

Long Hill Township Committee Minutes August 17, 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, **August 17, 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:

A motion was made by Mr. Piserchia and seconded by Mr. Mazzucco to approve Resolution 11-255. Vote: All Ayes

RESOLUTION 11-255 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:

- Administrator Evaluation
- ~~Tax Clerk~~
- Recreation Director

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.

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Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Roll Call:

On roll call the following Committee members were present:

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

Absent: George Viturera

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

Mayor Harrington stated that she would be taking items out of order.

Resolution 11-256 – Appreciation for Volunteer Video Camera Operator

Mayor Harrington thanked Mr. Fullagar and read the resolution into the record.

A motion was made by Mr. Aroneo, seconded by Mr. Piserchia to approve Resolution 11-256.

Mr. Piserchia pointed out that he is amazed at Mr. Fullagar's volunteerism and spirit; the Committee agreed and thanked Mr. Fullagar.

Roll Call Vote: All Ayes

**RESOLUTION 11-256
APPRECIATION FOR VOLUNTEER VIDEO CAMERA OPERATOR**

WHEREAS, the Long Hill Township Committee meetings are televised live in order to better serve their residents and keep them informed of Township matters; and

WHEREAS, Kenneth Fullagar offered his services to the township and community on a volunteer basis and has been operating the cameras for Township Committee meetings since 2007; and

WHEREAS, Kenneth Fullagar will no longer be able to provide this service to the township after the August 17, 2011 Township Committee meeting and the Township Committee would like to offer their sincere gratitude for his services and dedication to the Township;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill and the Communications Advisory Committee hereby offers Kenneth Fullagar their hearty appreciation for his volunteer services as Video Camera Operator.

Discussion/Action Items

EPA Update on Contamination on South Main Avenue

Shawna Hoppe, USEPA, On-Scene Coordinator, updated the public and Committee on the asbestos matter on South Main Avenue and Bay Street. She presented a slide show dated 08/17/2011 which included the work completed on South Main Avenue and the asbestos located on Bay Street. She reviewed the action taken and the steps ahead. She pointed out that the EPA will

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continue to investigate areas by collecting samples and commented that appropriate measures will be taken for those areas affected by asbestos.

Mr. Piserchia thanked the EPA for all the work done in the township. Mr. Piserchia asked how the asbestos got in the area; Eric Wilson, USEPA, Removal Action Branch, Section Chief, pointed out that there was a tile factory in Millington and the asbestos was dumped. A discussion ensued among the Committee, Ms. Hoppe and Mr. Wilson in regards to the Bay Street findings and the available options for remediation. Mr. Wilson stated that the cost for the remediation and sampling are paid for by the federal government. He added that the EPA can recoup the cost from the responsible party, but there are none yet. Mr. Aroneo asked if they have located all the contaminated areas or if there are more and Mr. Wilson indicated that they were informed of another property in Meyersville which they will investigate and report back to the Committee.

Charles Arentowicz, resident of Heritage Road, requested that the EPA clarify the affected properties on South Main Avenue. He asked when the action plan would be put into place for the newly discovered asbestos. Ms. Hoppe stated that a plan should be in place by the fall and they are planning to either cap or remove and dispose of the asbestos. Mr. Wilson pointed out that it would take approximately weeks to one-two months to complete the work on two properties. Mr. Arentowicz questioned what the impact would be on the flood wall with the asbestos. Ms. Hoppe stated that she has been in contact with the Army Corp and has been assured that they will handle and dispose of the asbestos properly. Mr. Arentowicz thanked the EPA for remediating the asbestos issue. He added that if the township started the flood wall project this would have been a financial disaster. He pointed out that there are similar asbestos issues at the Wastewater Treatment Facility and the township should be cautious. He reviewed reports that he has reviewed pertaining to the Exxon Station.

Mr. Aroneo reviewed the cost concerns with the proposed flood wall and what would be expected of the township. Mr. Aroneo, Ms. Hoppe and Mr. Wilson reviewed the process if asbestos was located at the flood wall site and what the clean up strategy would be.

Felix Ruiz, resident of Laurel Avenue, thanked the EPA for their assistance. He commented that the asbestos issue is real and thanked the EPA for remediating it.

Carol Prasa, resident of River Road, thanked the EPA. She reminded the Township Committee that the first report from the Army Corp stated that there were no contaminants on the site which we all know is not true. She added that this is one indication that they have incorrect information. She commented that the Army Corp flood wall plan is horrible.

Messrs. Arentowicz and Wilson reviewed the liability issue for the homeowner if asbestos is found on their property. Mr. Wilson pointed out there is enforcement discretion given to the EPA and typically the homeowner will not be held accountable if they did not cause the contamination. Mr. Arentowicz commented that the Army Corp should be held accountable for misleading the township. He added that if the Army Corp disrupted the asbestos while putting in the flood wall then they are responsible not the homeowners. Mr. Pidgeon agreed that the homeowner should not be held accountable.

