



A draft of the Township Committee Regular Session Agenda is posted on the Township website at www.longhillnj.us on the Monday preceding the meeting.

**TOWNSHIP OF LONG HILL
REGULAR SESSION AGENDA
Wednesday, April 27, 2011
7:00 PM EXECUTIVE SESSION; 7:30 PM OPEN SESSION**

ADEQUATE NOTICE – Mayor’s Statement re: Adequate Notice of Meeting.

“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.”

TAKE NOTE: THE TOWNSHIP COMMITTEE OF LONG HILL TOWNSHIP WILL MEET IN EXECUTIVE SESSION FROM 7:00 P.M. UNTIL 7:30 P.M.

**RESOLUTION 11-154
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

- Contract Negotiation – Guy Piserchia to present

Personnel:

- Township Clerk Evaluation
- Employment – Clean Communities Grant

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

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CALL MEETING TO ORDER – The meeting will be called to order at ____p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION TO CONGRATULATE EAGLE SCOUT DONALD CHERVENAK

2011 Budget Introduction:

Resolution 11-155 – Authorizing Self Examination of 2011 Municipal Budget

MOVED by: _____ by the Township Committee of Long Hill Township, that Resolution #11-155 is hereby approved. **SECOND** by: _____.

**RESOLUTION 11-155
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
 - 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.

ROLL CALL VOTE

Resolution 11-156 – Introduction of 2011 Budget

MOVED by: _____ by the Township Committee of Long Hill Township, that Resolution #11-156 is hereby approved. **SECOND** by: _____. The public hearing for the 2011 budget is scheduled for May 25, 2011.

**RESOLUTION 11-156
INTRODUCTION OF 2011 BUDGET**

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

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2011 Budget	2010
1. Surplus	475,000	635,000

2. Total Miscellaneous Revenues	4,098,023	4,465,848
3. Receipts from Delinquent Taxes	400,000	375,000
4. a) Local Tax for Municipal Purposes	8,801,335	9,208,252
b) Addition to Local District School Tax		
c) Library Tax	595,553	
Total Amount to be Raised by Taxes	9,396,888	9,208,252
Total General Revenues	14,369,911	14,684,100

Summary of Appropriations	2011 Budget	2010
1. Operating Expenses: Salaries & Wages	4,641,284	4,663,721
Other Expenses	5,492,267	5,700,547
2. Deferred Charges & Other Appropriations	1,257,206	1,172,787
3. Capital Improvements	310,395	304,090
4. Debt Service (Include for School Purposes)	1,939,054	2,199,953
5. Reserve for Uncollected Taxes	729,705	643,002
Total General Appropriations	14,369,911	14,684,100
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			

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.

ROLL CALL VOTE

TOWNSHIP COMMITTEE LIAISON REPORTS / DEPARTMENT REPORTS:

1. Police Department Report [February, March]
2. Tax Report [March]
3. Board of Health Report [January – Revised, February, March]

COMMITTEE / BOARD MINUTES:

1. Long Hill Shade Tree Commission [January, February]

ADMINISTRATOR REPORT:

1. Clean Energy Grant

CORRESPONDENCE:

1. NJLM April Bulletin

DISCUSSION / ACTION ITEMS:

1. Waste Water Treatment Facility Upgrade Project

ORDINANCE PUBLIC HEARING / CONSIDERATION OF ADOPTION:

**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 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 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.

OPEN TO THE PUBLIC FOR COMMENT

CLOSE TO THE PUBLIC FOR COMMENT

MOVED by: _____, that Ordinance #278-11 be passed on final reading and adopted as published. **SECONDED** by: _____

ROLL CALL VOTE

RESOLUTIONS:

CONSENT AGENDA RESOLUTIONS

The following items are considered to be routine by the Township Committee and will be acted upon in one motion. There will be no separate discussion of these items unless a Committee member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

MOVED by: _____ by the Township Committee of Long Hill Township, that Resolution #11-157 through #11-165 are hereby approved.

