TOWNSHIP OF GREENWICH  
COUNTY OF WARREN  
STATE OF NEW JERSEY

RESOLUTION #25-20

TOWNSHIP OF GREENWICH OF COUNTY OF WARREN  
REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR UNIFORM FIRE SAFETY ACT PENALTY MONIES REQUIRED BY N.J.S.A 53:27D-192 ET SEQ

WHEREAS, permission is required by the Director of 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, the State of New Jersey, Department of Community Affairs promulgate regulations under N.J.S.A 53:27D-192 et seq for Uniform Fire Safety Penalty Monies; and

WHEREAS, N.J.S.A. 40A: 4-39 provides the dedicated revenues anticipated from the Uniform Fire Safety Penalty Moneys be accounted for in the Greenwich Township General 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 requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Greenwich, County of Warren, State of New Jersey, that Uniform Fire Safety Penalty Monies be placed in the Greenwich Township General Trust Fund and be considered a “Dedication by Rider to the 2020 Budget of the Township of Greenwich per N.J.S.A 53:27D-192 for the sole purpose stated above.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Greenwich, County of Warren, State of New Jersey as follows:

1. The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Uniform Fire Safety Penalty Monies required by N.J.S.A 53:27D-192 et seq.

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

__________________________________________________________
Robert Barsony, Mayor

Lisa A. Burdel Reindel, RMC, CMR  
Township Clerk

Adopted: March 19, 2020
TOWNSHIP OF GREENWICH
COUNTY OF WARREN
STATE OF NEW JERSEY

RESOLUTION #26-20

TOWNSHIP OF GREENWICH OF COUNTY OF WARREN
REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL
GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR
OUTSIDE EMPLOYMENT OF OFF-DUTY MUNICIPAL POLICE OFFICERS
REQUIRED BY LFN 2000-14

WHEREAS, permission is required by the Director of 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, the State of New Jersey, Department of Community Affairs promulgate regulations under LFN 2000-14 for Outside Employment of Off-Duty Municipal Police Officers; and

WHEREAS, N.J.S.A. 40A: 4-39 provides the dedicated revenues anticipated from the Outside Employment of Off-Duty Municipal Police Officers be accounted for in the Greenwich Township General 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 requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Greenwich, County of Warren, State of New Jersey, that Outside Employment of Off-Duty Municipal Police Officers monies be placed in the Greenwich Township General Trust Fund and be considered a “Dedication by Rider to the 2020 Budget of the Township of Greenwich per LFN 2000-14 for the sole purpose stated above.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Greenwich, County of Warren, State of New Jersey as follows:

1. The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Outside Employment of Off-Duty Municipal Police Officers per LFN 2000-14.

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

_________________________________
Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

Adopted: March 19, 2020
TOWNSHIP OF GREENWICH
COUNTY OF WARREN
STATE OF NEW JERSEY

RESOLUTION #27-20

TOWNSHIP OF GREENWICH OF COUNTY OF WARREN
REQUESTING PERMISSION OF THE DIRECTOR OF THE DIVISION OF LOCAL
GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR
PARKING OFFENSES ADJUDICATION ACT MONIES N.J.S.A 39:4-139.9

WHEREAS, permission is required by the Director of 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, the State of New Jersey, Department of Community Affairs promulgate regulations
under N.J.S.A. 39:4-139.9 for Parking Offenses Adjudication Act monies; and

WHEREAS, N.J.S.A. 40A: 4-39 provides the dedicated revenues anticipated from the Parking
Offenses Adjudication Act monies be accounted for in the Greenwich Township General 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 requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of
Greenwich, County of Warren, State of New Jersey, that Parking Offenses Adjudication Act monies be
placed in the Greenwich Township General Trust Fund and be considered a “Dedication by Rider to the
2020 Budget of the Township of Greenwich per N.J.S.A. 39:4-139.9 for the sole purpose stated above.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Greenwich,
County of Warren, State of New Jersey as follows:

1. The Township Committee does hereby request permission of the Director of the Division
of Local Government Services to pay expenditures of the Parking Offenses Adjudication
Act monies per N.J.S.A. 39:4-139.9.

The Clerk on the Township Committee of the Township of Greenwich, County of Warren is hereby
directed to forward two certified copies of this resolution to the Director of the Division of Local
Government Services.

