

**GREEN TOWNSHIP COMMITTEE
SEPTEMBER 28, 2015**

CALL TO ORDER

Mayor Phillips called the September 28, 2015, 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. Chirip, Mr. Conkling, Mrs. Phillips, and Mr. Reinbold

Absent: Mr. Kurzeja

Mr. Chirip motioned to excuse Mr. Kurzeja

Seconded: Mr. Reinbold

Discussion: None

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

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

DISCUSSIONS: None

CONSENT AGENDA:

- a. Resolution 2015-123 – Tax Refund – Zofia Lipert
- b. Resolution 2015-124 – Refund for Use of Facility Application Fee
- c. Resolution 2015-125 – Payout for Desiree Dunn
- d. Resolution 2015-126 – Payout for David Miller
- f. Department Reports

Motion: Mr. Reinbold

Seconded: Mr. Chirip

Discussion: Mrs. Peralta noted a change in the payout amount for Mr. David Miller.

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

e. Minutes ready for approval – September 14, 2015, regular session

Motion: Mr. Chirip

Seconded: Mr. Conkling

Discussion: None

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

OLD BUSINESS: None

**GREEN TOWNSHIP COMMITTEE
SEPTEMBER 28, 2015**

NEW BUSINESS:

a. Resolution 2015-127 – Release of Escrow – Pub 517

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

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

b. Resolution 2015-128 – Release of Escrow – Mary White

Motion: Mr. Reinbold
 Seconded: Mr. Chirip
 Discussion: Mrs. Peralta noted the corrected amount of the escrow refund.

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

CORRESPONDENCE: Mrs. Peralta noted the following:

- Invitation from the New Jersey Legislature to attend a meeting on Tuesday, October 20, 2015, at 10:00 a.m. in the Sparta Municipal Building. Mayor Phillips stated that it is difficult for the Committee members to attend these meetings during the normal business day. An evening meeting would be appreciated so that the Committee members have the ability to attend. The Committee asked Mrs. Peralta to send a letter to the 24th District and request a response.
- Legislative update from the New Jersey Municipal Management Association.
- Mr. Chirip asked for clarification on the letter from Ms. Ursula Leo regarding Green Township’s affordable housing obligation. Mr. Stein explained that Legislature never acted so Fair Share got the Supreme Court to order a procedure for judicial sustenance certification. Green Township and other towns filed suit to obtain their sustenance certification. They moved forward thinking they were going to have the benefit of an expert, Dr. Robert Burchell from Rutgers University who prepared the last set of numbers that were never adopted from COAH. Dr. Burchell’s numbers for Green Township were zero. Dr. Burchell’s contractual obligation came to an end with the State and COAH. Green Township adopted Resolution 2015-119 on September 14, 2015, to join the joint defense agreement to pay towards Dr. Burchell’s professional fees. Dr. Burchell’s numbers then came out and were completely different than the numbers seen when he was working for COAH. Dr. Burchell recently suffered a stroke and will not be able to move forward with the project. A new agency, Econsult Solutions, Inc. will be substituting for Dr. Burchell. They will not have the numbers until December 2015. Under the current consent order the numbers are due in next week. Ms. Ursula Leo will send a letter to Judge Hansbury asking for an extension and suggesting this matter be addressed at the October 15, 2015, case management conference. Resolution 2015-130 will remove Dr. Burchell and Rutgers University and execute an agreement with Enconsult Solutions, Inc.

Motion: Mr. Chirip
 Seconded: Mr. Reinbold
 Discussion: None

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

**GREEN TOWNSHIP COMMITTEE
SEPTEMBER 28, 2015**

MATTERS FROM THE GOVERNING BODY: Mr. Reinbold stated the Finance Subcommittee discussed the replacement of the roofs and gutters for the Municipal Building. Mr. Stein explained that the project can be advertised that the project will start on a date on 2016. The contractor would be obligated to honor that. Mr. Stein will prepare a resolution for the next meeting authorizing to go to bid in December for an April 1, 2016, or later construction date on a municipal building roof, gutters, and leaders.