Mr. Aroneo pointed out that the proposed flood wall is still an open item and a decision has not yet been made. He added that the money spent so far has been spent by the Army Corp and is out of our control.

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Mayor Harrington stated that her goal is to have all the information so the Committee may make a decision on the proposed flood wall.

Mr. Arentowicz suggested that the township indicate that we are dissatisfied with the Army Corp reports. Mr. Ruiz indicated that the Army Corp underestimated the asbestos issue and questioned what else was underestimated.

Mr. Aroneo thanked that EPA for a thorough job on the asbestos matter. Mayor Harrington stated that the cleanup strategy will be presented in the fall and the discussion will be back on the agenda. Ms. Hoppe added that they hope to have the plan by October.

Administrator Report

Best Practices Worksheet

Mr. Sheola reviewed the Best Practices worksheet and inventory which was provided to the Township Committee. He pointed out that the townships score is 94% which is well within the limits for the state aid funding allocation.

Preliminary Soil Testing – Wastewater Treatment Facility

Mr. Sheola indicated that he has received the preliminary reports and they have been provided to the Committee. He pointed out that traces of asbestos were found. He added that the amount is small enough that the asbestos could be removed and that there is no recommended action at this point.

Mr. Piserchia questioned if the EPA would provide advice on how to best deal with the asbestos matter. A discussion ensued among Mr. Sheola and the Committee in regards to the preliminary report, the sampling completed and the available options for removal. The consensus of the Committee was to have Mr. Sheola discuss with EcolSciences, Inc. the estimated cost for evacuating the asbestos and also the cost to cap it.

Verizon Wireless Extending Lease

Mr. Sheola reviewed the request from Verizon Wireless to extend their lease on their cell tower past February 2012 for an additional five years. He pointed out that the tower is located on Warren Avenue at the DPW facility. He briefly reviewed the established rates.

Policy Discussion – Use of Premiums from Sale of Bonds or Notes

Mr. Sheola pointed out that Mr. Aroneo recommended using the premiums received on note or bond sales be put in a specific account to be used to pay future debt service. He added that a policy has been drafted which is before the Committee this evening by resolution. Mr. Mazzucco agreed with Mr. Aroneo and added that Section 20 cost should not be included. The Committee agreed to remove the language “net expenses related to the sale” from the second paragraph in the resolution.

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 [AS REVISED]

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Mr. Aroneo reviewed the history of the matter and his concerns with the enforcement powers. He added that he does not want to overreach. He stated he does not like the language on sheds. He briefly reviewed the matter. Mayor Harrington stated that the reasoning for including sheds is to protect the homeowner so they have no zoning violation issues when they attempt to sell the property. She added that the homeowner can receive advice prior to putting in the shed. Mr. Aroneo indicated that he does not think it is necessary and the township should not be involved. He added that this is another burden and layer of government. A discussion ensued among the Committee in regards to the language in the ordinance, specifically language included in Section 106.3 a & b.

Mr. Aroneo made a motion to amended proposed Ordinance 278-11 and remove the language included in Section 106.3 a & b; seconded by Mr. Mazzucco.

Dennis Sandow, resident of Millington, recommended that the Committee not amend the proposed ordinance and suggested that it be adopted as introduced. He reviewed his reasoning and stated that he believes a permit is needed because it would save grief later. He reviewed examples and the history of the matter. He added that if this is an overload it can be fixed later.

A discussion ensued among the Committee in regards to the proposed ordinance. Mayor Harrington stated that many residents would like to know the regulations prior to work being completed on their property and this permit would be helpful. Mr. Aroneo indicated that he does not see any protection with a permit for a shed and added that he sees it as intrusive.

Roll Call Vote on motion to amend Ordinance 278-11 to remove the language included in Section 106.3 a & b:

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

Nays: Mr. Piserchia

Mayor Harrington stated that Ordinance 278-11 is important and that she would rather see the ordinance pass without the language rather than it not passing at all.

Mayor Harrington opened the public hearing. No one wished to be heard therefore Mayor Harrington closed the public hearing

A motion was made by Mayor Harrington and seconded by Mr. Aroneo to adopt Ordinance 278-11 as amended. Roll Call Vote:

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

Nays: Mr. Piserchia

**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

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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*); and

WHEREAS, Section 105 of the Township Code entitled “Certificates of Occupancy” and Section 106 entitled “Temporary Certificates of Occupancy,” as currently written, have been preempted by the Uniform Construction Code (*N.J.S.A. 52:27D-123 et seq.*) and the applicable DCA regulations (*N.J.A.C. 5:23*);

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 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

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accordance with the provisions of Section 108 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 All property owners and developers shall be subject to the Uniform Construction Code regulations pertaining to certificates of occupancy, as that term is defined in N.J.A.C 5:23-1.4.