____________________________
Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

Adopted: March 19, 2020
TOWNSHIP OF GREENWICH  
COUNTY OF WARREN  
STATE OF NEW JERSEY  

RESOLUTION #28-20

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING ELZBIETA MALECKI RUTA AS TAX COLLECTOR FOR THE TOWNSHIP OF GREENWICH, COUNTY OF WARREN, STATE OF NEW JERSEY

WHEREAS, the Tax Collector, Bonnie Fleming has resigned from the position of Tax Collector effective January 17, 2020, rendering a vacancy; and

WHEREAS, Elzbieta Malecki Ruta has served as the Assistant to the Tax Collector since July 2019 and had expressed interest in becoming the Tax Collector for Greenwich Township; and

WHEREAS, Ms. Malecki Ruta had taken all required certification courses and examination to become a certified Tax Collector; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Greenwich, County of Warren, State of New Jersey that Elzbieta Malecki Ruta is hereby appointed as the Tax Collector for the Township of Greenwich, effective January 25, 2020 at an annual salary of $24,500.00.

________________________________
Robert Barsony, Mayor

________________________________
Lisa A. Burd Reindel, RMC, CMR  
Township Clerk

Adopted: March 19, 2020
WHEREAS, a Cash Management Plan (the “Plan”) has been prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits and investment of certain public funds of the Township of Greenwich; and

WHEREAS, the Plan is intended to assure that all public funds identified in the Plan are deposited in interest bearing deposits or otherwise invested in Permitted Investments;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Greenwich, in the County of Warren, as follows:

1. The Cash Management Plan of the Township of Greenwich is hereby approved.

2. The Chief Financial Officer of the Township is hereby designated as the Custodian of the accounts covered by the Cash Management Plan.


4. The Cash Management Plan of the Township of Greenwich is attached hereto and made a part of this Resolution.

This resolution shall take effect immediately

____________________________
Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

Adopted: March 19, 2020
CASH MANAGEMENT PLAN OF THE TOWNSHIP OF GREENWICH,
IN THE COUNTY OF WARREN, NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Greenwich, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to ensure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township:

- Current Fund
- General Capital Fund
- Sewer Utility Funds
- Sewer Capital
- Payroll and Payroll Agency Accounts
- Central Disbursement Account

The custodian of the accounts shall be the Chief Financial Officer. All disbursements shall be made by checks signed by at least one of the two authorized signatures, namely the Mayor, Deputy Mayor, Township Clerk, with the exception of school funds, county funds, and debt service which may be made by wire transfers authorized by the CFO.

III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer of the Township (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

All depositories must be approved by the State of New Jersey with a Governmental Unit Depository Protection Act Certification (GUDPA). This is with regards to where checking, savings, trust, and escrow funds are kept. Certificates of Deposits (CD’s) and investments may be, at the discretion of the Designated Official (and in accordance with all applicable state and federal laws) kept at depositories “outside” of the Township of Greenwich, but within the State of New Jersey. The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:
All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Township referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

Lincoln Financial, AIG-Valic, Axa Equitable

VI. AUTHORIZED INVESTMENTS

A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

(1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America (any investment contracts providing for resale arrangements with the supplier should be analyzed for legality and should be specifically authorized in the cash management plan);

(2) Government money market mutual funds;

(3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;

(4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;

(5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;

(6) Local government investment pools;

(7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
Agreements for the repurchase of fully collateralized securities if:

(a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;

(b) the custody of collateral is transferred to a third party;

(c) the maturity of the agreement is not more than 30 days;

(d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and

(e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

**Government Money Market Mutual Fund.** An investment company or investment trust:

(a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.

(b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and

(c) which has:
   
   (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or

   (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec.80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of $500 million.

**Local Government Investment Pool.** An investment pool:

(a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;

(b) which is rated in the highest category by a nationally recognized statistical rating organization;

(c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;

(d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;

(e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate
adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and

**VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Township or by a third-party custodian prior to or upon the release of the Township's funds.

To assure that all parties with whom the Township deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

**VIII. REPORTING REQUIREMENTS**

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Township a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

(a) The name of any institution holding funds of the Township as a Deposit or a Permitted Investment.
(b) The amount of securities or Deposits purchased or sold during the immediately preceding month.
(c) The class or type of securities purchased or Deposits made.
(d) The book value of such Deposits or Permitted Investments.
(e) The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
(f) The fees incurred to undertake such Deposits or Permitted Investments.
(g) The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
(h) All other information which may be deemed reasonable from time to time by the governing body of the Township.

**IX. TERM OF PLAN**

This Plan shall be in effect from January 1, 2020 to December 31, 2020. Attached to this Plan is a resolution of the governing body of the Township approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.
WHEREAS, the Greenwich Township Recreation Booster Club is the licensee on the application to conduct an Off-Premise Draw Raffle on September 26, 2020 to be held at the Thomas Stewart Park; 112 Greenwich Street, Stewartsville, NJ, at 4:00 PM.

