Mr. John Williams the new Sussex County Counsel about the history of Scenic Road and County Route 517. Mr. Williams Mr. Conkling would like Mr. Stein to push for a meeting with the County. Mayor Phillips commented that many residents that live in that area often comment and make suggestions as to what should be done. Most of the comments have been previously addressed. Mayor Phillips suggested a public meeting with the residents and the County might be beneficial.

Mr. Qarmout asked Mr. Stein if Green Township can exit the agreement with the neighboring towns at any time. Mr. Stein explained that it is liquid agreement. Annexation would be permanent, an agreement can be reviewed if it is no longer working.

Mr. Qarmout also commented that the invite to the Economic Outlook Forum has a waiver of \$25.00 fee, is there any ethical issues that need to be considered. Mr. Stein explained that his firm has a \$300.00 per elected official per year pay to play threshold. They are forbidden to make any contribution to any elected official in a town where they serve that exceeds that threshold. The firm has a system to keep track and be sure that the provision is no violated.

Mr. Stein updated the Committee on 8 Michael Court explained the correspondence to the attorneys handling the foreclosure of the property. Mr. Stein received an email recently from a Violations Coordinator addressing the deck in violation. They have received approval and will request a work order be rushed and will keep Mr. Stein updated. Mr. Stein also noted the grass is being maintained.

Mr. Stein thanked Mrs. Peralta for her service and commented that it has been a real pleasure to work with her.

**MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD:** Not in attendance.

**PUBLIC COMMENTS AND/OR QUESTIONS:**

Mr. Qarmout motioned to open the meeting for public comments, seconded by Mayor Phillips.

Mr. Lawrence Kaphan, 38 Scenic Drive - concerned about the recent fires that occurred behind Pub 517 and asked if the Township would consider demolishing the abandoned buildings. Mrs. Peralta explained that the properties are owned by the State. Mr. Stein explained that a letter can be sent to the Department of Environmental Protection requesting these abandoned buildings be demolished. Mayor Phillips asked Mr. Zschack to send a letter.

Mr. Kaphan also commented that the homes behind his home are owned by the Seventh Day Adventist Church. One of the homes has a rooster on the property that disturbs the neighboring homes. Mr. Stein will look into the zoning ordinance to see if farm animals are permitted or not in that area.

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Mr. Scott Nieuzytek, 51 Scenic Drive – resident that wrote the letter about the reflector sign. He understands the curve is dangerous and would just like the reflector to be toned down, not so bright. Mr. Zschack suggested the Committee members look at the sign to make a determination at their next meeting.  
Mayor Phillips motioned to close public comments, seconded by Mr. Conkling.

Mayor Phillips read and presented a resolution honoring Mrs. Linda Peralta for her dedicated service to the Township of Green.

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			

**ADJOURNMENT:**

Mr. Conkling motioned to adjourn at 8:16 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			

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

  
\_\_\_\_\_  
Mark Zschack, RMC  
Clerk/Administrator

10/12/2016  
\_\_\_\_\_  
Date Approved

**RESOLUTION ES 2016-08  
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: \_\_\_\_\_ Motion/2<sup>nd</sup>: \_\_\_\_\_

Dated: September 26, 2016

*Mark Zschack*  
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 September 26, 2016.

*Mark Zschack*  
\_\_\_\_\_  
Mark Zschack, Township Clerk

**Record of Vote:**

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

**ORDINANCE NO. 2016-12**

**AN ORDINANCE OF THE TOWNSHIP OF GREEN, COUNTY OF SUSSEX,  
STATE OF NEW JERSEY AMENDING  
CHAPTER 12 "FIRE PROTECTION AND PREVENTION"  
OF THE CODE OF THE TOWNSHIP OF GREEN TO  
ADD ARTICLE II "KEY LOCK BOX SYSTEM" AUTHORIZING  
THE VOLUNTARY USE OF A KEY LOCK BOX SYSTEM FOR  
CERTAIN PROPERTIES**

**WHEREAS**, the Township Committee of the Township of Green have determined that the health, safety and welfare of the citizens of the Township of Green are promoted by authorizing certain structures to have key lock box entry systems installed on the exterior; and

**WHEREAS**, the key lock box entry system is being adopted nationally and will operate on a master key basis that will expedite entry into structures by the Green Township Fire Department during times of emergency; and

**WHEREAS**, the key lock box entry system will eliminate forced entries into structures thereby avoiding costly and time-consuming efforts in gaining access to locked structures during an emergency; and

**WHEREAS**, the Township Committee of the Township of Green wishes to authorize the use of a key lock box entry system by the adoption of this ordinance and further encourages authorized property owners to install such as system;

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

**SECTION I.**

Chapter XII "Fire Protection and Prevention" of the Code of the Township of Green is hereby amended and supplemented to add the additional Article II entitled "Key Lock Box System" to read as follows:

**12-2.1 - Definition:**

Lock Box: An Underwriter's Laboratory type secured box or vault of a size and style approved by the Green Township Fire Marshall or his designee, which contains key(s) for the exclusive use of the Green Township Fire Department to access the premises in an emergency.

### **12-2.2 - Key Lock Box Use Authorized:**

The following structures equipped with or required to be equipped with fire detection or fire suppression systems or equipment may have a Key Lock Box installed at or near the main entrance of each structure or such other location as recommended by the Green Township Fire Marshall or his designee:

- A. Commercial or business structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency.
- B. Governmental structures, churches, schools and nursing care facilities.
- C. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to living units.

