

AGENDA
ORGANIZATIONAL MEETING
TUESDAY, JANUARY 4, 2011

8:00 P.M.

BOARD OF ADJUSTMENT

LONG HILL TOWNSHIP

1. The Planning & Zoning Administrator will call the meeting to order at 8:00 P.M.
2. Notice of tonight's meeting was e-mailed to the Echoes-Sentinel and Courier News and was posted at Town Hall on December 15, 2010.
3. Pledge of Allegiance.
4. The Oath of Office will be administered to new/reappointed members.
5. The Planning & Zoning Administrator will call the roll.
6. The Board of Adjustment will elect a member Chairman for the year 2011. The Planning & Zoning Administrator will open the nominations.
7. The Board of Adjustment will elect a member Vice Chairman for the year 2011. The Chairman will open the nominations.
8. The Planning & Zoning Administrator will prepare the Annual Report on Variances Heard by the Zoning Board, as required by NJSA 40:55D-70.1. Copies of the report and resolution, when adopted by the Board of Adjustment, shall be forwarded to the Township Committee and Planning Board.

9. **PLANNING & ZONING ADMINISTRATOR'S APPOINTMENT**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that Dawn V. Wolfe be appointed Planning & Zoning Administrator of the Zoning Board of Adjustment until the Organizational Meeting of January 2012. The Planning & Zoning Administrator will hold office hours at Town Hall, 915 Valley Road, Gillette, N.J., Monday through Friday, 8:30 A.M. to 4:30 P.M.

10. **ATTORNEY'S APPOINTMENT**

WHEREAS, the Long Hill Township Board of Adjustment requires professional legal services which shall include but not be limited to attendance at meetings, preparation of administrative documents and correspondence, legal research, consultation with the Board Members, Administrator, and other municipal personnel, as well as with legal representatives of applicants, and miscellaneous other legal services (except for litigation and certain other types of services such as (a) Any litigation handled for the Board; (b) Any extensive or major redrafting of Township ordinances; (c) Drafting of resolutions on applications for development and for other matters coming before the Board; and (d) Review of easements, deeds, agreements or documentation pertaining to formation of a planned development, condominium, homeowners' association, or the like; (e) Other matters requiring attendance at conferences, work sessions, etc., out of the office; and providing advice as a non-fair open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5); and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Law Firm of Bernstein & Hoffman has submitted a proposal dated October 25, 2010 indicating that they will provide the legal services at a rate of Five Hundred Fifty (\$550.00) Dollars per meeting and an hourly rate of \$158.00 for legal services not embraced within the basic arrangement as outlined above in Items (a) – (e); and

WHEREAS, the Law Firm of Bernstein & Hoffman has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Firm of Bernstein & Hoffman has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Law Firm of Bernstein & Hoffman from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer, in accordance with N.J.A.C. 5:34-5.1, has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of the contract;

NOW, THEREFORE BE IT RESOLVED, by the Board of Adjustment of the Township of Long Hill, in the County of Morris, State of New Jersey as follows:

1. A professional services contract with Bernstein & Hoffman, Attorneys at Law, 2253 South Avenue, Suite 7A, Scotch Plains, N.J. 07076 is hereby authorized.
2. The Board Chairman and Planning & Zoning Administrator are authorized to sign a professional service contract with Bernstein & Hoffman, in accordance with the following terms and conditions:
 - A. Term: A period not to exceed 12 months
 - B. Rate: \$550.00 per meeting and \$158.00 per hour for other legal services as stated in Items (a) – (e) above
 - C. Services: The firm shall provide professional legal services
3. The Planning & Zoning Administrator, in accordance with the provisions of N.J.S.A. 40A:11-5 (1)(a)(i), is directed to publish a notice once in the Echoes-Sentinel stating the nature, duration, service and amount of this contract.
4. The Planning & Zoning Administrator shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey, during regular business hours.
5. This contract shall be charged to 11-01-21-185-185-236. The certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Planning & Zoning Administrator.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

11. PLANNING CONSULTANT'S APPOINTMENT

WHEREAS, the Long Hill Township Board of Adjustment requires professional planning services which shall include but not be limited to attendance at Board Meetings; field work, research and writing; and any other task assigned by the Board of Adjustment; and providing advice as a non-fair open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Firm of Shamrock Enterprises, Ltd. has submitted a proposal dated October 28, 2010 indicating they will provide the planning services at a rate of Five Hundred and Fifty (\$550.00) Dollars per full Board meeting; \$275.00 per Board meetings that end before 9:30 P.M.; and an hourly rate of \$125.00 for all other planning services, including field work, research and writing; and any other task assigned by the Board; and