Mr. Chirip thanked the Recreation Committee for a great Green Township Day! Mr. Chirip thanked Mayor Phillips for the recognitions for Mr. Glenn Wershing and Mr. Laszlo Raffay. The field dedication was very well done, very respectfully handled. Mr. Stein added that he received many compliments on Green Township Day and the field dedication.

Mr. Conkling asked for an update on 231 Pequest Road. Mr. Stein explained that a letter was sent to the property owner. There was a response from an engineer in Sparta who was asked to prepare the necessary Soil Erosion and Sediment Plan. The protocol is that the Plan be filed with the Township first. To date there has not been a response. Mr. Stein will let the Committee know as soon as he hears anything.

Mayor Phillips stated she had spoken with Mr. Perigo regarding the old fire department retaining walls. Mr. Perigo is concerned as to whether or not DPW is capable of doing this project. Mr. Perigo indicated the drawings received from the Township Engineer are not clear. To better understand the installation process, Mr. Perigo will speak with the redi-block distributor. Mayor Phillips stated that if he determines that he is uncomfortable with the proceeding with the project, we could start the process to go out to bid to hire an outside contractor to replace the walls. Mrs. Peralta stated that the DPW is down an employee and one employee is the mechanic and is busy getting the trucks ready for the winter. Mr. Conkling offered to speak with Mr. Perigo and make a decision at the next meeting. The Committee agreed.

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

- Application from someone interested in membership on the Environmental Committee
- Resolution 2015-129 – Mr. John Miller’s proposal in the amount of \$2,500.00 to do a Lake Tranquility Dam inspection. These inspections are required every other year.

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

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

- Letter from the Township of Montville and a letter of response from JCP&L. The Committee reviewed JCP&L’s response. Mr. Chirip, Mr. Conkling and Mayor Phillips prefer to stand with their original resolution supporting the JCP&L Montville to Whippany Reinforcement Project. Mr. Reinbold abstained.
- Letter from Mr. John Miller, Township Engineer, regarding the Alles residence. The Board of Health approved the septic and well two years ago. The application is now with the Board of Adjustment. Mr. Miller suggested the Township give permission for a parking space in the Right of Way. The Committee will hold pending review of the plans and adopted resolution by the Board of Adjustment.
- Mrs. Peralta received invoices from the Green Dog Inn for the boarding of two stray dogs. Mr. DeCarolis is in the process of negotiating these invoices. One dog was held for 11 days at \$15.00 a day for a total of \$165.00. Another dog has been held for 63 days for a total to date of \$1,011.00. The Township’s obligation is to pay for 7 days and if not claimed or adopted the Township is responsible for euthinization and cremation. Mrs. Peralta suggested that a policy be set and a contract executed between the Township of Green and the Green Dog Inn. Currently, there is no contract. Mr. DeCarolis only knew about the dog that was at the Green Dog Inn for 11 days. Mr. Stein stated that there needs to be a written agreement with someone who will provide pound serves for the Township. The agreement would state that a dog will

**GREEN TOWNSHIP COMMITTEE
SEPTEMBER 28, 2015**

be delivered by the Animal Control Officer (ACO) or at the ACO's authorization. Mayor Phillips suggested looking into a "no kill" shelter.

- Mrs. Peralta was notified by the Animal Control Officer that a dog on Fieldview Road had killed a raccoon. The raccoon tested positive for rabies. It was suggested to share this information with the residents. The Committee agreed that if another case becomes known, Mrs. Peralta is authorized to send a Reverse 911 notification to the residents. In the meantime, a notice will be posted on the website.
- Veteran's Day is on Wednesday, November 11, 2015. The employees would like to work this day and have Wednesday, November 25, 2015, as a Holiday. The Committee approved.
- Reminder of the October 22, 2015, meeting with the Land Conservancy and the Board of Chosen Freeholders to review the County's 2003 Open Space and Recreation Plan. The meeting will be held at 1:30 p.m. at the Municipal Building. Mr. Conkling stated these meetings during the day do not work for the Committee members.
- The Personnel Subcommittee recently interviewed Mr. Pete Sklannik for membership on the Board of Adjustment. Mr. Sklannik completed the NJPO planning board member certification. Mr. Sklannik plans to attend a class sponsored by the FAA entitled "Municipal Airport Management Principles" in mid-October.

MATTERS FROM THE TOWNSHIP ATTORNEY: Previously covered.

