

Long Hill Township Committee Minutes March 23, 2011 Regular Meeting

The Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, convened in Regular Session at the Municipal Building, 915 Valley Road, Gillette, New Jersey, on Wednesday, **March 23, 2011** at 7:00 p.m.

Statement of Adequate Notice:

Mayor Harrington read the following statement:

“In compliance with the Open Public Meetings Law of New Jersey, adequate notice of this meeting was included in a list of meetings notice which was electronically sent to the Echoes Sentinel, Courier News and Daily Record on January 4, 2011; posted on the bulletin board in the Municipal Building on January 4, 2011 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.”

Executive Session:

RESOLUTION 11-119 EXECUTIVE SESSION

BE IT RESOLVED, pursuant to the Open Public Meetings Act, that the Township Committee of Long Hill Township meet in closed session to discuss the following matters:

Attorney Client Privilege

- None

Collective Bargaining:

- None

Contract Negotiations

- None

Personnel:

- ~~Township Administrator Evaluation~~

Pending or Anticipated Litigation:

- None

Property Acquisition

- Open Space

BE IT FURTHER RESOLVED that minutes of this executive session meeting will be released to the public in a timely fashion pursuant to the Open Public Records Act and other applicable laws and regulations.

Roll Call:

On roll call the following Committee members were present:

Jerry Aroneo; Michael Mazzucco; Guy Piserchia; Mayor Nanette Harrington;
George Viturera

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Absent: None

Also present: John Pidgeon, Township Attorney; Richard Sheola, Township Administrator/CFO; Christine Gatti, Township Clerk

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Presentation: 2010 Community Day Checks

Mayor Harrington presented the 2010 Community Day checks to the First Aid Squad, Millington Volunteer Fire Department, Stirling Volunteer Fire Department and CERT and thanked them for everything they do for the township.

Township Committee Liaison Reports / Department Reports:

Mr. Aroneo updated the Committee and public on the following as Township Committee Liaison; he stated that the Communications Advisory Committee is working with the Township Attorney on the franchise agreement with Comcast and is also working on reviewing the computer consultant's bills. He added that there seems to be a reduction in cost on the bills. He pointed out that the Open Space Advisory Committee is continuing to review open space properties and is also examining updating the Open Space portion of the Master Plan by splitting out the Recreation portion.

Mayor Harrington updated the Committee and public on the following as Township Committee Liaison; the Lounsberry Meadow Board has two resignations and the Planning Board has one resignation. She continued that the Planning Board is concerned with the Time of Decision regulation and one strategy might be to strip out the residential portion out of the Draft Valley Road Ordinance proposed by the Planning Board and therefore go forward with the commercial portion in order to protect the township.

Mr. Aroneo commented that perhaps the Planning Board should be contacted because they indicated that it was required and added that he is in favor of taking the residential portion out of the Draft Valley Road Ordinance. He stated that it is misguided to be concerned about the Time of Decision regulation. Mayor Harrington indicated that she believes the Planning Board will accept it without the residential portion rather than nothing at all. She added that the township does not want to be vulnerable to development. Mr. Mazzucco agreed to the removal of the residential portion. Mr. Pidgeon stated that he could update the draft and remove the residential portion. Mr. Piserchia indicated that in terms of flooding ideally we need to suggest to the Planning Board that there should be no increase to lot coverage permitted in the township. Both Mayor Harrington and Mr. Aroneo agreed. Mayor Harrington asked Mr. Pidgeon to revise the draft ordinance and eliminate the building height and residential language and then we can send it back to the Planning Board. A discussion ensued among the Committee in regards to existing zoning.

Mayor Harrington commented that the Shade Tree Challenge Grants are back on track and we have worked out the parameters for the spring and fall grants.

Administrator Report

2011 Budget

Mr. Sheola stated that he hopes that tonight the Committee will introduce the 2011 budget. He reviewed the balanced budget. He commented on the local tax rate increase. He reviewed his

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discussions with the Township Auditor who suggests that the township use less surplus. He reviewed the auditor's recommendations and added that he feels comfortable with Alternate #2 with \$450,000 in surplus. He stated that the local tax increase would be \$.01 and the average increase would be \$50.00 per household. He added that this is a very sound budget and reviewed the Committee options. Messrs. Mazzucco and Sheola reviewed the county budget. The Committee briefly reviewed the school budgets. A discussion ensued among the Committee in regards to the proposed budget and the options available to the Committee. Mr. Vitureira suggested that the township reduce the Open Space Tax and then we can have a 0% increase. Mr. Aroneo stated that he was not in favor of reducing the Open Space Tax at this time. Mayor Harrington indicated that the Committee did discuss reducing the Open Space Tax last year although she does not feel comfortable reducing it at this time; Messrs. Mazzucco and Piserchia agreed. The consensus of the Committee was to not reduce the Open Space Tax this year.

Charles Arentowicz, resident of Heritage Road, suggested that the township continue collecting open space tax. Joseph Cilino, resident of Heritage Road, agreed with Mr. Arentowicz.

Dennis Sandow, resident of Millington, reviewed the history of open space acquisition and stated that the township does not have a plan. He asked the Committee that if they do not spend any money by November then vote to kill the tax for next year. He added that the township should either spend the money or stop taking it.

Mr. Aroneo indicated that the Open Space Advisory Committee is making valid recommendations to the Committee and the Committee does have an Open Space Plan.

John Bangs, resident of River Road, pointed out that if you look at nice communities there are lots of fields and suggested town purchase open space.