### **12-2.3 - Key Lock Box Location, Contents and Installation:**

- A. The Green Township Fire Marshall or his designee shall approve in writing the type of Lock Box.
- B. The Green Township Fire Marshall or his designee shall approve the installation location of the Lock Box.
- C. The Lock Box shall be installed as per manufacturer specifications and approved by the Green Township Fire Marshall or his designee.
- D. The owner of each structure authorized to have a Lock Box shall, at all times, be required to keep the following in the Lock Box, as required by the Green Township Fire Marshall or his designee:
  - a. Keys to locked points of ingress, whether on interior or exterior of such buildings.
  - b. Keys to the locked mechanical rooms.
  - c. Keys to the locked elevator rooms.
  - d. Keys to the elevator controls.
  - e. Keys to any fence or secured areas.
  - f. All access or combination codes to locked points of egress or ingress, whether on interior or exterior of such buildings.
  - g. A "business size" card containing the emergency contact person and phone number for such building or unit.

### **12-2.4 - Maintenance and Associated Cost:**

In the event the key to the structure is changed or re-keyed, the owner/operator of the building shall immediately notify the Green Township Fire Marshall or his designee and provide the updated access key. The key to the lock shall be secured in the key box. The property owner shall assume all associated costs for the purchase and installation of a Key

Box(s).

**12-2.5 - Notice of Authorization:**

The Township of Green shall provide written notice to every classification of property owner set forth in Section 12-2.2 above upon their application for any type of permit or license from the Township of Green or upon their application to the Township's Land Use Board for any type of developmental approval of the Township's authorization of the use of a Key Lock Box system. The permit applicant shall acknowledge in writing receipt of notice of the Township authorization for the applicant to utilize a Key Lock Box system.

**SECTION II.**

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

ATTEST:

TOWNSHIP OF GREEN

\_\_\_\_\_  
Mark Zschack, Clerk/Administrator

\_\_\_\_\_  
Margaret "Peg" Phillips, Mayor

INTRODUCED: September 26, 2016

ADVERTISED: 9/30/16

PUBLIC HEARING: October 12, 2016

ADOPTION:

ADVERTISED ADOPTION:

**Record of Vote: Introduction**

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



**TOWNSHIP OF GREEN  
ORDINANCE NO. 2016-10**

**AN ORDINANCE OF THE TOWNSHIP OF GREEN,  
SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER 2  
“ADMINISTRATION” AND CHAPTER 8 “FEES” TO  
ESTABLISH A FEE FOR ULTRA LIGHT AIRCRAFT USE  
FOR TRINCA AIRPORT**

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

**SECTION 1:** Section 2-55.4 “Fees” of the Code of the Township of Green is hereby amended by repealing subsection 2-55.4g “Trinca Airport” in its entirety:

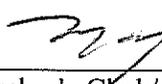
**SECTION 2:** Section 8-76 of Chapter 8 of the Code of the Township of Green entitled “Trinca Airport” is hereby amended to read as follows:

Tie-Down	\$ 70.00 per month
Self-Storage Space	\$100.00 per month
Hangar Space	\$150.00 per month
Shop/Mechanic Hangar	\$310.00 per month
Ultra Light Use Permit	\$125.00 initial
Ultra Light Renewal	\$ 75.00 yearly

**SECTION 3 - When Effective:** This Ordinance shall take effect upon passage and publication as required by law.

ATTEST:

TOWNSHIP OF GREEN

  
\_\_\_\_\_  
Mark Zschack, Clerk/Administrator

  
\_\_\_\_\_  
Margaret “Peg” Phillips, Mayor

INTRODUCED: September 12, 2016  
PUBLIC HEARING: September 26, 2016  
ADVERTISED ADOPTION: September 30, 2016

ADVERTISED: September 15, 2016  
ADOPTION: September 26, 2016

cc: Linda Padula, CMFO

**Record of Vote – Adoption:**

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

**CORRESPONDENCE LIST  
TOWNSHIP COMMITTEE MEETING  
SEPTEMBER 26, 2016**

<b>A.-#</b>	<b>FROM</b>	<b>SUBJECT</b>	<b>DATE</b>
 <b>A. FOR YOUR ACTION</b>			
A-1	None		
 <b>B. FOR YOUR INFORMATION:</b>			
B-1	Ursula Leo, Esq.	Affordable Housing Declaratory Judgment	9/14/16
B-2	Richard Stein, Esq.	Andover Borough – Annexation of Properties	9/15/16
B-3	Mr. Scott Nieuzytek	New Signage on Scenic Drive	9/15/16
 <b>C. COUNTY AND STATE*</b>			
C-1	Autumn Sylvester, Sussex County Office of Farmland Preservation and Conservation	Update to County Farmland Planning Incentive Grant	9/14/16
 <b>D. MAYOR'S FAX ADVISORY*</b>			
D-1	NJ League of Municipalities	Weekly Update	9/9/16
D-2	NJ League of Municipalities	Daily Update	9/13/16
D-3	NJ League of Municipalities	Weekly Update	9/16/16
D-4	NJ League of Municipalities	Transportation Trust Fund	9/20/16
 <b>E. RESOLUTIONS FROM OTHER TOWNS*</b>			
E-1	None		

**\*Full copies are available upon request prior to meeting.**