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 may 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 compliance with those conditions has been achieved, the Zoning Officer shall issue a certification of compliance in accordance with section 106 below and provide the property owner with a copy. In those cases in which the Board required the conditions to be set forth in a recorded deed, no change shall be made to the recorded deed until the Zoning Officer has issued a certification of compliance. 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 106 entitled "Temporary Certificates of Occupancy" is repealed in its entirety and is replaced by a new Section 106 entitled "Zoning Permits; Certificates of Compliance" which reads as follows:

106 ZONING PERMITS; CERTIFICATES OF COMPLIANCE

106.1. In accordance with the requirements of Section 104 above, no construction permit shall be issued until the property owner or developer has first obtained a zoning permit from the zoning office.

106.2. In accordance with the requirements of Section 105.2 above, no certificate of occupancy shall be issued until the property or developer has first obtained a zoning permit from the zoning officer.

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106.3 In the following cases, a zoning permit shall be required even if the property owner or developer is not required to obtain either a construction permit or a certificate of occupancy:

a. [Reserved].

b. [Reserved].

c. Zoning Permits issued pursuant to this section 106.3 shall expire in 6 months unless the property owner/developer has obtained a Certificate of Compliance from the Zoning Officer pursuant to section 106.7 below or has obtained an extension of the Zoning Permit. The Zoning Officer may grant two 6-month extensions of the Zoning Permit. Any additional extensions may be granted only by the Township Committee.

106.4 If a zoning permit is required, 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.

106.5 In accordance with the requirements of Section 104 above, no construction permit shall be issued until the property owner or developer has first obtained a zoning permit from the zoning office.

106.6. In accordance with the requirements of Section 105.2 above, no certificate of occupancy shall be issued until the property or developer has first obtained a zoning permit from the zoning officer.

106.7 In those cases where no certificate of occupancy is required, the owner or developer shall obtain a Certificate of Compliance from the Zoning Officer upon completion of the work authorized by the Zoning Permit. The Zoning Officer shall monitor all issued Zoning Permits to make sure that the work is performed in accordance with the Zoning Permit and all applicable ordinances. A property owner/developer shall obtain a Certificate of Compliance within 30 days of completion of the work authorized by the Zoning Permit or be subject to the penalties set forth in section 1-5 of this Code. There is no additional fee for a Certificate of Compliance.

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

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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 #283-11 - AN ORDINANCE AUTHORIZING VARIOUS PURCHASES EQUIPMENT FOR VARIOUS DEPARTMENTS AND APPROPRIATING \$44,000 FROM CAPITAL IMPROVEMENT FUND

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. Piserchia and seconded by Mr. Mazzucco to adopt Ordinance 283-11. Roll Call Vote: All Ayes

**ORDINANCE #283-11
AN ORDINANCE AUTHORIZING VARIOUS PURCHASES EQUIPMENT FOR VARIOUS DEPARTMENTS AND APPROPRIATING \$44,000 FROM CAPITAL IMPROVEMENT FUND**

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey as follows:

Section 1. There is hereby appropriated from the Capital Improvement Fund, the sum of \$44,000 for the following purchases:

- a. Server Replacement – Police Department (\$13,000)
- b. Replacement - In-car Computers – Police (4) (\$26,000)
- c. Replacement – Desktop PC's (\$5,000)

Section 2. The capital budget is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 3. The sum of \$44,000 is hereby appropriated from the Capital Improvement Fund to cover the cost of the items described in paragraph 1 and 2 of this ordinance.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

ORDINANCE #284-11 - AN ORDINANCE AUTHORIZING VARIOUS PURCHASES EQUIPMENT FOR VARIOUS DEPARTMENTS AND APPROPRIATING \$114,450 FROM CAPITAL SURPLUS – AS AMENDED

Mr. Sheola indicated that the \$4,000 item was removed which was for the proposed truck.

Mayor Harrington read the ordinance by title and opened the public hearing.

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Mr. Sandow reviewed the items in the capital ordinance and questioned the immediate need for backstops rather than other items and questioned whether the item could be held off. Mr. Mazzucco pointed out that this is a serious safety issue and the item has been held off for three years. Messrs. Mazzucco and Sandow briefly reviewed the matter.

Mayor Harrington closed the public hearing.

A motion was made by Mr. Piserchia and seconded by Mr. Mazzucco to adopt Ordinance 284-11 as amended. Roll Call Vote: All Ayes

**ORDINANCE #284-11 – AS AMENDED
AN ORDINANCE AUTHORIZING VARIOUS PURCHASES EQUIPMENT FOR VARIOUS
DEPARTMENTS AND APPROPRIATING \$114,450 FROM CAPITAL SURPLUS**

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey as follows:

Section 1. Millington Fire Company – Scene lights for Engine 12 (\$19,500); turn out gear (\$8,500); Stirling Fire Company – sections of 5” LDH (\$3,000); turn-out gear (\$10,000); Long Hill First Aid Squad – stair chair (\$3,000); lap-tops with vehicle mounts (2) (\$12,000); Dept of Pubic Works – Roads Division – 14,000 GVW trailer (\$5,200); Waste Water Division – Influent Flow Meter (\$8,000); Sand Filter Air Lifts (\$24,750); Long Hill Little League Fields – replacement of backstops (\$20,500).