Mr. Sheola continued his examination of the proposed 2011 budget and stated that both he and the auditor recommend using \$450,000 from surplus. Mayor Harrington stated that she preferred using \$475,000 from surplus which equates to a 1.65% tax increase; Mr. Aroneo supported the Mayor. A discussion ensued among the Committee and Mr. Sheola in regards to surplus, reserve for uncollected taxes and available options for the budget. The consensus of the Committee was to use \$475,000 of surplus in the budget. Mr. Sheola reviewed the recently signed legislation in regards to removing the library from the tax bill.

The Committee reviewed the option of averaging the tax collection rate and the draft resolution before the Committee. Mr. Aroneo stated that he is not in favor of the concept of averaging the tax collection ratio. Mr. Vitureira reviewed the resolution and pointed out that it is a miniscule amount and added that he would prefer to average the collection rate. The Committee reviewed the option. Mr. Sheola reviewed the last three year collections rates and pointed out that he would forward the confirmed information to the Committee the next day.

New Schedule of Hours

Mr. Sheola reviewed his recommendation for new town hall hours before the Committee. The Committee agreed that town hall would open an extra two hours at night one day and week and then close two hours early on Friday. The consensus of the Committee was to keep town hall open late on Wednesdays.

Sale of Surplus Property

Mr. Sheola reviewed the proposed sale of surplus of township property and added that the proceeds would go directly to surplus.

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A motion was made by Mr. Aroneo and seconded by Mr. Piserchia to authorize the sale of township property as outlined by Mr. Sheola. Roll Call: All Ayes

Ordinance Public Hearing / Consideration of Adoption:

**ORDINANCE #277-11 - CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Mayor Harrington read the ordinance by title and opened the public hearing. No one wished to be heard therefore Mayor Harrington closed the public hearing

A motion was made by Mr. Vitureira and seconded by Mr. Mazzucco to adopt Ordinance 277-11. Roll Call Vote: All Ayes

**ORDINANCE #277-11
CALENDAR YEAR 2011 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. 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 2.0% 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 Long Hill in the County of Morris finds it advisable and necessary to increase its CY 2011 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 \$363,172.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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.

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NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Long Hill, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Long Hill shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$363,172.60, and that the CY 2011 municipal budget for the Township of Long Hill be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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.

Ordinance Introduction:

ORDINANCE #278-11 - AN ORDINANCE ESTABLISHING A ZONING PERMIT REQUIREMENT AND SUPPLEMENTING AND AMENDING THE TOWNSHIP LAND USE ORDINANCE

Mayor Harrington read Ordinance #278-11 by title for first reading. The ordinance was introduced by Mr. Aroneo; second by Mr. Piserchia.

Roll Call Vote for Introduction: All Ayes

Mayor Harrington stated that the public hearing of this ordinance is scheduled for April 27, 2011.

**ORDINANCE # 278-11
AN ORDINANCE ESTABLISHING A ZONING PERMIT REQUIREMENT AND
SUPPLEMENTING AND AMENDING THE TOWNSHIP LAND USE ORDINANCE**

STATEMENT OF PURPOSE: *To create a formal mechanism for making sure that all land use requirements have been met prior to the issuance of a construction permit or certificate of occupancy by requiring a zoning permit when there has not been a development approval.*

WHEREAS, zoning approvals are considered “prior approvals” under the Uniform Construction Code and are therefore conditions precedent to the issuance of a construction permit or a certificate of occupancy (see *N.J.A.C. 5:23-1.4 and 5:23-2.24*); and

WHEREAS, there is presently no formal mechanism in place to ensure that all zoning

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requirements have been met where no development approvals have been granted by either the Planning Board or the Zoning Board of Adjustment; and

WHEREAS, the Municipal Land Use Law allows municipalities to require the issuance of a zoning permit “as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building and . . . which acknowledges that such use, structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by a municipal agency. . . .” (*N.J.S.A. 40:55D-7*);

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that Section 100 of the Township land use ordinance is hereby supplemented and amended as follows:

Section 1. The title of Section 104 is changed from “Building Permit” to “Construction Permit” and that section is amended in its entirety to read as follows:

104 Construction Permit

- 104.1 No building or structure or part thereof shall be erected, constructed, reconstructed, structurally altered or moved unless the owner thereof has obtained a construction permit, if a construction permit is required by the Uniform Construction Code.
- 104.2 No construction permit shall be issued for the erection, construction, reconstruction, structural alteration or moving of any building or structure or part thereof unless the plans and intended use indicate that such building, structure or use is designed and intended to conform in all respects to the provisions of this Ordinance and other Township Ordinances. No construction permit shall be issued until the property owner or developer has obtained all required development approvals from the Planning Board or Zoning Board of Adjustment or has obtained a Zoning Permit from the Zoning Officer in accordance with the provisions of Section 105.8 below.

Section 2. Subsections 105.1 and 105.2 of Section 105 entitled “Certificates of Occupancy” are amended in their entirety to read as follows:

- 105.1 No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate of occupancy shall have been issued by the Construction Official if a certificate of occupancy is required by the Uniform

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Construction Code.

105.2 No certificate of occupancy shall be issued by the Construction Official until the land, use, building, structure or premises complies with all of the provisions of this Ordinance, all other applicable Township and other governmental requirements and, if involved, with such conditions that have been required by any site plan, subdivision, variance or other approval. When the Board allows an applicant to satisfy a condition or conditions subsequent to occupancy, the Board shall set forth a specific deadline for compliance in its resolution of approval and shall require the applicant to incorporate those conditions in a deed that must be recorded in the Morris County Clerk's office prior to issuance of a certificate of occupancy. The Zoning Officer shall monitor all such conditions to insure that they are satisfied within the time frame imposed by the Board. When issued, the certificate of occupancy shall state that compliance has been achieved. In those cases where no development approvals have been obtained from the Planning Board or Zoning Board of Adjustment, no certificate of occupancy shall be issued unless the property owner or developer has obtained a Zoning Permit from the Zoning Officer in accordance with the requirements of Section 105.8 below.

