**GREENWICH TOWNSHIP**

**MINUTES OF THE TOWNSHIP COMMITTEE MEETING**

**FEBRUARY 20, 2024**

**7:00 p.m.**

Mayor Reinhart called the meeting to order stating “adequate notice of this meeting was provided in compliance with the Open Public Meeting Act notifying the South Jersey Times on January 4, 2024.”

**Roll Call**: Mayor Reinhart, Committeeman Werley and Deputy Mayor Orr were present. Also present were Thomas Seeley, Esq., Township Solicitor; and Lisa Garrison, Township Clerk.

**Flag Salute**: Mayor Reinhart

**Approval of Minutes:** On motion of Mayor Reinhart, seconded by Deputy Mayor Orrt to approve the minutes of December 19, 2023, unanimously carried. On motion of Committeeman Werley, seconded by Mayor Reinhart to approve the minutes of January 3, 2024, unanimously carried.

**Ordinances:**

On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the introduction of the following proposed ordinance, unanimously carried upon roll call vote.

Ayes: Orr, Reinhart, Werley Nays: None Abstain: None Absent: None

**ORDINANCE NO. 79-2024**

**2024 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Greenwich, in the County of Cumberland finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to $3,909.18 in excess of the increase in final appropriations P

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Greenwich, in the County of Cumberland, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2024 budget year, the final appropriations of the Township of Greenwich shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to $13,682.13, and that the CY 2024 municipal budget for the Township of Greenwich be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to approve the introduction of the following proposed ordinance.

**PROPOSED ORDINANCE NO. 80-2024**

**ORDINANCE TO ESTABLISH IN THE TOWNSHIP OF GREENWICH, COUNTY OF CUMBERLAND, STATE OF NEW JESEY, A COMBINED LAND USE BOARD**

**SECTION 1. PURPOSE**

1. The purpose of this ordinance is to establish in the Township of Greenwich, pursuant to N.J.S.A. 40:55D-23 and N.J.S.A. 40:55D-25 a Board entitled the “Greenwich Township Land Use Board” consisting of nine regular members and four alternates of the following four classes:
2. Class I: The Mayor or the Mayor’s designee in the absence of the Mayor.
3. Class II: One of the officials of the municipality other than a member of the governing body, to be appointed by the Mayor, provided that if there be an environmental commission, the member of the environmental commission who is also a member of the board.
4. Class III: A member of the governing body to be appointed by it.
5. Class IV: Other citizens of the municipality to be appointed by the Mayor.
6. Alternates: The Mayor shall have the authority to appoint up to four alternate members who shall meet the qualifications of Class IV members and shall be designated at the time of appointments as Alternates No. 1 through 4. Alternate members may participate in discussion of the Board proceedings, but may not vote, except in the absence or disqualification of a regular member of any class. The term of a Class IC alternate member shall be two years.
7. The phrase “Land Use Board” replaces the phrases “Planning Board”, “Zoning Board of Adjustment”, “Zoning Board” or “Board of Adjustment” wherever these phrases appear in the general Ordinances of the Township of Greenwich.
8. Terms of Membership
9. The term of the members composing Class I shall correspond with his or her official tenure.
10. The terms of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first, except for the Class II member who is also a member of the Environmental Commission. The term of a Class II or a Class IV member who is also a member of the Environmental Commission shall be for three years of terminate at the completion of his or her term of office a member of the Environmental Commission, whichever comes first.
11. The term of a Class IV member who is also a member of the Board of Education, shall terminate whenever he or she is no longer a member of any such body or at the completion of the Class IV term, whichever comes first.
12. The term of each Class IV regular member shall be four years.
13. The terms of the Class IV alternate members shall be two years, except that the terms of the alternate members hall be such that the term of not more than two alternate members shall expire in any one year (N.J.S.A. 40:55D-23.1).
14. Role of Alternate Members. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate I shall vote; and it unavailable to vote, Alternate II; if not, Alternate III; and if not, Alternate IV.
15. Vacancies. If any vacancy of any class or a regular or alternate member shall occur other than at the expiration of term, it shall be filled by appointment as above provided for the unexpired term only.
16. Compensation. Member of the Land Use Board shall serve without compensation except that reimbursement of reasonable expenses in the execution of official duties may be made by the municipality.
17. Removal. Any member other than Class I member may be removed by the governing body for cause but only after public hearing and other due process proceedings.
18. Conflict. No regular or alternate member of the Land Use Board shall be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest. No member who is disqualified may act on that particular matter, shall not continue to sit with the Board on hearing of such matter, nor shall participate in any discussion or decision.
19. (Reserved)
20. Reorganization. Yearly the Land Use Board shall organize by selecting from among its Class IV regular members a Chairman and a Vice Chairman. The Board shall also select a Secretary who may be either a member of the Board of a municipal employee.
21. Funding. The governing body shall make provisions in its budget and appropriate funds for the expenses of the Land Use Board.
22. Board Attorney. The Land Use Board may annually appoint to such office and fix compensation or rate of compensation of an attorney-at-law of New Jersey other than the municipal attorney.
23. Staff. The Lan Use Board may also employ or contract for and fix compensation of such experts and other staff and services as it may deem necessary. The appointment and compensation shall be fixed by contract in compliance with the N.J.S.A. 40A:11-5. The Board shall not, however, exceed, exclusive of gifts or grants, the amount appropriated by the governing body for such purpose.
24. Education Requirements. Members of the Land Use Board are required to complete the course on Land Use Law as required by N.J.S.A. 40:55D-23.3.
25. Agenda. The Secretary of the Land Use Board shall prepare an agenda for each meeting, and prior to the meeting, shall send to the members sufficient copies of the agenda and the minutes of the previous meeting.