WHEREAS, the firm of Shamrock Enterprises, Ltd. has completed and submitted a Business Entity Disclosure Certification which certifies that the Firm of Shamrock Enterprises, Ltd. has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Firm of Shamrock Enterprises, Ltd. from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer, in accordance with N.J.A.C. 5:34-5.1, has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of the contract;

NOW, THEREFORE BE IT RESOLVED by the Board of Adjustment of the Township of Long Hill, in the County of Morris, State of New Jersey, as follows:

1. A professional services contract with Shamrock Enterprises, Ltd., Madison House, 866 Madison Ave., Rahway, N.J. 07065 is hereby authorized.
2. The Board Chairman and Planning & Zoning Administrator are authorized to sign a professional service contract with Shamrock Enterprises, Ltd., in accordance with the following terms and conditions:
 - A. Term: A period not to exceed 12 months
 - B. Rate: \$550.00 per full Board meeting and \$275.00 per Board meetings that end before 9:30 P.M.; and \$125.00 per hour for all other work including field work, research and writing and any other task assigned by the Board
 - C. Services: The firm shall provide professional planning services.
3. The Planning & Zoning Administrator, in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes-Sentinel stating the nature, duration, service and amount of this contract.
4. The Planning & Zoning Administrator shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract shall be charged to 11-01-21-185-185-238. This certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Planning & Zoning Administrator.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

12. ENGINEER'S APPOINTMENT

WHEREAS, the Long Hill Township Board of Adjustment requires certain technical and/or professional services hereinafter described as Engineering Consulting Services which shall include but not be limited to the following: serve as the general engineering consultant to the Board of Adjustment; attend all meetings of the Board of Adjustment as requested; advise the Board of Adjustment on all engineering matters under their jurisdiction; the Consultant shall be available for consultation by telephone at all reasonable times; represent the Board of Adjustment as its Professional Engineer pursuant to N.J.S.A. 40:55D-24; review site and subdivision plans, as requested; prepare special reports, plans, studies, applications, and similar work, as requested; testify on behalf of the Board of Adjustment before Commissions,

Agencies , or Courts of the State of New Jersey, as requested; and perform any other related engineering work, as requested; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, Maser Consulting, P.A., has submitted a proposal dated November 23, 2010 indicating they will provide engineering services at a rate of Five Hundred Fifty (\$550.00) Dollars per night meeting. Night meetings will be billed at the rate of One Hundred Eighty Three Dollars and Thirty Three Cents (\$183.33) per hour for the time actually spent on a given topic. An hourly rate of One Hundred Thirty Three (\$133.00) Dollars will be billed for engineering services for all other work including field work, research writing, and any other task assigned by the Board; and

WHEREAS, the firm of Maser Consulting, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that the Firm of Maser Consulting has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Firm of Maser Consulting, P.A., from making any reportable contributions throughout the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of the contract;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Township of Long Hill, in the County of Morris, State of New Jersey as follows:

1. A professional services contract with Maser Consulting, P.A., 200 Valley Road, Suite 400, Mt. Arlington, N.J. 07856 is hereby authorized.
2. The Board Chairman and Planning & Zoning Administrator are authorized to sign a professional service contract with Maser Consulting, P.A., in accordance with the following terms and conditions:
 - A. Term: A period not to exceed 12 months.
 - B. Rate: \$550.00 per full Board meeting; night meetings will be billed at the rate of \$183.33 per hour for the time actually spent on a given topic; and \$133.00 per hour for other engineering services as stated above.
 - C. Services: The Firm shall provide professional engineering services.
3. The Planning & Zoning Administrator in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes-Sentinel stating the nature, duration, service and amount of this contract.
4. The Planning & Zoning Administrator shall make copies of this Resolution Available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract shall be charged to 11-01-21-185-185-237. The certification of available funds by the Township Chief Financial Officer shall be attached to the original Resolution and shall be maintained in the files of the Planning & Zoning Administrator.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

13. CALENDAR ORDER OF BUSINESS

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that the Calendar Order of Business shall be mailed or given to each member of the Board on or

before the Friday before each designated meeting.

Pursuant to the requirements of Section 13 of the Open Public Meetings Act agendas for Regular and Special Meetings of the Board of Adjustment will be posted at Town Hall as required.

14. **NOTICE OF PUBLICATION**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that the following newspapers are designated to receive Notices as required by the Open Public Meetings Law:

- 1) Courier News
- 2) Echoes-Sentinel

All notices required by the provisions of the Open Public Meetings Law shall be furnished the newspapers designated for such purposes.

15. **NOTICE OF MEETINGS**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township, pursuant to the authority of Section 14 of the Open Public Meetings Law that the sum of \$20.00 annually is hereby fixed as a reasonable sum to be prepaid the Planning & Zoning Administrator by any person desiring notice of all meetings to cover the cost of providing said notice. All requests to be made to the Planning & Zoning Administrator.