Section 3. Section 105 entitled "Certificates of Occupancy" is further supplemented and amended by adding a new subsection 105.8 which reads as follows:

105.8 If a zoning permit is required pursuant to Section 104 or 105 above, the property owner or developer may apply for one by submitting an application with the Zoning Officer on the form provided and paying an application fee of \$25.00. The Zoning Officer shall issue a zoning permit only if he or she is satisfied that all requirements of the Township land use ordinances and environmental protection regulations have been satisfied. As part of his or her review, the Zoning Officer may consult with the Township Engineer, Township Planner or NJDEP.

Section 4. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 5. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. This ordinance shall take effect immediately upon final passage and publication as required by law.

ORDINANCE #279-11 - AN ORDINANCE CONCERNING SEWER USER RATES AND

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AMENDING CHAPTER XXII OF THE TOWNSHIP CODE ENTITLED "SEWERS"

*Clerks Note: Ordinance 279-11 was reintroduced at the April 13, 2011 Township Committee meeting.

Mr. Sheola reviewed the sewer ordinance and pointed out that the revisions to the ordinance accomplish what the township wanted in changing actual gallons used.

Mayor Harrington and Mr. Sheola reviewed the ordinance. A discussion ensued among the Committee and Mr. Sheola in regards to the sewer rates and the numbers used in determining the rate.

Marco Santacross, resident of Valley Road, questioned how the ordinance would affect him. Mayor Harrington reviewed his charge.

Mr. Sandow reviewed the language in the ordinance and pointed out that there seems to be a large increase in sewer rates and the public is not ready for that. He suggested the ordinance not be introduced this evening because it still needs to be worked out.

Messrs. Sheola and Aroneo reviewed the rates. Mr. Sheola pointed out that he stands behind the numbers used in the ordinance. He reviewed the deadline for the budget and added that the sewer rate needs to be introduced prior to the budget. The Committee requested that Mr. Sheola confirm the numbers used the next day.

Karl Schlegel, resident of Mercer Street, stated that there seems to be some discrepancy in the numbers used and perhaps the figures should be worked out.

Mr. Vitureira pointed out that they are not suggesting they are wrong and would just like to verify that they are correct. Mr. Aroneo asked Mr. Sheola to confirm the number and recalculate.

Mayor Harrington read Ordinance #279-11 by title for first reading. The ordinance was introduced by Mr. Aroneo; second by Mr. Piserchia.

Roll Call Vote for Introduction:

Ayes: Mr. Aroneo, Mr. Mazzucco, Mr. Piserchia and Mayor Harrington

Nays: Mr. Vitureira

ORDINANCE #279-11*
AN ORDINANCE CONCERNING SEWER USER RATES AND AMENDING
CHAPTER XXII OF THE TOWNSHIP CODE ENTITLED "SEWERS"

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter XXII of the Township Code entitled "Sewers" is hereby amended as follows:

Section 1. Section 22-21 is hereby amended to include the following definitions:

Estimated Bill shall mean where limited water use is available, the billing will be calculated using a monthly reading as the average times 9 months to establish a yearly sewer fee.

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Pro-rated Bill shall mean where no water readings are available, a set flat fee of \$150.00 shall be used to establish the sewer rate for the yearly billing.

Section 2. Section 22-23, paragraph "c" is hereby amended as follows:

c. Each user connected to the sewer system and serviced by a water company shall pay the rates specified in paragraph a. hereof. The amount of water consumed shall be determined by using the total water consumption for the nine (9) winter months proceeding the billing year. By example, in 2011, the months used are October through December, 2009, January through March, 2010 and October through December, 2010. The months excluded are: April through September 15th of 2010.

Water consumption figures for each user will be obtained from the water company servicing the premises.

Section 3. Paragraphs "a" and "b" of Section 22-23 entitled "User Rates" are amended to read as follows:

22-23 USER RATES.

The following rates are hereby established effective January 1, 2011, and shall remain in full force and effect until revised by ordinance duly adopted by the Township Committee:

a. Sewer users served by a water company shall be charged as follows:

\$0.012 per gallon of water metered

b. Sewer Users with Wells.

1. Sewer users with wells shall be charged as follows:

(a) Residential units: \$534.00 per unit

(b) Other sewer users: \$578.00 per unit

(c) Well users with meters shall be billed at the same rate as regular users connected to a public water system.

2. Commercial users utilizing a combination of water company water and well water shall be charged a rate using the formula set forth in paragraph a. of this section. Paragraph c. of this section shall not apply and the amount of water consumed for users under this paragraph shall be determined by using the total water consumption for the twelve (12) months of the preceding calendar year.

22-24 MISCELLANEOUS PROVISIONS.

22-24.1 Multiple Unit properties.

In the case of a building in single ownership having several stores, offices or residential units or a combination of stores, offices and residential units served by a common drain except for "accessory apartments", the annual charges to be paid shall be the sum of the charges that would be due if each such store, office or residential unit were separately connected to the sanitary sewer system using the same flat fee as established in Section 22-22.2 b.

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Section 4. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 5. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. This ordinance shall take effect immediately upon final passage and publication as required by law.

Consent Agenda Resolutions:

Mr. Sheola pointed out that all the resolutions on the agenda are before the Committee for consideration except Resolution 11-137 – Utilize Three Year Averaging for Reserve for Uncollected Taxes which has been withdrawn.

Mr. Sheola reviewed the resolution for the self examination of the budget.

On motion of Mr. Piserchia, seconded by Mr. Mazzucco, that the following Consent Agenda Resolutions were introduced and approved:

Roll Call Vote: All Ayes

*Clerks Note: the 2011 Budget was reintroduced at the April 13, 2011 Township Committee meeting.