Section 2. The capital budget is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 3. The sum of \$114,450 is hereby appropriated from the Capital Surplus to cover the cost of the items described in paragraph 1 and 2 of this ordinance.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE #285-11 - AN ORDINANCE APPROPRIATING \$27,000 FROM THE CAPITAL
IMPROVEMENT FUND WITHIN THE 2011 BUDGET FOR VARIOUS CAPITAL PURCHASES**

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. Piserchia and seconded by Mr. Mazzucco to adopt Ordinance 285-11. Roll Call Vote: All Ayes

ORDINANCE #285-11

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**AN ORDINANCE APPROPRIATING \$27,000 FROM THE CAPITAL IMPROVEMENT FUND
WITHIN THE 2011 BUDGET FOR VARIOUS CAPITAL PURCHASES**

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

Section 1. There is hereby appropriated from the Capital Improvement Fund the sum of \$27,000 for the following:

- a. Purchase of 52" Zero Turn Mower (\$10,000)
- b. Liquid Calcium Dispensing System (\$9,000)
- c. All season Spray Unit (\$8,000)

Section 2. The capital budget is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 3. This Ordinance shall take effect immediately upon proper passage and publication in accordance with law.

**ORDINANCE #287-11 - BOND ORDINANCE APPROPRIATING \$400,000, AND
AUTHORIZING THE ISSUANCE OF \$354,500 BONDS OR NOTES OF THE TOWNSHIP, FOR
VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE
TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY**

Mr. Aroneo pointed out that when the Committee discussed the equipment improvements at the last meeting it was said that the equipment was needed to make the switch to the county for dispatch services. He questioned the need for the fire ground radios and proposed to remove them from the bond ordinance because they are not needed until 2013. He suggested that the radios be put into next year's capital budget.

Mr. Piserchia reviewed the proposed funding in the bond ordinance and stated that it seems the radios were added and are not needed for the switch to the county. He pointed out that if the radios are not needed for the switch they should not be included in the ordinance and suggested that the ordinance not be voted on this evening.

Mr. Sheola reviewed the process and timeline of a bond ordinance and the need to introduce the ordinance this evening. The Committee reviewed the matter. Mr. Mazzucco suggested removing the radios from the ordinance and introduce the ordinance this evening without the fire ground radios; Mayor Harrington agreed. The Committee reviewed the available options and agreed to continue the public hearing of Ordinance 287-11 and introduce Ordinance 287A-11 which removes the fire ground radios which decreases the bond ordinance by approximately \$48,000. Therefore the public hearing for both Ordinance 287-11 and 287A-11 will be on September 7, 2011 and all the numbers can be confirmed.

A motion was made by Mayor Harrington and seconded by Mr. Mazzucco to continue the public hearing of Ordinance 287-11 to the September 7, 2011 meeting. Roll Call Vote: All Ayes

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ORDINANCE #287-11

BOND ORDINANCE APPROPRIATING \$400,000, AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$400,000 including the aggregate sum of \$20,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$400,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost

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of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Acquisition by purchase of new and additional communication equipment including, without limitation, radios and other equipment, for use by the First Aid Squad of the Township, the Police Department of the Township, the Office of Emergency Management of the Township, the Millington Fire Company and the Stirling Fire Company in order to effectuate a transition to the Morris County Communications System, together with all attachments, accessories and appurtenances necessary therefore or incidental thereto, all as shown on and in accordance with the specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved.	\$400,000	\$380,000
Totals	\$400,000	\$380,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.53 years.

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(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$380,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$80,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the

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principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law

Ordinance Introduction:

ORDINANCE #287A-11 - BOND ORDINANCE APPROPRIATING \$350,000, AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY

Mayor Harrington read Ordinance #287A-11 by title for first reading.

A motion was made to introduce the ordinance by Mr. Aroneo; second by Mr. Mazzucco. Roll Call Vote for Introduction of Ordinance 287A-11: All Ayes

Mayor Harrington stated that the public hearing of this ordinance is scheduled for September 7, 2011.

**ORDINANCE #287A-11
BOND ORDINANCE APPROPRIATING \$350,000, AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY**

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BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$350,000 including the aggregate sum of \$50,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$350,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$300,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$300,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT
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**OF BONDS AND
NOTES**

(a) Acquisition by purchase of new and additional communication equipment including, without limitation, radios and other equipment, for use by the First Aid Squad of the Township, the Police Department of the Township, the Office of Emergency Management of the Township, the Millington Fire Company and the Stirling Fire Company in order to effectuate a transition to the Morris County Communications System, together with all attachments, accessories and appurtenances necessary therefore or incidental thereto, all as shown on and in accordance with the specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved.

\$350,000	\$300,000
Totals	\$350,000
	\$300,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.53 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services

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in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$300,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$70,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond

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ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law

Resolutions:

Consent Agenda Resolutions:

Mr. Piserchia requested that the Fire Departments be notified of Special Events in the township.