WHEREAS, the appropriate application forms and fees have been submitted to the Township Clerk; and

WHEREAS, there appear to be no reasons to deny the aforesaid Off-Premise Draw Raffle,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee as follows:

1. The Off-Premise Draw Raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

_______________________________
Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

Adopted: March 19, 2020
BE IT RESOLVED, by the Township Committee of the Township of Greenwich, County of Warren and State of New Jersey, that 2019 Budget Appropriations Transfer totaling $35,500 are to be made in the following manner:

<table>
<thead>
<tr>
<th>FROM:</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Insurance, Other Expenses</td>
<td>$15,500</td>
</tr>
<tr>
<td>Legal, Other Expenses</td>
<td>$20,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$35,500</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TO:</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering, Operating Expenses</td>
<td>$500</td>
</tr>
<tr>
<td>Police, Salary &amp; Wages</td>
<td>$35,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$35,500</strong></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Township of Greenwich, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with provision N.J.S.A. 40A:4-59, part of the surplus in the accounts heretofore mentioned be and the same is hereby transferred to the accounts mentioned as being insufficient and directs the Chief Financial Officer to execute this transfer transaction.

Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

Adopted: March 19, 2020
TOWNSHIP OF GREENWICH  
COUNTY OF WARREN  
STATE OF NEW JERSEY  

RESOLUTION#32-20  

RESOLUTION AUTHORIZING REDEMPTION OF TAX LIENS  

WHEREAS, the Greenwich Township Tax Collector has received funds from a property owner(s) or other party of interest for redemption of a Tax Sale Lien(s), and  

WHEREAS, lien holders are entitled to payment for redemption of the Tax Lien(s) upon receipt of funds by the Tax Collector, and  

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Greenwich in the County of Warren and State of New Jersey that the Greenwich Township Tax Collector is hereby authorized to redeem said lien(s) and return applicable premiums in the following amount(s):  

<table>
<thead>
<tr>
<th>TAX LIEN</th>
<th>CERT NO.</th>
<th>BLOCK</th>
<th>LOT</th>
<th>LIEN HOLDER</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>16-00005</td>
<td>23.11</td>
<td>10</td>
<td>CHRISTIANA TR-CUST C7E TLFI</td>
<td>$80,025.95</td>
</tr>
<tr>
<td>PREMIUM</td>
<td>23.11</td>
<td>10</td>
<td></td>
<td>CHRISTIANA TR-CUST C7E TLFI</td>
<td>$52,000.00</td>
</tr>
</tbody>
</table>

_______________________________  
Robert Barsony, Mayor  

Lisa A. Burd Reindel, RMC, CMR  
Township Clerk  

Adopted: March 19, 2020
RESOLUTION AUTHORIZING REDEMPTION OF TAX LIENS

WHEREAS, the Greenwich Township Tax Collector has received funds from a property owner(s) or other party of interest for redemption of a Tax Sale Lien(s), and

WHEREAS, lien holders are entitled to payment for redemption of the Tax Lien(s) upon receipt of funds by the Tax Collector, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Greenwich in the County of Warren and State of New Jersey that the Greenwich Township Tax Collector is hereby authorized to redeem said lien(s) and return applicable premiums in the following amount(s):

<table>
<thead>
<tr>
<th>TAX LIEN</th>
<th>CERT NO.</th>
<th>BLOCK</th>
<th>LOT</th>
<th>LIEN HOLDER</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-00004</td>
<td>3</td>
<td>16</td>
<td></td>
<td>BALA PARTNERS LLC</td>
<td>$6,961.60</td>
</tr>
</tbody>
</table>

____________________________________
Lisa A. Burd Reindel, RMC, CMR
Township Clerk

Adopted: March 19, 2020
TOWNSHIP OF GREENWICH
COUNTY OF WARREN
STATE OF NEW JERSEY
RESOLUTION #34-20

A RESOLUTION OF THE TOWNSHIP OF GREENWICH,
COUNTY OF WARREN, STATE OF NEW JERSEY,
AUTHORIZING THE SALE OF CERTAIN PROPERTY NO LONGER NEEDED
FOR A PUBLIC USE BY THE TOWNSHIP OF GREENWICH

WHEREAS, the Township of Greenwich is the owner of certain lands and capital improvements within the Township of Greenwich; and

WHEREAS, the Township Committee of the Township of Greenwich does hereby determine that the lands and properties set forth in Schedule A are no longer needed for public use; and

WHEREAS, the Township desires to make available for public sale said lands in accordance with N.J.S.A. 40A:12-13(a).