**RESOLUTION 11-120*
INTRODUCTION OF 2011 BUDGET**

**2011 Municipal Budget
of the Township of Long Hill, County of Morris, for the fiscal year 2010.**

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2011 Budget	2010
1. Surplus	475,000	635,000
2. Total Miscellaneous Revenues	4,348,773	4,217,960
3. Receipts from Delinquent Taxes	400,000	375,000
4. a) Local Tax for Municipal Purposes	8,857,593	9,208,252
b) Addition to Local District School Tax		
Total Amount to be Raised by Taxes	8,857,593	9,208,252
Total General Revenues	14,081,366	14,436,212

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Summary of Appropriations	2011 Budget	2010
1. Operating Expenses: Salaries & Wages	4,613,299	4,663,721
Other Expenses	4,954,124	5,452,659
2. Deferred Charges & Other Appropriations	1,261,564	1,172,787
3. Capital Improvements	569,133	304,900
4. Debt Service (Include for School Purposes)	1,939,054	2,199,953
5. Reserve for Uncollected Taxes	744,192	643,002
Total General Appropriations	14,081,366	14,436,212
Total Number of Employees	61	62

2011 Parking Utility Budget

Summary of Revenues	Anticipated	
	2011	2010
1. Surplus		
2. Total Miscellaneous Revenues	30,000	30,000
3. Deficit (General Budget)		
Total General Revenues	30,000	30,000
Summary of Appropriations	2011 Budget	2010 Budget
1. Operating Expenses: Salaries & Wages	7,500	7,500
1. Operating Expenses: Other Expenses	17,500	17,500
2. Capital Improvements	5,000	5,000
3. Debt Service		
4. Deferred Charges & Other Appropriations		
5. Surplus (General Budget)		
Total General Appropriations	30,000	30,000
Total Number of Employees	1	1

Balance of Outstanding Debt				
	General	Water Utility	Sewer Utility	Utility-Other
Interest	524,470			
Principal	1,414,584			
Outstanding Balance	17,272,847			

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Whereas, the above is a summary of the introduced 2011 Budget; and

Whereas, the Township Clerk is directed to publish the summary and notice the public hearing and have the full original introduced 2011 Budget on file for public inspection;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Township of Long Hill in the County of Morris, and the State of New Jersey that the 2011 Budget is hereby introduced and copy of the full original introduced 2011 Budget is on file may be obtained from the Township Clerks Office.

**RESOLUTION 11-121
APPROVING PAYMENT OF BILLS**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve the payment of the bills as presented by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the bills list be appended to the official minutes.

**RESOLUTION 11-122
APPROVAL AND RELEASE OF REGULAR SESSION MINUTES AND APPROVAL OF
EXECUTIVE SESSION MINUTES (AS REDACTED)**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of February 2, 2011, February 9, 2011 and February 23, 2011 Meetings.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the February 9, 2011 and February 23, 2011 Executive Session Minutes as redacted by the Township Attorney.

**RESOLUTION 11-123
AMENDMENT TO THE 2011 TEMPORARY BUDGET**

WHEREAS, 40A:4-19 Local Budget Act provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2011 budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations in the 2010 budget, less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General - Total General Appropriation	\$	12,182,169.00
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WHEREAS, 25.25% of the total appropriations in the 2010 Budget less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General -	\$	3,197,820.00
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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the temporary appropriations be amended and

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that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

GENERAL GOVERNMENT

MIS	
Other Expenses	\$ 2,000.00
Zoning Officer	
Other Expenses	\$ 250.00
Public Defender	
Other Expenses	\$ 500.00
Insurance – General Liability	\$ 5,000.00
Insurance – Workers Comp	\$ 5,000.00

PUBLIC SAFETY

Aid to Volunteer Fire Companies	
Other Expenses	\$5,000.00

DEPT. OF PUBLIC WORKS

Fleet Maintenance	
Other Expenses	\$ 5,000.00

HEALTH & WELFARE

Board of Health	
Other Expense	\$1,200.00
Visiting Nurse Contract	
Other Expenses	\$ 2,200.00
Health Officer Contract	
Other Expenses	\$15,000.00

UTILITIES

Gasoline	\$ 5,000.00
Heating Oil	\$ 5,000.00
Natural Gas	\$ 5,000.00

RESOLUTION 11-124

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2010 TAX REFUND

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund of 2010 taxes due to a Tax Court of New Jersey Judgment dated 02/25/2011 and the refund should be for the following parcels owned by Acme Plastering Co:

<u>Block</u>	<u>Lot</u>	<u>Refund Amount</u>
11611	1	\$654.00
11702	15	\$673.08
11703	1	\$3,539.78
11704	15	\$3,678.75
Total:		\$8,545.61

BE IT FURTHER RESOLVED that the refund check in the amount of \$8,545.61 be forwarded to Acme Plastering Co. c/o Daniel J. Pollak Esq., Brach Eichler L.L.C., 101 Eisenhower Parkway, Roseland NJ 07068.

**RESOLUTION 11-125
AUTHORIZING RECREATION
REFUND [BATISTA]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Recreation Director, does hereby authorize a Rutgers SAFETY course refund of \$30.00 to the following:

A.J. Batista
149 Mountain Avenue
Gillette, NJ 07933

**RESOLUTION 11-126
APPROVAL OF CONFERENCE REQUEST – WASTE WATER SUPERINTENDENT**

WHEREAS, the Township Committee approved Resolution 08-375 which requires Township Committee approval of all overnight conference requests; and

WHEREAS, the Township Committee has received a request through the Township Administrator by the Waste Water Superintendent to attend the NJ Water Environmental Association Conference; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves the request of the Waste Water Superintendent to attend the NJ Water Environmental Association Conference as outlined in his memo dated March 7, 2011.