Mr. Aroneo reviewed Resolution 11-274 - Establish a Policy for Fingerprinting and Conducting Background Checks for Township's Sports League Officials; Mr. Sheola stated that the Recreation Director requested that the resolution be pulled from the agenda. Mr. Aroneo suggested that the resolution be simpler and recommended that Mr. Pidgeon work on the language. Mayor Harrington stated that Resolution 11-274 will be pulled from the agenda. The Committee agreed to have Mr. Pidgeon work on the language in the resolution.

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

Roll Call Vote: All Ayes

**RESOLUTION 11-257
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 11-258
APPROVAL AND RELEASE OF REGULAR SESSION MINUTES AND APPROVAL OF
EXECUTIVE SESSION MINUTES (AS REDACTED)**

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BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the July 20, 2011 Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the July 20, 2011 Executive Session Minutes as redacted by the Township Attorney.

**RESOLUTION 11-259
AUTHORIZING RETURN OF TAXES COLLECTED ON EXEMPT PROPERTY**

WHEREAS, N.J.S.A. 54:4-3.30 provides that:

“The dwelling house . . . of any citizen and resident of this State . . . honorably discharged . . . from active service, in time of war, . . . who has been . . . declared by the United State Veterans Administration . . . to have a service-connected disability . . . to be a total or 100% permanent disability . . . shall be exempt from taxation, on proper claim made therefor”; and

WHEREAS, N.J.S.A. 54:4-3.32 provides that:

“The governing body of each municipality, by appropriate resolution, may return all taxes collected on property which would have been exempt had proper claim in writing been made therefor in the manner provided by [N.J.S.A. 54:4-3.30 et. seq.]”; and

WHEREAS, Angelo Scilla, the owner of Block 13901, Lot 91, submitted a claim seeking a disabled veteran’s exemption in accordance with the requirements of N.J.S.A. 54:4-3.31; and

WHEREAS, Township Assessor Brett Trout approved a disabled veteran’s exemption commencing July 14, 2008, and the return of Mr. Scilla’s taxes for the years set forth below,

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 in accordance with the provisions of N.J.S.A. 54:4-3.32, it does hereby authorize the return of the following taxes collected on Block 13901, Lot 91, which it would have been exempt had proper claim in writing been made therefore in the manner provided by N.J.S.A. 54:4-3.30 et seq.:

2008 (apportioned)	\$5,702.97
2009	\$11,851.45
2010	\$12,137.85
2011 (half year)	\$6,068.93

**RESOLUTION 11-260
APPROVAL OF 2011 SEWER ADJUSTMENTS**

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BE IT RESOLVED, that the Township Committee of the Township of Long Hill on the advice of the Tax Collector does hereby authorize the following adjustments to the 2011 Sewer Billing due to water usage, sprinkler systems, senior deduction or billing error by NJAW:

BLOCK	LOT	ADJUSTMENT	CREDIT	DEBIT	NAME
12502	10	Senior Deduction	15.00		Pelter, L
13903	8	Senior Deduction	15.00		Britt, R
10701	208	Senior Deduction	15.00		Katsourides, H
14006	6	Senior Deduction	15.00		Kiessler, R.
14001	15	Senior Deduction	15.00		Ranger, W.
12101	25	Senior Deduction	15.00		Silvia, W.
13908	19.01	Senior deduction	15.00		Cherry, L.
10701	305	Senior Deduction	15.00		Fong, S.
13803	12	Senior Deduction	15.00		Smith, N.
11602	20	Senior Deduction	15.00		Schreiber, M.
11903	11.01	Senior Deduction	15.00		Khan, H.
11603	32	Senior Deduction	15.00		Gillespie
12402	12	Senior Deduction	15.00		Pfeil, A
13204	7	Senior Deduction	15.00		Dutta, A
11002	9	Senior Deduction		15.00	Hull, Wm
11204	9	Senior Deduction	15.00		O'Mullan, H.
12001	15	Inactive account	658.04		Philipcheck
12001	15	Pro rate 2011 6 months		329.02	Philipcheck
13908	2	water heater	209.53		Wizeman
12803	19	reading correction well to NJ water	65.05		Monteiri
12805	10	reading correction	273.30		Torseillo
10106	8	Reading correction	74.16		Bath/body Works
13901	85	Sprinkler	173.09		Nolan
14002	19	water meter valve	327.96		Galinski
11201	1	pro rate correction	75.00		WU
11514	1	bill correction		175.00	Road Mgmt
10514	3 T01	deleted acct, wrong address	120.55		Atlas Holding
11802	6	NJ AW water meter replaced	282.41		Zoll

**RESOLUTION 11-261
APPROVAL OF 2011 SEWER 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 2011 Sewer Use Charge due to overpayment to Todd R. Conn, Esq., Eisenhower Plaza II, 354 Eisenhower Parkway, Livingston, NJ 07039 in the amount of \$227.49 with regard to Block 14202 Lot 32 due to the Andreski /Jaeger sale.