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

SECTION 1. The Township Committee hereby declares that the lands and premises set forth in Schedule A are no longer needed for public use and should be sold in accordance with the appropriate statutes of the State of New Jersey and ordinances of the Township of Greenwich.

SECTION 2. The Township Committee hereby authorizes Max Spann Real Estate & Auction Co. (hereinafter “Auctioneer”), to offer for sale to the highest bidder by open public sale at auction, the property described in Schedule A attached hereto and made a part hereof.

SECTION 3. The public sale shall take place at the Greenwich Township Municipal Building, 321 Greenwich Street, Stewartsville, New Jersey 08886, on May 15, 2020 or as soon thereafter as the matter may be heard and publicly announced, provided the sale is not canceled.

SECTION 4. The public sale, if not canceled, shall take place by open public sale at auction to the highest bidder.

SECTION 5. All bidders at the time of the sale must present a certified check or money order in the amount of $1,000.00 payable to themselves (to be endorsed to the escrow holder or
its designee if successful). In addition, the successful bidder shall submit a personal check or money order for the balance of the deposit of ten (10%) percent of the minimum bid plus Buyer’s Premium at the conclusion of the auction and execute an Agreement of Sale. Said Agreement of Sale shall be binding upon the high bidder until such time that the Township Committee either (1) does not accept the bid in which case bidder’s deposit will be returned, or (2) accepts the bid whereupon the municipality shall execute the Agreement of Sale and both parties shall be held bound by the terms and conditions contained therein. The balance of the purchase price shall be paid at closing which shall occur not later than 45 days following the acceptance of the bid by the Township. The purchaser shall be entitled to possession immediately following closing of title.

**SECTION 6.** At closing of title, purchaser shall also pay a Buyer’s Premium in the amount of ten (10%) percent of the bid amount to Auctioneer to conduct the sale.

**SECTION 7.** In the event the Township of Greenwich is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the Township will forthwith return to the purchaser any and all deposit moneys previously submitted by the purchaser, and neither party shall have any further rights against each other. The acceptance of a deed by the purchaser from the Township shall extinguish any claims that said purchaser may have against the Township in connection with the quality of title conveyed.

**SECTION 8.** The property herein sold is subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. Neither the Township nor the Auctioneer make no representations as to the presence or absence of wetlands or other environmental conditions on the property and the purchaser assumes the risk of any such condition, all property being sold “as is.”

**SECTION 9.** All conveyances by the Township shall be made by Bargain and Sale Deed with Covenants Against Grantor’s Acts.

**SECTION 10.** The Township reserves the right to waive any and all defects and informalities in any bid and to accept or reject any and all bids at the public sale and to not award to the highest bidder. No bid shall be considered finally accepted until passage of a resolution by the Township Committee as set forth in Paragraph 12 hereof.
SECTION 11. Acceptable bids shall be confirmed by resolution of the Township Committee no later than the first regular meeting of the Township Committee following the date of such sale.

SECTION 12. This Resolution shall constitute and serve as the public notice to be published in a newspaper circulating in the Township at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the public sale.

SECTION 13. In the event the successful bidder fails to close on the property, he shall forfeit the ten (10%) percent deposit.

SECTION 14. This resolution shall take effect immediately.

__________________________________________
Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

________________________________________________________________

Adopted: March 19, 2020

SCHEDULE A

108 Washington Street, Greenwich Township, Warren County, New Jersey, known as Block 20, Lot 49, approximately .14+/- Acres, RCD Zone
522 North Main Street, Greenwich Township, Warren County, New Jersey, known as Block 23, Lot 12, approximately .523 +/- Acres, (former Stewartsville School), RCD Zone
ORDINANCE OF THE TOWNSHIP OF GREENWICH, COUNTY OF WARREN, STATE OF NEW JERSEY, REPLACING CHAPTER 10, “CABLE TELEVISION” OF THE CODE OF THE TOWNSHIP OF GREENWICH TO RENEW THE CABLE FRANCHISE ORDINANCE

WHEREAS, Service Electric Cable TV of Hunterdon, Inc., a Pennsylvania corporation (SECTV) has applied to the Township of Greenwich pursuant to the provisions of the Cable Television Act, N.J.S.A. 48:5A-1 et seq. ("the Act") for renewal of the Township’s consent to operate a cable television system in the Township of Greenwich and to use the public roads of the Township for its cable television system.