**SECTION 2. POWERS AND JURISDICTION OF THE LAND USE BOARD**

1. The Land Use Board shall have and exercise all of the powers, duties and procedure prescribed or necessarily implied by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. for planning boards and shall have further powers, duties and procedures prescribed by ordinance adopted pursuant to the Municipal Land Use Law.
2. In addition to the powers set forth in Subsection A, the Land Use Board shall exercise, to the same extent and subject to the same restrictions, all of the powers of a board of adjustment; but the Class I and the Class III members shall not participate in the consideration of all applications for development which involve relief purchase to Subsection (d) of N.J.S.A. 40:55D-70..
3. The Land Use Board shall have the power listed below in addition to other powers established by law;
4. Make, adopt, and from time to time, amend a master plan for the physical development of the municipality, including any areas outside its boundaries that, in the Board’s judgment, bear essential relation to the planning of the municipality;
5. Participate in the preparation and review of programs or plans required by state or federal law or regulations.
6. Assemble data on a continuous planning process;
7. Annually, prepare a program of municipal capital improvements projects projected over a term of six years and amendments thereto and recommend same to the governing body.
8. Prepare, within the time prescribed by law, a periodic reexamination of the master plan and/or adoption of a master plan or certain elements of same;
9. To perform such other advisory duties as are assigned to it by ordinances or resolution of the governing body for the aid and assistance of the governing body by other agencies of officers;
10. The Land Use Board shall have such other powers as prescribed by law, including, but not limited to, the power to grant the following variances, to the same extent and subject to the same restrictions as the Lande Use Board acting as the Zoning Board of Adjustment, when the Land Use Board is reviewing applications for approval of subdivision plans, site plans or conditional uses.

**SECTION 3: EFFECTIVE DATE**. This Ordinance shall take effect immediately upon adoption and publication as required by law.

**SECTION 4. REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 5. SEVERABILITY;** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such provision declared invalid and the remainder of the Ordinance shall remain in full force and effect and shall be enforceable.

**Resolutions:**

**RESOLUTION NO. 1-5-2024**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR TOWNSHIP AUDITOR**

**WHEREAS**, the Township of Greenwich has a need to acquire a Township Auditoras a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

**WHEREAS**, the Chief Financial Officer has determined that the value of the acquisition will exceed $17,500; and,

**WHEREAS**, the anticipated term of this contract isone (1) year; and

**WHEREAS**, Ray Colavita of the firm Nightlinger, Colavita &Volpahas submitted a proposal indicating he will provide auditing services; and

**WHEREAS**, Ray Colavita of the firm Nightlinger, Colavita & Volpa has completed and submitted a Business Entity Disclosure Certification which certifies that Ray Colavita of the firm Nightlinger, Colavita & Volpa has not made any reportable contributions to a political or candidate committee in the Township of Greenwich with the elected officials in the previous one year, and that the contract will prohibit Ray Colavita of the firm Nightlinger, Colavita & Volpa from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer certifies the availability of funds; and

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Greenwich authorizes the Mayor and Township Clerk to enter into a contract with Ray Colavita of the firm Nightlinger, Colavita & Volpa as described herein; and

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

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized and directed to publish a notice of award of this contract in the official newspaper of the Township of Greenwich in the time prescribed by law and in accordance with the Local Public Contracts Law of the State of New Jersey.

On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to approve the foregoing resolution, unanimously carried.

On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to approve the following resolution, unanimously carried.

**RESOLUTION NO. 1-15-2024**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A RECREATION COMMITTEE TRUST FUND REQUIRED BY NJSA 40A:4-39**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, NJSA 40A-4-39 provides for receipt of fund raising sources by the municipality to provide for the operating costs to administer this act; and

**WHEREAS,** N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Recreation Committee Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Greenwich, County of Cumberland, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Recreation Committee Trust Fund.