16. **MINUTES**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township:

1. The minutes of the regular public meetings shall be sent to the Board of Adjustment members and that a copy of said minutes be posted at the Town Hall. By this procedure and/or unanimous agreement of the Board Members, the reading of said minutes shall be waived. Copies will be sent to the Board of Adjustment Attorney, the Township Engineer, the Township Planning Consultant, and the Township Library. Copies will also be made available to the public upon request. The charge for such copies of Minutes will be as determined by Township Ordinance.
2. A recording will be made of all Public Meetings and will be retained for two years or until after the conclusion of the appeal time or the conclusion of any litigation, whichever is later. Members of the public may listen to any recording by contacting the Planning & Zoning Administrator and establishing a mutually convenient time and place for the review. Arrangements for transcripts can be made through the Planning & Zoning Administrator.
2. The cost of providing copies of audio recordings of meetings to any person desiring the same will be as determined by Township Ordinance.

17. **MEMBERSHIP**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that the Board approves the application for membership for 2011 in the New Jersey Planning Officials at the established annual fee for 2011.

18. **MEETING CUT-OFF**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that, as a matter of procedure, it is the intention of the Board of Adjustment not to continue any matter past 11:00 P.M. at any regular or special meeting of the Board unless a motion is passed by

the members then present to extend the meeting to a later specified cut-off time. Further, that this notice shall be made part of published operating procedures for applications to this Board and shall be announced at the opening of each meeting.

19. **MEETINGS – EXECUTIVE AND REGULAR**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that meetings, in general, will be held on the first and third Tuesday of each month with the following exceptions: in July, August, and December, the Board will only meet only on the first Tuesdays. Unless otherwise scheduled, all regular meetings will begin at 8:00 P.M.(or immediately following an executive session if deemed necessary) in Town Hall, 915 Valley Rd., Gillette, N.J. Following is the Regular Meeting Schedule. If deemed necessary, Executive Session meetings of the Zoning Board of Adjustment will be held in Town Hall, 915 Valley Rd., Gillette, N.J. on the same dates as listed below at 8:00 P.M. *prior* to the regular meeting.

2010 BOARD OF ADJUSTMENT CALENDAR

- January 4, 2011 – Organizational Meeting – 8:00 PM
- January 18
- February 1
- February 15
- March 1
- March 15
- April 5
- April 19
- May 3
- May 17
- June 7
- June 21
- July 5
- August 2
- September 6
- September 20
- October 4
- October 18
- November 1
- November 15
- December 6

20. **2011 BUDGET**

BE IT RESOLVED by the Zoning Board of Adjustment of Long Hill Township that the following Budget for 2011 is approved for submission to the Township Committee.

PROPOSED 2011 BUDGET

<u>ACCT. NO.</u>	<u>ITEM</u>	<u>BUDGETED 2010</u>	<u>BUDGETED 2011</u>
21-185-185-101 & 105	Salary/Wages	\$ 34,552.00	\$ 35,235.00
21-185-185-201	Miscellaneous	50.00	50.00
21-185-185-203	Office Supplies	600.00	600.00
21-185-185-205	Postage	- 0 -	- 0 -
21-185-185-206	Printing	-0-	350.00
21-185-185-209	Conventions/Conf's.	350.00	350.00
21-185-185-211	Equip./Serv. Agmts.	250.00	150.00
21-185-185-213	Legal Advertising	150.00	150.00
21-185-185-214	Publications	425.00	425.00
21-185-185-219	Dues/Membership	200.00	200.00

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21-185-185-227	Shorthand Reporter	- 0 -	- 0-
21-185-185-236	Legal	500.00	500.00
21-185-185-237	Engineering	- 0 -	- 0 -
21-185-185-238	Planning Consultant	400.00	300.00
21-185-185-271	Education/Training	<u>300.00</u>	<u>150.00</u>
		\$ 37,777.00	\$ 38,460.00

21. **APPROVAL OF MINUTES**

November 2, 2010

22. **RESOLUTION OF MEMORIALIZATION**
TOMASINA & ADAM WAZETER

15 Lacey Avenue
Block 13701, Lot 46

#10-02Z
Bulk Variances

23. **PUBLIC HEARING**
ANTHONY & ROBYN LAKE

21 Vickie's Place
Block 12203, Lot 20

#09-07Z
Bulk Variances
Waiver for Relief from
Stormwater Mgt. Requirements

24. **PROCEDURAL DISCUSSION**
STIRLING LIBRARY, LLC

91 Central Avenue
Block 13103, Lot 6

#07-03Z
Status Update of
Condition 2(d)

25. **ADJOURN**