WHEREAS, a public hearing concerning the franchise granted to the company was held on January 16, 2020 after proper public notice pursuant to the terms and conditions of the Act, the hearing having been fully opened to the public, and the Township having received at the hearing all comments regarding the qualifications of the company to receive a franchise.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Council of the Township of Greenwich, County of Warren, and State of New Jersey, as follows:

SECTION I:

Chapter 10, entitled “Cable Television” is hereby deleted and replaced in its entirety as follows:

CHAPTER 10
CABLE TELEVISION FRANCHISE

10-1 SHORT TITLE

This ordinance shall be known and may be cited as the "Service Electric Cable TV of Hunterdon, Inc. Franchise Ordinance."

10-2 FINDINGS

Service Electric Cable TV of Hunterdon, Inc., a Pennsylvania corporation (SECTV) has applied to the Township of Greenwich pursuant to the provisions of the Cable Television Act, N.J.S.A. 48:5A-1 et seq. ("the Act") for renewal of the Township’s
consent to operate a cable television system in the Township of Greenwich and to use the public roads of the Township for its cable television system. A public hearing concerning the franchise granted to the company was held on January 16, 2020 after proper public notice pursuant to the terms and conditions of the Act, the hearing having been fully opened to the public, and the Township having received at the hearing all comments regarding the qualifications of the company to receive a franchise.

10-3 DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

*Application* shall mean the application for renewal of municipal consent filed with the Township.

*Board* shall mean The Board of Public Utilities of the State of New Jersey.

*Commitments* shall mean the commitments, terms and undertakings on the part of Service Electric set forth in this ordinance.

*Cable Communications System* shall mean any communications service other than cable television reception service delivered through the facilities of a CATV system and for which charges in addition to or other than those made for cable television reception service are made or proposed to be made.

*Cable Television Company* or *CATV Company* shall mean any person owning, controlling, operating or managing a cable television system. The term "person," as used herein, shall be construed, without limiting the generality thereof, to include specifically any agency or instrumentality of this state or of any of its political subdivisions; but this definition shall not include a telephone, telegraph or electric utility company regulated by the Board in a case where it merely leases or rents or otherwise provides to a CATV company wires, conduits, cables or pole space used in the redistribution of television signals to or toward subscribers or customers of such CATV company.

*Cable Television System* or *CATV System* shall mean any facility within this state which is operated or intended to be operated to perform the service of receiving and amplifying the signals broadcast by one or more television stations and redistributing such signals by wire, cable or other device or means for accomplishing such redistribution to members of the public who subscribe to such service or distributing through its facility any television signals, whether broadcast or not, or any part of such facility. The term "facility," as used in this definition, includes all real property, antennas, poles, wires, cables, conduits, amplifiers, instruments, appliances, fixtures and
other personal property used by a CATV company in providing service to its subscribers and customers.

Company shall mean the grantee of rights under this ordinance awarding a franchise and known as "Service Electric Cable TV of Hunterdon, Inc."

FCC shall mean The Federal Communications Commission.

Federal Act shall mean that federal statute relating to cable communications commonly known as the "Cable Communications Policy Act of 1984," 47 U.S.C. § 521 et seq., or as that statute may be amended.

Federal Regulations shall mean those federal regulations relating to cable television service, 47 CFR 76.1 et seq., and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to those described in 47 CFR 76.3, or as such regulations may be amended.

Highway shall mean every street, road, alley, thoroughfare, way or place of any kind used by the public or open to use by the public.

Person shall mean any natural person, firm, partnership, associates, corporation, company or organization of any kind.

State Act shall mean that statute of the State of New Jersey relating to cable television, commonly known as the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., or as that statute may be amended.

State Regulations shall mean those regulations of the Board relating to cable television, N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

Subscriber Revenues shall mean those revenues derived from all recurring charges in the nature of subscription fees paid by subscribers located within the Township for cable television reception service for which no separate or additional charge is made, i.e. basic cable service.

Township or Municipality shall mean the Township of Greenwich, County of Warren, State of New Jersey, and shall include, as appropriate, the governing body of the Township.

10-4 QUALIFICATIONS AND GRANT OF AUTHORITY

The Township hereby finds that the company possesses the necessary legal, technical, character, financial and other qualifications and that the company's operating
and construction arrangements are adequate and feasible. The Township therefore grants
the company a franchise, right and privilege to construct, erect, operate, modify and
maintain in, upon, along, across, above, over and under the highways, streets, alleys,
sidewalks, public ways and public places now laid out or dedicated and all extensions
thereof and additions thereto such poles, wires, cables, underground conduits, manholes
and other television conductors and fixtures necessary for the maintenance and operation
in the Township of a cable television system and cable communications system for the
purpose of distributing television and radio signals and other electronic impulses in order
to furnish television and radio programs and various communications and other electronic
services to the public. The right so granted includes the right to use and occupy said
highways, streets, alleys, public ways and public places and all manner of easements for
the purposes herein set forth as provided by the Federal Act and State Act.