**RESOLUTION 11-262
APPROVAL OF 2011 SEWER 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 2011 Sewer Use Charge due to overpayment to James H. Ashenfelter, Esq., 363 Bloomfield Avenue, Suite 2C, Montclair, NJ 07042-3601 for Block 10106 Lot 7 in the amount of \$45.05 due to the sale from Barton to Zahran.

**RESOLUTION 11-263
APPROVAL OF 2011 SEWER REFUNDS**

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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 2011 Sewer Use Charge to the following:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
12806	30	O'Neill, Peter 134 Carlton Rd Millington, NJ 07946	\$15.00
13901	85	Nolan, Elizabeth 168 Hickory Tavern Rd Gillette, NJ 07933	\$173.09
13004	7	Falvo, Giuseppe 142 North Ave Stirling, NJ 07980	\$15.00

**RESOLUTION 11-264
AUTHORIZING THE RETURN OF PROFESSIONAL
REVIEW ESCROW – DILL**

WHEREAS, Frank & Ann Dill of Block: 11603, Lot: 9, in regards to Application No. 07-10Z, has requested that the Professional Review Escrow fees be returned; and

WHEREAS, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow; and

WHEREAS, the Chief Financial Officer has determined that \$450.00 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow in the total amount of \$450.00 to Frank & Ann Dill –335 Essex Street Stirling, NJ 07980.

**RESOLUTION 11-265
AUTHORIZING THE RETURN OF PROFESSIONAL
REVIEW ESCROW – GURNEE / NAUMOVITZ**

WHEREAS, William & Diane Gurnee & Ralph & Bonnie Naumovitz of Block: 13004, Lot: 30, in regards to Application No. 06-01Z, has requested that the Professional Review Escrow fees be returned; and

WHEREAS, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow; and

WHEREAS, the Chief Financial Officer has determined that \$655.56 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow to the applicants in the total amount of \$655.56 and make the check payable to William & Diane Gurnee – 346 Elm Street Stirling, NJ 07980.

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**RESOLUTION 11-266
AUTHORIZING THE RETURN OF PROFESSIONAL
REVIEW ESCROW – WAZETER**

WHEREAS, Adam & Tomasina Wazeter of Block: 13701, Lot: 46, in regards to Application No. 10-02Z, has requested that the Professional Review Escrow fees be returned; and

WHEREAS, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow; and

WHEREAS, the Chief Financial Officer has determined that \$274.09 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow in the total amount of \$274.09 to Adam & Tomasina –15 Lacey Avenue Gillette, NJ 07933.

**RESOLUTION 11-267
AUTHORIZING THE RETURN OF PROFESSIONAL
REVIEW ESCROW – CORTESE**

WHEREAS, Michael & Maria Cortese and the Estate of Christine D’Apolito of Block: 13101, Lot: 16 & 16.02, in regards to Application No. 10-11P, has requested that the Professional Review Escrow fees be returned; and

WHEREAS, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow; and

WHEREAS, the Chief Financial Officer has determined that \$292.65 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow in the total amount of \$292.65 to Michael & Maria Cortese and the Estate of Christine D’Apolito – 298 High Street Stirling, NJ 07980.

**RESOLUTION 11-268
AUTHORIZING THE RETURN OF PROFESSIONAL
REVIEW ESCROW – PEER**

WHEREAS, Michael & E. & Tracey L. Peer of Block: 12203, Lot: 18, in regards to Application No. 09-05Z, has requested that the Professional Review Escrow fees be returned; and

WHEREAS, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow; and

WHEREAS, the Chief Financial Officer has determined that \$78.25 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow in the total amount of \$78.25 to Michael & E. & Tracey L. Peer – 25 Vickies Place Millington, NJ 07946.

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**RESOLUTION 11-269
APPROVING SPECIAL EVENT LICENSE –
LORD STIRLING SCHOOL / GREAT SWAMP DEVIL RUN**

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 11-10 for the “Great Swamp Devil Run” to the “Sponsor” Lord Stirling School, for their Special Event to be held on October 30, 2011 at Lord Stirling School on Lord Stirling Road; and

BE IT FURTHER RESOLVED that the Township Committee hereby authorize the street closures for Lord Stirling School on October 30, 2011 provided that the closure is acceptable to the Police Chief and Township Administrator;

BE IT FURTHER RESOLVED that Lord Stirling School is responsible for police service costs for this event and this approval is contingent upon the submission of an escrow deposit in the amount acceptable by the Police Chief and Township Clerk as per Township Code 4-6.5A.

**RESOLUTION 11-270
APPROVING SPECIAL EVENT
LICENSE [LONG HILL TOWNSHIP PBA CIVIC ASSOCIATION]**

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 11-12 for the event to the “Sponsor” Long Hill Township P.B.A. Civic Association, for their Special Event to be held on September 30, 2011 at the Long Hill Township Community Center on Warren Avenue in Stirling; and

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

**RESOLUTION 11-271
APPROVING SPECIAL EVENT
LICENSE [SDA & DOWNTOWN FITNESS]**

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 11-13 for the event to the “Sponsor” SDA & Downtown Fitness, for their Special Event to be held on September 10, 2011 at 200 New Vernon Road Gillette, NJ; and

BE IT FURTHER RESOLVED that this approval is contingent upon obtaining the applicable insurance certificate and that the Police Department has determined that police services are not required for this event.