2. The Clerk of the Township of Greenwich, County of Cumberland is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION NO. 2-18-2024**

**AUTHORIZING PROFESSIONAL SERVICES AGREEMENT**

**(GRANT SERVICES)**

**WHEREAS,** the Township of Greenwich desires to engage Triad Associates to provide general grant services for the year 2024 to assist in carrying out the planning and execution of activities; and

**WHEREAS,** said appointment is being awarded through a “Non-Fair and Open” process pursuant to the New Jersey Pay to Play, New Jersey Campaign Contributions and Expenditures Reporting Act; and

**WHEREAS,** funds are available for the purposes set forth above; and

**WHEREAS,** the Local Public Contracts Law (NJSA 40:A 11-1 et seq.) requires that the resolution authorizing the award of contracts for professional services without competitive bids, and the contract itself, must be available for public inspection.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Triad Associates.
2. This contract is awarded through a “Non-Fair and Open” process pursuant to the New Jersey Pay to Play, New Jersey Campaign Contributions and Expenditures Reporting Act
3. A notice of this action shall be printed in the South Jersey Times.

On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to approve the foregoing resolution, unanimously carried.

On motion of Mayor Reinhart, seconded by Committeeman Werley to approve the following resolution, unanimously carried.

**TOWNSHIP OF GREEWICH**

**COUNTY OF CUMBERLAND**

**RESOLUTION NO. 2-19-2024**

**AUTHORIZING THE HIRING OF TRIAD ADVISORY SERVICES, INC. t/a TRIAD ASSOCIATES TO PROVIDE GRANT SERVICES FOR PREPARATION AND SUBMISSION OF A FEMA ASSISTANCE TO FIREFIGHTERS GRANT**

**WHEREAS,** the Governing Body of the Township of Greenwich entered into a Professional Services Agreement – General Services Contract on February 20, 2024 with Triad Advisory Services, Inc. (trading as Triad Associates) for ongoing professional services for obtaining grant money for the Township; and

**WHEREAS,** the Township of Greenwich desires to apply for funding from FEMA Assistance to Firefighters; and

**WHEREAS**, the Township is desirous of hiring Triad Associates for prepared of the grant application; and

**WHEREAS,** the Governing Body of the Township of Greenwich finds the scope of services to be provided by Triad Associates to be acceptable; and

**WHEREAS**, the Chief Financial Officer certifies that funds in the amount of $4,250.00 are available to pay Triad Associates in connection with the application under the existing Professional Services Agreement in accordance with N.J.A.C. 5:30-5.4; and

**WHEREAS,** the Governing Body of the Township of Greenwich finds it in the best interest of the citizens of the Township of Greenwich to accept the proposal of Triad Associates as submitted; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Greenwich that the proposal for administrative agent services are hereby accepted as part of the general services contract aforementioned;

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized and directed to execute the proposal for same.

**Unfinished Business:**

Tennis Court – no change

Old Stone School House – no change

Lead Inspections - no change

Ordinances – Certificate of Occupancy Fees; Unregistered Vehicles. Ms. Garrison will work with Mr. Fleetwood to develop the ordinances for the Committee’s consideration.

Wible Drive - met with Mr. Latourette to review solutions. A rock overflow would not work as it needs to be determined where it is coming from.

**New Business:**

Budget - a budget workshop meeting will be held.

Marina - Mr. Fleetwood is working with Ms. Warburton, Construction Official.

Restaurant Property – Deputy Mayor Orr questions if there are any outstanding issues. He questioned whether it would be possible to prevent access rather than fencing in aroundthe structure.

**Committee Comments:**

None

**Payment of Bills**

After review and discussion on motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the bill list in the amount of $491,428.75, unanimously carried.

**Public Comment**:

On motion of Mayor Reinhart, seconded by Committeeman Werley to open the public comment, unanimously carried. Charles Reinhart questioned the thermostat. Penny Watson, 1082 Ye Greate Street, updated the Committee on the Craft Faire. Vinnie Van Vliet, thanked those for bringing out more sand bags and is thankful for surveying and determining that the rock wall would not be successful. She requested a copy of Fralinger’s plan for the topography. She

She further questioned what the engineer’s plan is to fix her project. She questioned if the Township Solicitor should contact the engineer and contractor. There being no further public comment, on motion of Mayor Reinhart, seconded by Committeeman Werley to close the public comment, unanimously approved.

**Adjournment:** There being no further business to come before the Township Committee, on motion of Deputy Mayor Orr, seconded by Mayor Reinhart to adjourn, unanimously carried

Respectfully submitted.

Lisa Garrison

Borough Clerk