10-5 FRANCHISE TERM

The nonexclusive franchise granted the company herein shall expire fifteen (15)
years from the date of expiration of the previous certification of approval by the Board.
The Township reserves the right at any time to enforce and/or terminate the franchise
according to applicable laws, rules and regulations for the company's failure to perform
any of its commitments and obligations as set forth in this ordinance. Prior to
enforcement or termination, the Township shall give the company 60 days written notice
to cure the noncompliance. In the event, noncompliance continues, the Township shall
file a petition with the Board of Public Utilities seeking such relief as is appropriate under
the circumstance.

10-6 EXPIRATION AND SUBSEQUENT RENEWAL

If the company seeks successive consent, it shall, prior to the expiration of this
consent, apply for municipal consent and certificate of approval in accordance with the
Cable Television Act, N.J.S.A. 48:5A-11 and 48:5A-16, and applicable State and Federal
Rules and Regulations. The company shall also petition the Board for continued
operation during the period following expiration of the consent granted herein and until
such a time that a decision is made by the municipal governing body relative to the
renewal of said consent.

10-7 PAYMENT TO TOWNSHIP

A. Pursuant to the terms and conditions of the Act, the company shall, during
each year of operation under the consent granted herein, pay to the municipality two (2%) percent of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service in the municipality or any amount permitted by the Cable Television Act or otherwise allowable by law. The fee shall be paid on or before January 25 of each year and at the same time the company shall
file with the chief financial officer of the municipality a statement showing the gross receipts upon which payment is based.

B. In the event applicable law hereafter permits a larger franchise fee to be collected, but does not fix the amount thereof, the Township and the company shall negotiate in good faith with respect to the amount. Additionally, in the event the relevant laws are amended in the future to allow additional fees and/or charges (collectively "fees") to be paid to the Township, the Township shall have the right to impose such fees in accordance with the applicable law. In the event the law does not state the amount the Township is allowed to impose, the parties shall negotiate in good faith with respect to the amount of the fee. In the event any of the fees provided for in this section cannot be agreed to after negotiations, then the Township shall have all rights available to it under law in order to establish the fee.

10-8 EXTENSION OF SERVICE

A. The Company shall be required to offer service to any residence located in those areas of the franchise territory described herein, in accordance with the proposal for the provision of services as described in the application. Any additional extension of the system will be made in accordance with the proposal in the application. The company shall be further required to extend service to those township streets, along public rights-of-way as indicated below:

(1) Currently, the entire Township is able to receive cable and high speed internet.

B. As new roads and streets are constructed within the Township, the company will extend its system to those roads in a timely fashion in accordance with the company’s line extension policy.

10-9 CONSTRUCTION REQUIREMENTS

A. In the event that the company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces in the natural topography, the company shall at its sole expense restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work.

B. In the event that at any time during the term of this ordinance the Township shall lawfully elect to alter or change the grade of any street, alley or other public way, the company, upon reasonable notice by the Township, shall, at its expense, remove, relay and relocate its poles, wires, cables, underground conduits, manholes and other fixtures.

C. The company shall, on the request of any person holding a valid building moving permit issued by the Township, temporarily raise or lower its
wires to permit the moving of buildings. The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the company shall have the authority to require such payment in advance. The company shall be given not less than 10 days' advance notice to arrange for temporary wire changes.

D. During the exercise of its rights and privileges under this franchise, the company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places within the Township so as to prevent the branches of such trees from coming into contact with the wires and cables of the company. Such trimming shall be performed only to the extent necessary to maintain proper clearance for the company's wires and cables.

E. The company shall cause any and all construction plans relating to work on any extension of the company plant or work which could have a significant impact on public works within the Township to be filed with the Township Engineer.

F. All facilities and equipment of the company shall be constructed and maintained in accordance with the requirements and specifications of the applicable ordinances and regulations set forth by the Township and/or any other local, state or federal agencies.

10-10 TERRITORY

The consent granted herein to the company shall apply to the entirety of the municipality and any property hereafter annexed.

10-11 LOCAL OFFICE AND COMPLAINT PROCEDURES

During the term of this franchise and any renewal term, the company shall maintain a local business office or agent for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment malfunctions, and similar matters in accordance with N.J.A.C. 14:18-5.1. All complaints shall be received and processed by the company pursuant to N.J.A.C. 14:17-6.5. The local office shall be open to receive inquiries and complaints and to receive payment of bills from subscribers during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday. Any complaints from subscribers shall be investigated as soon as practicable, but at least within two business days of their receipt. The company shall keep a maintenance service log in the manner required by the regulations of the Office of Cable Television.