**RESOLUTION 11-272
APPROVING SPECIAL EVENT LICENSE –**

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CHAMBER OF COMMERCE / STIRLING STREET FAIR

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 11-14 for the "Stirling Street Fair" to the "Sponsor" Long Hill Chamber of Commerce, for their Special Event to be held on October 2, 2011 on Main Avenue [between Railroad Avenue and Valley Road]; and

BE IT FURTHER RESOLVED that the Township Committee hereby authorize the street closures for the Long Hill Township Chamber of Commerce on October 2, 2011 provided that the closure is acceptable to the Police Chief and Township Administrator;

BE IT FURTHER RESOLVED that the Long Hill Township Chamber of Commerce are not responsible for funding police services for this event as per Township Code 4-6.5A.

**RESOLUTION 11-273
AMENDING 2011 FEE SCHEDULE [AMENDMENT VII]**

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	\$ 30.00/hr
Clerical	\$ 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
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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
Public Assembly Permit		\$100.00

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Recreation Programs

Basketball registration (Intramural)	\$65.00
Basketball registration (Traveling Team)	\$200.00
Basketball Clinic (3 Week Program – 3 classes)	\$70.00
Little Explorers Summer Pre-School Camp:	
One Week	\$ 75.00
Two Weeks	\$140.00
Three Weeks	\$200.00
Field Hockey Fall Program	\$ 60.00
Field Hockey Summer Clinic	\$ 85.00
Traveling Lacrosse Program – Girls	\$ 150.00
Girls Lacrosse Summer Clinic	\$ 80.00
Pilates (8 weeks)	\$ 55.00
Pilates (4 weeks)	\$ 40.00
Swim Lessons	\$ 65.00
Girls Volleyball	\$ 75.00
Women’s Softball League	\$120 per team (season fee)
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

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Street/Road Opening Permit	\$ 100.00
Swimming and Bath Establishments	\$ 200.00
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 lb. GVWR)	\$150.00 per hour, 1 hour minimum
Heavy Duty (Nights, Weekends and NJ Holidays)	\$250.00 per hour, 1 hour minimum
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 11-251 which was approved by the Township Committee on July 20, 2011.

**RESOLUTION 11-275
AUTHORIZATION TO CONDUCT BLOCK PARTY-
LACKAWANNA BLVD/SUMMIT AVE**

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BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, authorize Lackawanna Boulevard/Summit Avenue to hold a block party on Saturday, September 17, 2011 (rain date September 18, 2011) from 12:00 P.M. until 12:00 A.M. in accordance with the request letter dated July 18, 2011.

**RESOLUTION 11-276
AUTHORIZING ENTERING IN TO AN PROFESSIONAL SERVICES AGREEMENT WITH
OMNI ENVIRONMENTAL, LLC FOR ON CALL
WASTE WATER CONSULTING SERVICES**

WHEREAS, the Township of Long Hill requires engineering services related to inflow & infiltration and general waste water issues; and

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract will be less than (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is four (4) months; 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 Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey as follows:

1. The Mayor and Clerk are authorized to sign a contract with OMNI Environmental, LLC in accordance with the following terms and conditions:
 - A. Term: A period of not to exceed 4 months.
 - B. Rate: per proposal dated July 12, 2011
 - C. Services: The organization shall provide professional engineering services.
2. The Township Clerk 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.
3. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
4. This contract shall be charged to the Capital Account. 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 Township Clerk.

RESOLUTION 11-277

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**AUTHORIZING A POLICY REGARDING THE USE OF PREMIUMS RECEIVED FROM THE
SALE OF BONDS OR NOTES OF THE TOWNSHIP OF LONG HILL**

WHEREAS, on occasion, the Township of Long Hill has the need to sell Bond Anticipation Notes or Bonds to finance capital projects; and

WHEREAS, in order to plan for debt management and have a source of funds to pay the related debt service, it is the policy of the Township Committee to utilize any premiums earned in a bond or note sale as revenue, dedicated to the payment of the applicable principal on a proportional basis; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey this policy shall remain in effect until amended or repealed by a future Township Committee.

**RESOLUTION 11-278
AUTHORIZING THE TOWNSHIP CLERK TO FILE CERTIFICATION OF TOWNSHIP
COMMITTEE REVIEW OF 2011 BEST PRACTICES INVENTORY**

WHEREAS, in accordance with the State of New Jersey Fiscal Year 2012 Appropriations Act, (PL 2011, c.85), the Division of Local Government Services has distributed the 2011 Best Practices Inventory to municipalities and;

WHEREAS, a component of the inventory is a public review of the completed inventory by the respective governing body's and;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey the inventory has been reviewed on July 17, 2011 and the Township Clerk is hereby authorized to file the necessary certification to the Division of Local Government Services.