**RESOLUTION 11-127
APPROVING USE OF HICKS TRACT – CUB SCOUT PACK 56**

BE IT RESOLVED that the Township Committee of the Township of Long Hill does hereby grant permission for Cub Scout Pack 56 to use the Hicks Tract to hold their annual campout on May 21st through May 22nd as per correspondence dated March 3, 2011, subject to meeting all

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the requirements of the receipt of a Hold Harmless Agreement, Certificate of Insurance and Fire Permit.

**RESOLUTION 11-128
APPROVING SPECIAL EVENT
LICENSE [LONG HILL COMMUNITY CENTER, INC]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S 11-03 for the event to the "Sponsor" Long Hill Community Center, Inc., for their Special Event to be held on October 2, 2011 at the The Stirling Hotel located on 277 Main Avenue in Stirling; and

BE IT FURTHER RESOLVED that the Police Department has determined that police services are not required for this event.

**RESOLUTION 11-129
AMENDING 2011 FEE SCHEDULE [AMENDMENT II]**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the following fees for 2011 for licenses and permits for the Township of Long Hill are hereby approved:

Administrative Research Fee
Supervisory
Clerical

\$ 30.00/hr
\$ 25.00/hr

Alarm Systems

Permit for a private alarm which either automatically selected a telephone trunk line with the Police Department and then reproduces a prerecorded message or automatically alert a third person. Permit also required for warning device.

Annual Permit Fee \$ 50.00

Alcoholic Beverage Control License

Plenary Retail Consumption \$ 2,500.00
Plenary Retail Distribution \$ 1,740.00
Limited Retail Distribution \$ 63.00
Club \$ 188.00

Season Retail Consumption - annual fee is seventy-five percent (75%) of annual renewal fee for retail consumption licenses

Amusement Devices

Juke Box \$ 30.00
Video Games \$ 60.00
Soda Machines \$ 10.00
Pool Tables \$ 60.00
Pinball Machines \$ 60.00

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Building Materials - Township Dumpster		
Car		\$ 15.00
Station Wagon		\$ 50.00
Mini Van		\$ 75.00
Small Pick-up truck		\$110.00
Pick-up truck or van		\$150.00
Extra for overload		\$ 40.00
Canvassers, Solicitors and Peddlers Permit		\$ 20.00
Solicitor Digital Photograph		\$ 2.00
Charitable Clothing Bin Application [Yearly]		\$ 25.00
Dog Licenses		
Spayed/Neutered		\$ 17.50
Non-Spayed/Neutered		\$ 20.50
Late Fee after February 1 st		\$ 10.00
Replacement (first one free, thereafter \$5.00)		
Fill/Soil Removal Permit		\$ 50.00
Food and Drink License		
Pharmacy		\$ 65.00
Retail Food Establishment (under 2,000 sq. feet)		\$ 100.00
Retail Food Establishment (2,000 – 5,000 sq. feet)		\$ 135.00
Retail Food Establishment (5,000 – 10,000 sq. feet)		\$ 165.00
Retail Food Establishment (over 10,000 sq. feet)		\$ 400.00
Mobile Retail Food Establishment		\$ 110.00
Temporary Retail Food Establishment	\$ 30.00	
Farmers Market		\$ 20.00
Catering		\$ 110.00
Re-Inspection Fee		\$ 100.00
Late Fee (renewals only – after January 31 st)	Double License Fee	
Handgun Permit		\$ 2.00
Handgun Identification Card		\$ 5.00
Kennel License		\$ 35.00
Limousine License		\$ 50.00
Parking Permit:		
Millington	Yearly	\$210.00
Yearly after July 1 st		\$105.00
Stirling		\$260.00
Yearly after July 1 st		\$130.00
Gillette	Yearly	\$300.00
Yearly after July 1 st		\$150.00
Daily		\$ 5.00
Replacement Permit		\$ 5.00

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Parks and Recreation Facilities Use Reservation Fees	Resident	Non-Resident
Soccer Fields, Volleyball Court, Basketball Court	\$25.00/2 Hrs	\$45.00/2 Hrs
Stirling Lake Pavilion	\$30.00/4 Hrs	\$55.00/4 Hrs
Meyersville Field	\$25.00/2 Hrs	\$45.00/2 Hrs
Commercial Use Rates (\$100.00 Deposit required and Insurance)		
Soccer Fields, Volleyball Court, Basketball Court	\$60.00/2 Hrs	\$110.00/2Hrs
Meyersville Field	\$60.00/2Hrs	\$110.00/2Hrs
Bocce Ball Courts		
Non Resident	\$40.00/2 Hrs.	
Resident Commercial	\$50.00/2 Hrs.	
Non-Resident Commercial	\$100.00/2 Hrs	
Horseshoe Pits		
Non Resident	\$40.00/2 Hrs.	
Resident Commercial	\$50.00/2 Hrs.	
Non-Resident Commercial	\$100.00/2 Hrs	
Tennis Courts		
Non Resident	\$10.00/1 Hr.	
Resident Commercial	\$15.00/1 Hr.	
Non-Resident Commercial	\$20.00/1 Hr	
Photocopies/Copies:		
Black & White copies (per copy)		\$ 0.05
Color copies (per copy)		\$ 0.15
[Copies include sizes 8 ½ x 11, 8 ½ x 14 and 11 x 17]		
Large Format Prints	\$5.00/page for 24" X 36" \$1.00/linear foot over initial 2 feet	
DVD ROM		\$ 3.00
CD		\$ 0.50
CD of Full Tax Map (total includes mailing and postage)		\$ 25.00
Land Use Ordinances		\$ 35.00
Zoning Map		\$ 5.00
Master Plan		\$ 35.00
Duplicate Copy of Tax Bill		\$5.00/first dup. \$25.00 for each additional duplicate copy
Duplicate Tax Sale Certificate		\$100.00
Mulch, Composted Leaves or Wood Chip Delivery [per load]		\$50.00