10-12 MUNICIPAL COMPLAINT OFFICER.
The New Jersey Office of Cable Television (OCTV) is hereby designated as the complaint officer required by N.J.S.A. 48:5A-26 to receive and act upon complaints by subscribers to cable television reception service provided pursuant to this franchise.

10-13 COMMITMENTS BY COMPANY

A. Facilities and equipment. In transmitting its television signals to subscribers in the Township, the company shall provide a quality of signal that is at least as good as that customarily provided under prevailing industry standards, and the company shall comply with any requirements imposed by the Federal Regulations, any federal pronouncements and, to the extent not preempted by Federal Law, any state pronouncements relating to technical standards for the transmission of television signals, transmission quality or facilities and equipment.

B. Emergency uses. The company is in compliance with the Federal Emergency Alert System (“EAS) and, as such, the company shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the municipality pursuant to state and federal requirements. The company shall in no way be held liable for any injuries suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television systems as contemplated herein. The municipality shall utilize the state-approved procedures for such emergency uses.

C. Customer service. At the request of the township, the company and township’s designee shall meet at least semiannually to review all matters relating to cable television in the township, with the minutes of such meetings to be delivered to the company and to be filed with the township.

10-14 RATES

A. The Township acknowledges that, under the Federal Act, municipalities do not have the authority to regulate the rates the company charges subscribers for its services. Therefore, the Township will not regulate the rates the company may charge subscribers for its service; provided, that, in the event the Federal Act and other applicable law hereinafter is amended to permit the exercise of regulatory power over rates by municipalities, the Township reserves the right to exercise the maximum power permitted by law.

B. The Township is desirous of obtaining reduced rates for senior citizens, disabled residents and other parties for whom reduced rates may currently be available or may be available during the term of this ordinance. Therefore, if the company adopts
reduced rates for senior citizens, disabled persons or other parties in the future in accordance with N.J.S.A. 48:5A-11.1 et seq. and the Federal Act or any other law or regulation, these special rates shall be offered to qualified Greenwich residents.

10-15 PROGRAMMING

Although nothing herein shall require the company to carry or transmit any particular television stations or programming source, the company shall provide the subscribers in the Township with at least the same broad categories of programming, in approximately the same quantity, as are now provided and which appear in the application.

10-16 ACCESS AGREEMENT AND PERSONNEL

The company has supplied, without charge, all engineering, labor and materials and other costs for a LAN interconnection of Stewartsville Middle School, Greenwich Elementary School, the existing municipal buildings and the new firehouse and first aid squad building on Greenwich Street at Lot 7, Block 26, which consists of a dedicated six strand single-mode fiber optic cable. This is a dark fiber line and the Municipality or the school district would be responsible for providing the equipment to light the fiber optic cable and for the facilities and equipment at the ends of the cable/LAN. This consists of running the Company’s cable through municipal rights of way and other provided easements.

10-17 FREE SERVICES

A. The company shall provide free installation and basic monthly cable service through one service outlet to the following facilities: the municipal building, Greenwich Township School, each police, fire, first aid, emergency management facility, Department of Public Works, and township-operated community center at no cost. Similarly, the feed for each library, municipal building, fire company and rescue squad shall be capable of distributing signal to each office and other multiple areas in each building. Each additional outlet installed, if any, shall be paid for by the institution requesting same on materials plus labor basis. This obligation shall apply to any new facilities in the preceding categories constructed during the term of municipal consent.

B. The company shall provide free installation of internet services to the same facilities listed in Section A. This obligation shall apply to any new facilities in the preceding categories constructed during the term of municipal consent. The company is not required to provide the monthly service fee free of charge.

10-18 LIABILITY AND INDEMNIFICATION
A. The company shall pay, and by its acceptance of this franchise the company expressly agrees that it will pay, all damages and penalties which the Township may legally be required to pay as a result of the company's negligence in the installation, operation, or maintenance of the cable television system authorized herein. The Township shall notify the company's general manager within 30 days after the presentation of any claim or demand to the Township, either by suit or otherwise, made against the Township on account of any negligence or contract as aforesaid on the part of the company.

B. Furthermore, the company shall carry liability insurance in the minimum amount as follows:

1. Two million dollars general commercial liability insurance;
2. Two million dollars personal injury protection for any accident or occurrence; and
3. Any and all insurance coverage otherwise required by law and the Township shall be named as an additional insured under the insurance policies.