**RESOLUTION 11-279
AUTHORIZING CHANGE ORDER NO. 4 TO THE
CONTRACT WITH AURORA ENVIRONMENTAL**

WHEREAS, a purchase order was prepared in the name of Aurora Environmental, Inc under a locally bid contract for the removal of an underground storage tank at Heritage Road Pump Station; and

WHEREAS, it is necessary to adjust the contract to reflect additional reporting and site work at Heritage Road Pump Station as follows:

Change Order #	Description	Amount	Net Amount of Contract
4	Required monitoring and reporting and additional site work	\$15,000.00	\$61,500.00

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.

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2. The change order shall be charged against account C-04-55-247-000-B The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 11-280
AUTHORIZING CHANGE ORDER NO. 5 TO THE
CONTRACT WITH AURORA ENVIRONMENTAL**

WHEREAS, a purchase order was prepared in the name of Aurora Environmental, Inc under a locally bid contract for the removal of an underground storage tank at Morristown Road Pump Station; and

WHEREAS, it is necessary to adjust the contract to reflect excess funds for the remediation at the Morristown Road Pump Station as follows:

Change Order #	Description	Amount	Net Amount of Contract
5	Required monitoring and reporting and additional site work	(\$3,000.00)	\$18,300.00

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 5 as described in the preamble is hereby approved.
2. The change order shall be credited against account C-04-55-247-000-A. The Chief Financial Officer has determined that a Certification of Available Funds is not necessary.

**RESOLUTION 11-281
AUTHORIZING CHANGE ORDER NO. 6 TO THE
CONTRACT WITH AURORA ENVIRONMENTAL**

WHEREAS, a purchase order was prepared in the name of Aurora Environmental, Inc under a locally bid contract for the removal of an underground storage tank at Valley Road Pump Station; and

WHEREAS, it is necessary to adjust the contract to reflect additional reporting and site work for the remediation at the Valley Road Pump Station as follows:

Change Order #	Description	Amount	Net Amount of Contract
6	Required monitoring and reporting and additional site work	\$11,000.00	\$32,300.00

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 5 as described in the preamble is hereby approved.
2. The change order shall be charged against account C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

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**RESOLUTION 11-282
AUTHORIZING CHANGE ORDER NO. 5 TO THE
CONTRACT WITH NORTHEAST ROOF MAINTENANCE**

WHEREAS, a purchase order was prepared in the name of Northeast Roof Maintenance under a locally bid contract for the Exterior Restoration of Millington School House; and

WHEREAS, it is necessary to adjust the contract to reflect rescinding change orders #1, 3 & 4 previously approved as follows:

Change Order #	Description	Amount	Net Amount of Contract
5	Rescind Change Orders # 1, 3 & 4	(\$5,142.00)	\$262,000.00

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 5 as described in the preamble is hereby approved.
2. The change order credit shall be against account 1-01-55-001-001-216. The Chief Financial Officer has determined that a Certification of Available Funds is not necessary.

**RESOLUTION 11-283
APPOINTMENT OF SUMMER RECREATION
PLAYGROUND PERSONNEL**

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 Richard Sheola, Township Administrator, and recommendation of the Recreation Directors and Little Explorers Camp Director, that the following be appointed to the 2011 Summer Recreation Playground Personnel effective July 18, 2011:

<u>Name</u>	<u>Salary (per hour)</u>
David Dassinger	\$ 7.55
Greer Hennessy	\$ 7.55

Old Business

Emergency Service Dispatch

Mr. Sheola stated that Bernardsville will not be contracting with Bernards Township for dispatch services and taking our place.

Valley Mall Update

Mayor Harrington indicated that the property owner is still in negotiation.

New Business

Mr. Piserchia stated that he has heard from some residents in regards to the conditions of the roads. He pointed out that what may cost the township this year for road repair may increase in cost next year. He asked Mr. Sheola to see that the minor repairs to the roads are done and ensure that the Department of Public Works has enough funding. Mr. Sheola commented that

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they have enough funding in their overall budget and the Director is aware of the parameters. Mr. Aroneo added that Mr. Sheola will notify the Committee if they run out of money.

Public Comment

Mr. Sandow reviewed his concerns with the condition of the roads in the township and pointed out that there are a lot of pot holes. He questioned the status of the Comcast Agreement which expires in August; Mr. Pidgeon commented that a proposal was presented to Comcast and we are waiting for a response. He added that BPU allows for an extension if both parties agree. Mayor Harrington asked that the Comcast Agreement be added to Old Business so the Committee may be updated on the status.

Mr. Sandow thanked the Committee, Police Department, Department of Public Works and Fire Departments for their support of the Bike Race. Mayor Harrington thanked the Chamber of Commerce.

Adjournment

There being no further business, a motion was made by Mr. Piserchia and seconded by Mr. Mazzucco to adjourn the meeting at 10:35 p.m. Vote: All Ayes

Respectfully submitted,

Christine A. Gatti
Township Clerk

Approved: September 21, 2011