SECOND by: _____.

ROLL CALL VOTE

**RESOLUTION 11-157
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 March 9, 2011, March 23, 2011 and March 28, 2011 Meetings.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the March 9, 2011, March 23, 2011 and March 28, 2011 Executive Session Minutes as redacted by the Township Attorney.

**RESOLUTION 11-158
APPROVING POLICE DEPARTMENTS
SERGEANT PROMOTION ELGIBILITY LIST**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the recommendation from the Chief of Police, that the Committee establish an eligibility list for the recent sergeant promotional process and the list of candidates be maintained by the Chief of Police until September 2012;

BE IT FURTHER RESOLVED that this practice is in accordance with the Police Department's Promotional Procedure.

**RESOLUTION 11-159
APPROVING SPECIAL EVENT LICENSE –
AMERICAN LEGION POST 484**

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 11-05 for the "2011 Memorial Day Parade" to the "Sponsor" American Legion Post 484, for their Special Event to be held on May 30, 2011 on Main Avenue in Stirling; and

BE IT FURTHER RESOLVED that the Township Committee hereby authorize the street closures for the American Legion Post 484 on May 30, 2011 provided that the closure is acceptable to the Police Chief and Township Administrator;

BE IT FURTHER RESOLVED that the American Legion Post 484 are not responsible for funding police services for this event as per Township Code 4-6.5A.

**RESOLUTION 11-160
APPROVING USE OF HICKS TRACT –
LONG HILL TOWNSHIP GIRL SCOUTS**

BE IT RESOLVED that the Township Committee of the Township of Long Hill does hereby grant permission for Long Hill Township Girl Scouts to use Hicks Tract to hold their annual campout on June 4th through June 5th as per correspondence dated April 7, 2011, subject to meeting all the requirements of the receipt of a Hold Harmless Agreement, Certificate of Insurance and Fire Permit.

**RESOLUTION 11-161
CERTIFYING JUNIOR MEMBERSHIP WITH STIRLING
VOLUNTEER FIRE COMPANY [VRINDTEN]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that Ryan Robert Vrindten is a Junior Member of the Stirling Volunteer Fire Company.

**RESOLUTION 11-162
CERTIFYING ACTIVE MEMBERSHIP WITH STIRLING VOLUNTEER FIRE COMPANY FOR
NEW JERSEY STATE FIREMEN'S
ASSOCIATION ELIGIBILITY**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that the following are active members of the Stirling Volunteer Fire Company and are eligible to be a member of the New Jersey State Firemen's Association:

Daniel J. Murphy
Mark Conwell

**RESOLUTION 11-163
APPROVAL OF CONFERENCE REQUEST – TAX COLLECTOR**

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 Tax Collector to attend the Spring Conference of the New Jersey Tax Collectors/Treasurers Association; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves the request of the Tax Collector to attend the Spring Conference of the New Jersey Tax Collectors/Treasurers Association as outlined in her memo.

**RESOLUTION 11-164
ACCEPTING RESIGNATION - MCGUIRE**

BE IT RESOLVED, that the Township Committee hereby accepts the resignation of Loriann McGuire, who has been employed by the township since 2008, effective May 26, 2011.

**RESOLUTION 11-165
AUTHORIZING CHANGE ORDER NO. 6 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 a change in the monitoring systems at all pump stations

Change Order #	Description	Amount	Net Amount of Contract
6	Pump Alarm System Upgrades	\$12,264.32	\$972,931.320

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 6 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.

OLD BUSINESS:

1. Highland Avenue Update
2. Emergency Dispatch Services
3. Carlton Road Speed Limit Update
4. 2011 Community Day
5. Contamination on South Main Avenue

NEW BUSINESS:

MEETING OPEN TO PUBLIC COMMENT

At this point in the meeting, the Township Committee welcomes comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes.

MEETING CLOSED TO PUBLIC COMMENT

ADJOURN