10-19 PERFORMANCE BOND

During the life of the franchise, the company shall give a bond to the Township in accordance with N.J.S.A. 48:5A-28(d), which bond shall be in the minimum amount of $25,000. Such bond shall be to insure the faithful performance of all undertakings of the company as represented in the application herein.

10-20 COMPANY RULES AND REGULATIONS

The company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the company to exercise its rights and perform its obligations under this franchise and to assure uninterrupted service to each and all of its subscribers; provided, however, that such rules, regulations, terms and conditions shall not be in conflict with federal and/or state laws.

10-21 APPROVAL OF TRANSFER

The company shall not sell or transfer its CATV system to another, nor transfer any rights under this franchise to another, except as provided in the State Act.

10-22 MODIFICATION OF FCC RULES
Any modification of existing and applicable FCC rules resulting from amendment thereto by the FCC shall, to the extent applicable, be considered as part of this franchise as of the effective date of the amendment made by the FCC and shall be incorporated in this franchise by specific amendments thereto by the lawful action of the Township Council within one year from the effective date of the FCC’s amendment or at the time of renewal to this franchise, whichever occurs first.

10-23 COMPLIANCE WITH STATE AND FEDERAL ACTS

This ordinance and franchise are subject to all provisions of the State Act and Federal Act and to all lawful rules and regulations of the OCTV adopted pursuant thereto. The company shall at all times comply with the state regulations governing cable television operation, the State Act, the Federal Act and any other. In the event of a conflict between the State Act and state regulations and any FCC rules and regulations, the FCC rules and regulations shall prevail.

10-24 PROHIBITED ACTIVITIES

The company shall not allow its cable or other operations to interfere with the television reception of persons not served by the company, nor shall the CATV system interfere with, obstruct or hinder in any manner the operation of the various utilities serving the residents of the Township.

10-25 AMENDMENTS

Subject to the requirements of the Federal Act and approval by the Board, the Township reserves the power to amend any portion of this ordinance after public hearing for the purpose of requiring reasonable additions or greater standards of construction, operation, maintenance or otherwise on the part of the company. Said amendments shall be feasible and within the economic capabilities of the company.

10-26 COMPLIANCE WITH OTHER PROVISIONS

Notwithstanding any specific mention of applicable federal or state statutes or regulations above, the company shall comply with all of the requirements of the Federal Act, the Federal Regulations, the State Act and State Regulations (to the extent not preempted) and any other valid statute, regulation, rule or promulgation.

10-27 COMPLIANCE WITH FUTURE PROVISIONS

Should any of the federal or state statutes, regulations or pronouncements applicable to the regulation of cable television be modified in any way, such modifications, to the extent that they embody required terms and conditions and meaningfully can be incorporated into this ordinance, shall be so incorporated, consistent with any applicable effective dates specified in such modification. To the extent that any
such modification places limits on permissible terms and conditions and any provision of
this ordinance becomes invalid by virtue of such modification, Section 10-26 shall apply.

10-28 RESERVATION OF RIGHTS

The Township reserves the right to amend this ordinance in the event of any
changes in state and/or federal law or regulations regarding cable television in a manner
consistent with the regulations of the OCTV/BPU.

10-29 INCORPORATION OF FRANCHISE APPLICATION

All of the statements and commitments contained in the application and any
amendment thereto, or otherwise submitted in writing to the Township or its Governing
body, except as modified herein, are binding upon the company as terms and conditions
of this consent. The application and any other relevant writings submitted by the
company shall be annexed hereto and made part hereof by reference to the extent that
they do not conflict with state or federal law.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby
repealed to the extent of such inconsistencies.

SECTION III

If any section, subsection, sentence, clause, phrase or portion of this ordinance is
for any reason held invalid, preempted or unconstitutional by any court or Federal or
State agency of competent jurisdiction, such portion shall be deemed a separate, distinct
and independent provision of this ordinance and such holding shall not affect the validity
of the remaining portions hereof.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided
by law.

_________________________________
Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk
NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of the Township of Greenwich held on March 19, 2020, at 7:00 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on April 16, 2020, at 7:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 321 Greenwich Street, Stewartsville, New Jersey 08886, at which time all persons interested may appear for or against the passage of said Ordinance.

Lisa Burd Reindel, Township Clerk

CERTIFICATION

I, LISA BURD REINDEL, Clerk of the Township of Greenwich, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Greenwich Committee on the ___ day of ________________, 2020.

Lisa Burd Reindel, Township Clerk