MATTERS FROM THE MUNICIPAL DEPARTMENT HEAD: Not in attendance.

PUBLIC COMMENTS AND/OR QUESTIONS: No public were in attendance.

EXECUTIVE SESSION: None

ADJOURNMENT:

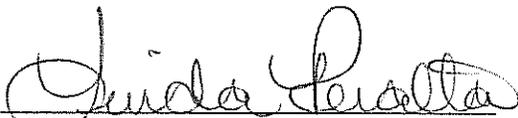
Mr. Conkling motioned to adjourn at 8:03 p.m.

Seconded: Mr. Chirip

Discussion: None

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

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



Linda Peralta, RMC
Clerk/Administrator

10/14/2015

Date Approved

RESOLUTION 2015-123
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
31	24	Zofia Lipert 27 Mountain View Dr Andover, NJ 07821	\$4,400.14

Duplicate payment of 2015 3rd quarter taxes. Mortgage company paid and homeowner paid. Tax Collector is requesting that we issue refund to homeowner.

DATED: September 28, 2015

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 28, 2015.


 Linda Peralta, RMC
 Clerk / Administrator

cc: Karen Ferrone, Tax Collector
 Linda Padula, CMFO

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

**RESOLUTION 2015-124
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY**

REFUND FOR USE OF FACILITY APPLICATION FEE

WHEREAS, Jessica Quinn submitted a Use of Facility application for use for Westra Field to hold a kids fitness program; and

WHEREAS, the facility fee is \$20.00 for the use of the field under 4 hours; and

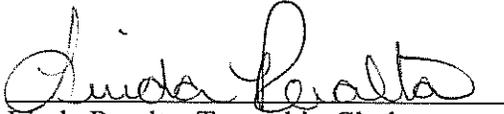
WHEREAS, Jessica Quinn paid the required application fee of \$20.00; and

WHEREAS, Jessica Quinn cancelled the program due to lack of registrations.

NOW, THEREFORE, BE IT RESOLVED that \$20.00 be refunded to Jessica Quinn.

DATED: September 28, 2015

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 28, 2015.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO
Christine Licata, Secretary, Recreation Advisory Committee

Vote on Resolution:

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

**RESOLUTION 2015-125
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ
REVIEW OF SICK/VACATION PAYOUT**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the attached confirmation of paid sick/vacation time for Desiree Dunn was reviewed by the Township Committee.

DATED: September 28, 2015

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 28, 2015.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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



Township of Green

P.O. BOX 65, 150 KENNEDY RD.
 TRANQUILITY, N.J. 07879
 TELEPHONE: (908) 852-9333
 FAX: (908) 852-1972

DUNN, DESIREE

Vacation, Sick, Personal Payout

Hire Date- August 1, 2011

Termination Date- August 7, 2015

Updated 9/25/15- Lincoln's Birthday added to time owed.

	VACATION	SICK	PERSONAL
2014 Days carried over	1.70	8.70	
2015 Prorated days (January - August) 7 Vacation days , 9			
Sick days	4.67	6.00	1.00
Sub-total	6.37	14.70	1.00
Days used in 2015	(6.70)	(6.00)	(0.60)
BALANCE	(0.33)	8.70	0.40
Personal time due employee	0.40	**See note	
	0.07	pd 8/15/15	

Lincoln's Birthday Holiday 1 day

Upon reviewing your payroll records, it was determined that you worked on February 12, 2015 (Lincoln's Birthday) so that the holiday could be taken in December.

**Note- must be employed minimum 5 years at Green Township to receive payout as per employee manual Page 4.10 & 4.11

Desiree Dunn

Date

Linda Peralta
Clerk/Administrator

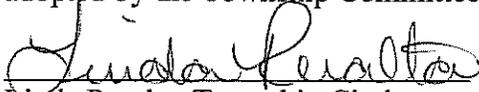
Date

**RESOLUTION 2015-126
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ
REVIEW OF SICK/VACATION PAYOUT**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF GREEN IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY that the attached confirmation of paid sick/vacation time for David Miller was reviewed by the Township Committee.