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Public Assembly Permit		\$100.00
Recreation Programs		
Basketball registration (Intramural)		\$65.00
Basketball registration (Traveling Team)		\$200.00
Summer Recreation Program		\$155.00
Field Hockey/Lacrosse Camp	One camp \$65.00/Both camps \$110.00	
Traveling Lacrosse Program - Boys		\$105.00
Traveling Lacrosse Program – Girls		\$ 80.00
Fall Lacrosse Clinic		\$100.00
Girls Lacrosse		\$ 65.00
Field Hockey		\$ 65.00
Yoga	One Night-	\$ 80.00
Yoga	Two Nights -	\$ 135.00
Girls Volleyball		\$ 75.00
Pilates		\$ 55.00
Return Check Fee [per N.J.S.A. 40:5-18(c)]		\$ 20.00
Septic Applications		
New: Plan Review (Includes plan review and installation inspection)		\$ 500.00
Repair: Replacing existing components as is. (No Engineer required)		\$ 75.00
Alteration: Changing components on an existing system. (Engineer required)		\$ 350.00
PERC/Soil Log:		
Permit to Conduct One Group of Soil Logs and Permeability Tests [witness per lot, per day]		\$ 100.00
Sewer Connection Fee		
Existing Homes Prior to December 28, 1983		\$ 630.00
New Homes		\$10,120.00
Dry Line Connection		\$10,120.00
Sewer Connection Agreement Fee		\$30,000.00
Street/Road Opening Permit		\$ 100.00
Swimming and Bath Establishments		\$ 200.00

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Tax Lien Redemption Calculation Fee [For 3 rd request in a calendar year]	\$ 50.00
Tire Permits	\$ 2.00
Tree Removal Permit	\$ 25.00
Towing Services and Storage:	
Basic towing of private passenger automobiles and motorcycles:	
Automobile (days between 8:00 a.m. and 4:30 p.m.)	
First mile or less	\$ 65.00
Each additional loaded mile	\$ 3.50
Automobile (nights, weekends and New Jersey State Holidays)	
First mile or less	\$ 85.00
Each additional loaded mile	\$ 3.50
Basic towing for other than private automobiles: (Days between 8:00 a.m. and 4:40 p.m. Monday-Friday)	
Light Duty (vehicles up to 6,999 lb. GVWR)	\$100.00 per hour, 1 hour minimum
Medium Duty (vehicles up to 20,000 ob. GVWR)	\$150.00 per hour, 1 hour minimum
Heavy Duty	\$250.00 per hour, 1 hour minimum
(Nights, Weekends and NJ Holidays)	
Light Duty (vehicles up to 6,999 lb. GVWR)	\$150.00 per hour, 1 hour minimum
Medium Duty (vehicles up to 20,000 lb. GVWR)	\$200.00 per hour, 1 hour minimum
Heavy Duty	\$300.00 per hour, 1 hour minimum
Outside Secure Storage Facility	
Private Passenger Automobiles	\$25.00 per day \$35.00 (inside storage)
Trucks up to 24,000 GVWR	\$50.00 per day
Tractor Trailers (Tractor)	\$50.00 per day
Tractor Trailers (Trailer)	\$75.00 per day
Yard Tow (automobile only)	\$ 40.00
Vital Statistics:	
Certified Copies of Birth, Marriage, Death, Domestic Partnership	\$ 10.00
Corrections of Birth, Marriage, Death, Domestic Partnership	\$ 15.00

BE IT FURTHER RESOLVED that this resolution replaces Resolution 11-096 which was approved by the Township Committee on February 23, 2011.

**RESOLUTION 11-130
APPROVING 2011 FEE SCHEDULE FOR SUMMER RECREATION**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, establish fees for 2011 as follows:

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Recreation Programs:

Summer Recreation Program - Resident	\$260.00
Summer Recreation Program – Non-resident	\$520.00

**RESOLUTION 11-131
APPROVING IN-GRADE ADVANCEMENT [TOLENTINO]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Police Chief Daniel Hedden, does hereby approve the advancement of Officer Joshua Tolentino to Officer Grade III, effective April 10, 2011 at an annual salary of \$74,542.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the P.B.A. Superior Officer’s Association Collective Bargaining Agreement.

**RESOLUTIONS 11- 132
REAPPOINTING PLUMBING SUBCODE
OFFICIAL AND INSPECTOR [FRANCHINO]**

WHEREAS, N.J.S.A. 52:27D-126 provides that:

“The appointing authority of any municipality shall appoint a Construction Official and any necessary Subcode Officials to administer and enforce the [uniform construction] code. The appointing authority may by resolution or order as appropriate, set the total number of weekly hours of operation of the Construction Official’s office and the total number of weekly work hours of the Construction Official, commensurate with the compensation paid to the Construction Official. The appointing of authority shall not set the specific work hours of the Construction Official.

A . . . subcode official in a non civil service municipality shall be appointed for a term of four years and shall, upon appointment do a second consecutive term . . . be granted tenure and shall not be removed from office except for just cause after a fair and impartial hearing.

A . . . subcode official to be eligible for appointment in civil service or non civil service municipalities shall be certified by the state of New Jersey. . . .”; and

WHEREAS, N.J.A.C. 5:23-4.4 provides that:

“Subcode Officials shall enforce the provisions of those subcodes for which they are responsible [E]ach Subcode Official shall have exclusive decision-making authority with respect to the technical provisions of the subcode for which he has been appointed the official”; and

WHEREAS, inspectors are licensed in accordance with N.J.A.C. 5:23-5, but do not ever receive tenure;

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill, in accordance with the provisions of N.J.S.A. 52:27D-126, the applicable DCA regulations, and Township Code Chapter XXIX, that it does hereby appoint the following individuals to the positions indicated:

POSITION	NAME	TERM	ANNUAL SALARY
Plumbing Subcode Official	Vincent J. Franchino	April 30, 2011 to April 29, 2015 (with tenure)	\$18,773 (prorated)
Plumbing Inspector	Vincent J. Franchino	April 30, 2011 to 2012 Township Committee Reorganization meeting	(included in Plumbing Subcode Official salary)

BE IT FURTHER RESOLVED AS FOLLOWS:

1. The appointment is part-time ordinarily consisting of nine (9) hours per week. Mr. Franchino shall be entitled to the following benefits: One (1) personal day, two and a half (2.5) vacation days, and three (3) sick days per year, prorated for the remainder of 2011.

The Township's Policy & Procedure Manual shall be applicable to this position and the duties are to be defined by applicable DCA regulations and established by the Construction Official.

**RESOLUTION 11-133
AUTHORIZE EMPLOYMENT OF PILATES INSTRUCTOR
(ROSSI)**

WHEREAS, the Recreation Department in conjunction with the Recreation Advisory Committee wishes to start a Pilates program to the list of offered activities; and

WHEREAS, it is the recommendation of the Recreation Co-Directors to employ Karen Rossi; and

WHEREAS, Karen Rossi has the requisite experience to assume the position of Pilates Instructor; and

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby employ Karen Rossi as Pilates Instructor on a sliding scale as follows:

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1 through 9 participants \$30 per class

10 through 20 participants \$35 per class

beginning April 21, 2011 and ending June 23, 2011; and

BE IT FURTHER RESOLVED that the Chief Finance Officer has certified that sufficient funds are available in the Recreation Trust Account.

**RESOLUTION 11-134
AMENDMENT TO APPROVAL OF 2011 FEE SCHEDULE FOR STIRLING LAKE**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, establish fees for 2011 as follows:

Stirling Lake Badge	
Resident Family Membership	\$290.00
Single Adult (18 or over)	\$120.00
Student (13-17)	\$ 85.00
Child (12 & under)	\$ 65.00
Senior/Handicap	\$ 45.00
Non-Resident Family Membership	\$510.00
Non-Resident Adult	\$210.00
Non-Resident Student	\$140.00
Non-Resident Child	\$105.00
Non-Resident Senior/Handicap	\$ 75.00
Guest (Daily)	\$ 5.00
Guest Fee – Family Day	\$ 10.00
Replacement Badge	\$ 5.00

BE IT FURTHER RESOLVED that if Lake Membership is received prior to June 1, 2011, each membership will receive two (2) free guest passes and any guest passes purchased after 5:00PM will be 5.00.

**RESOLUTION 11-135
AUTHORIZING CHANGE ORDER NO. 1 TO THE
CONTRACT WITH CSL SERVICES, INC.**

WHEREAS, a purchase order was prepared in the name of CSL Services, Inc. under a locally bid contract for the Flow Monitoring of the sanitary sewer system;

WHEREAS, it is necessary to adjust the contract to reflect an additional month of monitoring;

Change Order #	Description	Amount	Net Amount of Contract
1	Additional Month of Monitoring	\$5,450.00	\$116,650.00

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

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1. Change Order Number 1 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-229-000-E. The Chief Financial Officer has determined that a Certification of Available Funds is necessary and made part of this Resolution.

**RESOLUTION 11-136
AUTHORIZING CHANGE ORDER NO. 4 TO THE
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company under a locally bid contract for the Rehabilitation of 5 Pump Stations.

WHEREAS, it is necessary to adjust the contract to reflect relocation of generator at the Skyline Pump Station Building

Change Order #	Description	Amount	Net Amount of Contract
4	Extend Pump Station area by Five (5) Feet	\$4,750.00	\$957,717.00

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

1. Change Order Number 4 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 11-138
AUTHORIZING SELF EXAMINATION OF 2011 MUNICIPAL BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Long Hill has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Long Hill that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges

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- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
- a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Discussion:

Flood Wall [Hydrology Engineer to present report]

Joseph Skupien, PE, PP, on behalf of Storm Water Management Consulting, LLC, thanked the township for the opportunity to present his hydrologic and hydraulic review on the proposed Army Corp flood wall. He reviewed his resume and experience> He examined the flood wall documents reviewed. He reviewed the project details and presented a report dated March 23, 2011. He pointed out that this proposed project is a flood damage reduction project. He concurred that the Army Corps proposed flood wall project is sound and added that there is nothing disturbing about the Corps hydrology design.

Mayor Harrington thanked Mr. Skupien for his presentation. Mr. Aroneo pointed out that the cost benefit analysis was on commercial properties and questioned how many homes were flooded on the first floor. Mr. Skupien stated that the Army Corp visited each affected home and indicated that all homes were counted whether or not they had flooding on the first floor. Messrs. Aroneo and Skupien reviewed the statistics and damage on flooded township properties. Mr. Aroneo questioned the asbestos concern. Mr. Skupien stated that he is not a hazardous specialist and pointed out that the Army Corp report noted that there was asbestos and there was not a long term threat to the residents. He added that the proposed flood wall is the least disruptive you can get and added that there are no holes dug for the wall.

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Messrs. Piserchia and Skupien reviewed the proposed pumps for the flood wall. The Committee along with Mr. Skupien reviewed the probability of a 100 year flood event and the randomness of flooding. Mr. Skupien examined the value of the proposed flood wall. He pointed out that there is a 10% risk that the flood will go over the wall and 100% risk there will be flooding without the flood wall.