DATED: September 28, 2015

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 28, 2015.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO

Record of Vote:

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



Township of Green

P.O. BOX 65, 150 KENNEDY RD.
TRANQUILITY, N.J. 07879
TELEPHONE: (908) 852-9333
FAX: (908) 852-1972

MILLER, DAVID
Vacation, Sick, Personal Payout
Hire Date- July 11, 1988
Termination Date- September 30, 2015

	VACATION	SICK	PERSONAL
2014 Days carried over	6.25	113.50	
2015 Prorated days (January - Sept) 25 Vacation days , 15 Sick days	18.75	11.25	1.00
Sub-total	25.00	124.75	1.00
Days used throug Sept. 11, 2015	(16.75)	(4.00)	(1.00)
BALANCE	8.25	120.75	-
Days used 9/16/15-9/30/15	-	(11.50)	
	8.25	109.25	
Sick Payout 30 full days (60 half days) per personal manual		30.00	
Lincoln's Birthday	1 day		

David Miller

Date

Linda Peralta
Clerk/Administrator

Date

**RESOLUTION 2015-127
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

WHEREAS, the attached request has been received for the release of an 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 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:

BLOCK	LOT	NAME AND ACCOUNT #	AMOUNT
34	21	Pub 517	
		Acct. #14-288-90-1301-00	\$ 538.60

DATED: September 28, 2015

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 28, 2015.


Linda Peralta, Clerk/Administrator

cc: Linda Padula, CMFO

Record of Vote:

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

**RESOLUTION 2015-128
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NJ**

WHEREAS, the attached request has been received for the release of an 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 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:

BLOCK	LOT	NAME AND ACCOUNT #	AMOUNT
12	42	White, Mary Acct. #14-288-90-1414-00	\$ 181.18

DATED: September 28, 2015

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 28, 2015.


Linda Peralta, Clerk/Administrator

cc: Linda Padula, CMFO

Record of Vote:

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

**CORRESPONDENCE LIST
TOWNSHIP COMMITTEE MEETING
SEPTEMBER 28, 2015**

A.-#	FROM	SUBJECT	DATE
A. FOR YOUR ACTION			
A-1	NJ Legislature	Meeting on October 20, 2015, at 10:00 a.m.	9/9/15
B. FOR YOUR INFORMATION:			
B-1	Dept. of Transportation	NJDOT Fiscal Year 2015 Bikeway Grant Program	9/8/15
B-2	Ursula Leo	Affordable Housing – Declaratory Judgement	9/9/15
B-3	NJ Municipal Management Assoc.	NJMMA News – September 2015 Legislative Update	9/15
B-4	Girl Scout Troop 930	Thank You!	9/15
C. COUNTY AND STATE*			
C-1	Dept. of Environmental Protection	Public Notice for the Proposed FFY2016 Priority System, Intended Use Plan and Project Priority List Document and the Proposed Intended Use Plan for Super Storm Sandy	9/3/15
C-2	Dept. of Engineering and Planning	Sussex County Office of Farmland Preservation and Conservation	9/15/15
D. MAYOR'S FAX ADVISORY*			
D-1	NJ League of Municipalities	Daily Advisory	9/10/15
D-2	NJ League of Municipalities	Weekly Update	9/11/15
D-3	NJ League of Municipalities	Weekly Update	9/11/15
D-4	NJ League of Municipalities	Daily Update	9/18/15
D-5	NJ League of Municipalities	Weekly Policy Update	9/18/15
E. RESOLUTIONS FROM OTHER TOWNS*			
E-1	None		

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

RESOLUTION 2015-130
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
COUNTY OF SUSSEX, STATE OF NEW JERSEY

WHEREAS, the Township Committee of the Township of Green entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; and

WHEREAS, the Township Committee of the Township of Green recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Township Committee of the Township of Green has determined that it is in the best interests of the citizens of Green to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

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

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Township Clerk or Deputy Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Township Committee of the Township of Green hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of Green with Econsult Solutions, Inc.

The Township Committee of the Township of Green hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Township with the approval of Green's designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

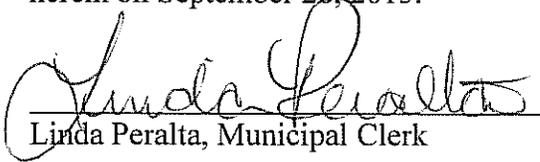
4. The Township Committee of the Township of Green further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, the Township of Green shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Township.
6. This Resolution shall take effect immediately.