**A motion was made by Mr. Piserchia and seconded by Mr. Mazzucco to extend the meeting.
Vote: All Ayes**

Mayor Harrington opened the meeting to the public for comment.

Carol Prasa, resident of River Road, reviewed and questioned the accuracy of the Army Corps data. She reviewed the letter provided by the Passaic River Coalition which detailed their opposition to the flood wall. She commented that there were twelve properties that had flooding on the first floor during the March 2010 flood.

Christian Kubick, resident of Valley Road, stated that he lives next to a tributary which is always dammed up and is not maintained properly. He added that he does not see how the township can maintain a \$10 million wall and pointed out that he sees the proposed flood wall as an eye sore. He voiced his opposition to the flood wall.

Feliz Ruiz, resident of Laurel Avenue, reviewed the proposed costs for the flood wall. Messrs. Ruiz and Skupien reviewed the cost ratio for the project and what properties would be protected.

Mayor Harrington requested that the comments and questions presented to Mr. Skupien be focused on the design of the proposed flood wall.

Mr. Vitureira exited the meeting.

Mr. Schlegel thanked Mr. Skupien for his thorough presentation. He reviewed the analysis and pointed out that from observation there has been an increase in flooding in Millington. He reviewed the randomness of flooding.

David Welch, resident of Gillette, pointed out that it seems to be a little vague on interior flooding. He briefly reviewed flooding potential. Messrs. Welch and Skupien reviewed residual flooding and historic rain events in the township. Mr. Welch thanked Mr. Skupien for his great work and added that he is great at what he does.

Dorothy Smullen, resident of River Road questioned when the next meeting will be held in regards to the flood wall. Mayor Harrington stated that once the comments are done she will ask the Committee if they have enough information in order to make a decision on the flood wall.

Gene La Bonia, resident of Cedar Avenue, questioned where the water will go once the gates are closed during a flood. He also questioned how long it would take for the water to drain out. Mr. Skupien pointed out that it would not take longer for the water to drain out and stated that the Army Corp indicated that the water would be stored behind the wall. He added that the flood wall would not increase flooding.

Frank Clarke, resident of Valley Road, pointed out that his property will be on two sides of the proposed flood wall. Mr. Skupien reviewed the drainage plan and challenge.

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Landon McDonald, resident of Norwood Drive, stated that based on the Army Corp costs what is the percentage that they will stay on track. Mr. Skupien pointed out that cost estimates are typically higher by the Army Corp then when a bid comes in. Although, he added, he can not predict cost increases. Mr. McDonald stated that if the township keeps developing then the 100 year flood level will rise over time. Messrs. McDonald and Skupien briefly reviewed the Army Corp analysis and flood patterns.

Mr. Bangs explained sand boils and questioned whether that could happen in the township. Mr. Skupien indicated that is a geotechnical question and there was a report completed by the Army Corp. Messrs. Bangs and Skupien reviewed flooding areas in the township and the Governors fifteen point plan.

Mayor Harrington pointed out that the Morris County Mosquito Commission has agreed to clear out the Passaic River this summer.

Messrs. Bangs and Skupien reviewed drainage structures and road paving. Mr. Bangs questioned the damage assessment numbers.

Mr. Piserchia briefly reviewed the Governors fifteen point plan. He added that desnagging the river will not give the township the protection we are looking for.

Mr. Arentowicz stated that he is disappointed that he did not receive an answer to the most important question in regards to the weakest link in the design – the pumps. He questioned there is a conflict since Mr. Skupien worked with the Army Corp. Mr. Skupien stated that does not work for the Army Corp. Mr. Arentowicz reviewed his concerns with the proposed flood wall.

Messrs. Cilino and Skupien reviewed the history of Army Corp projects and storm drainage. Mr. Cilino reviewed the flooding in the tributaries and his concerns with the proposed flood wall. Messrs. Cilino and Skupien review the 100 year flood statistic and historic flood events.

Robert Campbell, representative from the Sierra Club, questioned whether the proposed flood wall pushes the water and flooding down stream and therefore pushes the issue to the next community. Mr. Skupien pointed out that there will be an impact down stream although the DEP has a standard and it may only increase a certain amount so it will not cause an issue somewhere else. Mr. Campbell indicated that we are all dealing with a state problem and indicated that he does not believe it should be addressed this way with a flood wall.

Ms. Smullen reviewed her concerns with the wood turtles and planning should be put into place. She reviewed her concerns with human error on computer models. She asked the Committee if they had any doubt to please vote no for the proposed flood wall.

John Lombardo, resident of Poplar Drive, stated that they are not sure if the numbers provided by the Army Corp are accurate or whether they are for a 100 year or 500 year flood. Mr. Skupien reviewed the plans developed by the Army Corp which are based on a 500 year flood and 100 year flood. He added that the findings are based on a 100 year level of protection. Messrs. Lombardo and Skupien reviewed cost of damages due to flooding and the proposed pumps. Mr. Skupien stated that the two inch pumps are not going to do anything.

William Smullen, resident of River Road, pointed out that the project boils down to finances and what should be the responsibility of the tax payers for 134 properties. He stated that the property owners knew what they were moving into. He commented that signing on to this project signs us up

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to an open ended liability, He recommended that a referendum be put into place if the Committee is interested in moving forward with this project.

Ivan Long, resident of Bungalow Terrace, stated that people have their minds made up in regards to the proposed flood wall project. He questioned whether anyone has looked into maintenance costs for the flood wall and the possibility of system failures in the long run.

Adjournment

There being no further business, a motion was made by Mr. Piserchia and seconded by mayor Harrington to adjourn the meeting at 12:50 a.m. Vote: All Ayes

Respectfully submitted,

Christine A. Gatti
Township Clerk

Approved: April 27, 2011