September 28, 2015

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee of the Township of Green, at a meeting held on September 14, 2015, and memorialized herein on September 28, 2015.


 Linda Peralta, Municipal Clerk

cc: Linda Padula, CFO

Record of Vote:

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

**AMENDMENT TO THE
MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT**

This Amendment to the Municipal Shared Services Defense Agreement ("MSSDA") previously entered into in by the Members of the MSSDA in or after June, 2015,

WHEREAS several municipalities have previously entered into a MSSDA authorizing the retention of Rutgers University and its Principal Investigator, Dr. Robert Burchell to perform certain tasks as outlined therein, including, without limitation, the development of a reasonable position consistent with applicable law as the means by which the fair share of municipalities may be determined; and

WHEREAS, Dr. Burchell had a serious health event on or about July 27, 2015 that has impeded the goal of the MG to obtain such a report; and

WHEREAS, more specifically, Rutgers University (hereinafter "Rutgers") has indicated that Dr. Burchell is the only one at the University that could perform the work contemplated by the contract between the Municipal Group ("MG") and Rutgers, dated July 2015 (hereinafter "Rutgers Agreement"); and

WHEREAS, as result of the foregoing, Rutgers is not able to complete the work required by the Rutgers Agreement; and

WHEREAS, on September 11, 2015, Rutgers sent the representative of the MG a letter terminating the Rutgers Agreement; and

WHEREAS, even before receipt of the termination letter, vigorous efforts have been made to find an expert that can perform the services that Rutgers is no longer able to provide; and

WHEREAS, it has been determined that Econsult Solutions, Inc. ("Econsult") has the interest and capability to perform the services as expeditiously as possible; and

WHEREAS, it has been further determined that the MSSDA, as presently written, does not permit the MG to enter into an agreement with any other expert than Rutgers; and

WHEREAS, because of the foregoing, it has been determined that an amendment to the MSSDA is necessary to empower the MG to enter into an agreement with Econsult.

Now, therefore, in consideration of the mutual benefits that will be derived, the Members of the MG hereby agree as follows:

1. Section 1 of the MSSDA, titled "Purpose" is hereby amended as follows:

Section 1(b)-(d) shall be replaced with:

(b) collectively retain such experts and/or consultants, including but not limited to Econsult Solutions, Inc. as may be necessary,

(c) collectively work with experts or consultants that have been retained, including but not limited to Econsult, to conduct an analysis and report of the housing need for each region and the allocation of that need to the individual municipalities in the region;

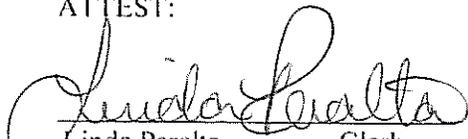
(d) may elect, at the exclusive expense of any Member or group of Members, to rely upon and present such experts or consultants as a witness in the Litigation, including for any mediation, Alternative Dispute Resolution or other proceeding involving a determination of a Member's Affordable Housing Obligation;

2. Section 3 of the MMSDA titled "Retention of Burchell" is hereby amended and is titled as "Retention of Experts and/or Consultants." This section is amended to provide that the administrators of the MMSDA, shall retain such experts and/or consultants, including but not limited to Econsult, as may be necessary and to communicate with such experts and/or consultants in the method and manner as set forth.
3. Section 5, titled "Shared Costs" is hereby amended to provide that shared costs shall include payment to any expert or consultant, including but not limited to Econsult, and such other professionals, and/or common counsel, as shall be agreed upon by the Members in accordance with the terms and procedures of the MSSDA.
4. Section 6, titled "Expenses Not Covered by This Agreement" shall be amended to allow any member or group of Members of the MMSDA to retain Econsult or any other commonly retained expert and/or consultant for the purposes as set forth in the MSSDA; however, it shall be in accordance with the rate schedule as set forth in any agreement between the MSSDA and such expert and/or consultant; it shall not be based upon the rates as set forth for Dr. Burchell nor shall payment be made to Rutgers except to the extent that representatives of the MG may pay the remainder of the 70,000 in expense allocated for the provision of a final report in accordance with the underlying agreement and/or for the purposes of securing rights to information that otherwise would not be available. Any amounts in excess of the \$70,000 that may be needed to secure the right to use the underlying data that Rutgers has assembled may only be paid if authorized at a meeting held in accordance with paragraph 2 of the underlying agreement.
5. Section 7, titled "Liaison Counselor Committee" is hereby amended to allow Jeffrey R. Surenian, Esq. to pay an administrative assistant to administer this MSSDA and the consortium at a rate not to exceed \$70 per hour and to pay out of pocket expenses.

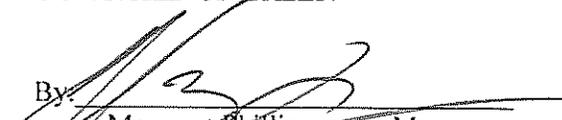
6. Section 11, titled "Common Interest" is amended by removing any reference to Dr. Burchell and shall refer to any expert and/or consultant, including but not limited to Econsult, that have been retained by the MSSDA.
7. Section 15, titled "Conflict of Interest" is amended by removing any reference to Dr. Burchell and shall refer to any expert and/or consultant, including but not limited to Econsult, that have been retained by the MSSDA.
8. Section 16, titled "Effective Date" is amended removing the reference to "Rutgers" and replacing it with "such experts and/or consultants, including but not limited to Econsult, that have been retained by the MSSDA
9. Section 17, titled "Subsequent Agreement" , shall be amended to include paragraph 17 c as follows: Since the Agreement between Econsult and the MG may not have been finalized at the point of execution of this amendment, the designated attorney for the municipality shall have 10 business days from receipt of the Econsult Agreement by electronic mail to withdraw from the consortium and secure a rebate of the 2,000 paid minus the pro rata share of all costs and expenses incurred to the date of such withdrawal.
10. All other provisions in the MSSDA that refer to or may be interpreted to relate or refer to dealings with Rutgers or Burchell are removed and amended to provide that the MSSDA permits the retaining of such experts and/or consultants, including but not limited to Econsult, as may be agreed upon by the Members in accordance with the terms and provisions of the MSSDA. All other terms and provisions remain unchanged and in effect.

IN WITNESS WHEREOF, the Members hereto, which may be by and through their appointed counsel, enter into this Agreement. Each person signing this Agreement represents and warrants that he or she has been duly authorized to enter into this Agreement by the company or entity on whose behalf it is indicated that the person is signing.

ATTEST:


Linda Peralta, Clerk

TOWNSHIP OF GREEN

By: 
Margaret Phillips Mayor

RESOLUTION 2015-129
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that a regular dam inspection be conducted prior to the end of 2015 for the Lake Tranquility Dam;

WHEREAS, John Miller of Suburban Consulting Engineers, Inc. is the Municipal Engineer for the Township of Green for 2015; and

WHEREAS, Mr. Miller has submitted a written proposal to the Township Committee dated September 25, 2015, for the inspection and report updating and review of both the EAP and operation and maintenance manual and coordinating, planning, and conducting a tabletop drill for the EAP; and

WHEREAS, Mr. Miller's proposal is in a total amount of \$2,500.00; and

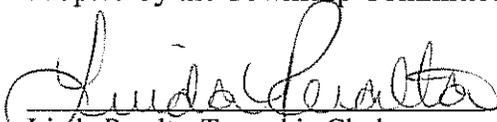
WHEREAS, funds are available for this project;

NOW THEREFORE BE IT RESOLVED that the Mayor and Township Committee of the Township of Green approve the proposal of John Miller of Suburban Consulting Engineers, Inc., of September 25, 2015, in the amount of \$2,500.00 and,

BE IT FURTHER RESOLVED that a professional services contract in an amount not to exceed \$2,500.00 be awarded to John Miller of Suburban Consulting Engineers, Inc. for the inspection and report updating and review of both the EAP and operation and maintenance manual and coordinating, planning and conduction of a tabletop drill for the EAP.

DATED: September 28, 2015

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 the regular meeting held on September 28, 2015.


Linda Peralta, Township Clerk

cc: Linda Padula, CFO

Vote on Resolution:

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