

Long Hill Township Committee Minutes December 14, 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, **December 14, 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 Mayor Harrington and seconded by Mr. Mazzucco to approve Resolution 11-332. Vote: All Ayes

RESOLUTION 11-349 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:

Personnel:

- Administrator Evaluation
- Township Clerk Reappointment
- Tax Collector

Contract Negotiations:

- None

Attorney Client Privilege:

- Berkeley Tax & Accounting

Collective Bargaining:

- None

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; Michael Mazzucco; George Vitureira; Mayor
Nanette Harrington

Absent: None

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

Appointments to Boards and Commissions

The following appointment was made by the Township Committee in order to clarify the expiration of term:

Lounsberry Meadow Board of Trustees
Diane Delluraficio

Expiration of Term
December 31, 2013

A motion was made by Mr. Vitureira and seconded by Mr. Aroneo to approve the above appointment to the Lounsberry Meadow Board. Vote: All Ayes

Mayor Harrington indicated that she has been meaning to put this appointment on the agenda since October and it has been delayed due to our flood wall discussions. Mr. Aroneo asked that she hold off on this appointment so next years Committee could make the appointment since they are now considering appointments for next year anyway. She stated that she would like to fill the vacancy and gave reasoning for the appointment; she reviewed Mr. Behr's experience. She appointed Thomas Behr to the Alternate #1 spot that expires December 31, 2012. Mr. Aroneo commented that this is a tactical maneuver. Mr. Pidgeon question whether Mr. Behr has resigned from his current seat and Mayor Harrington commented that he has not and will officially resign from his current position.

Mayor Harrington made the following Mayor appointment:

Planning Board
Thomas Behr, Alternate #1

Expiration of Term
December 31, 2012

Clerks Note: The Township Committee corrected the term expiration of the alternate positions at the January 3, 2012 meeting.

Presentation of Proclamation

Mayor Harrington presented the below Proclamation to Lounsberry Meadow Chair Dan McGuire.

"WHEREAS Lounsberry Meadow is a 51-unit apartment complex in the Township of Long Hill which opened in 1992 for income-eligible seniors and handicapped households which is located

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in close proximity to the Township's main streets, shopping, public institutions, and recreational areas; and

WHEREAS Lounsberry Meadow's mission is to provide quality affordable housing in the Township of Long Hill where residents can live with dignity; and

WHEREAS Lounsberry Meadow is one of the finest models of a partnership between government, local businesses, and community volunteers to provide safe, comfortable, convenient housing for low income seniors and handicapped residents; and

WHEREAS in 2010 Lounsberry Meadow successfully completed their Solar Panel Installation project which has saved the Lounsberry residents more than 30% in electricity costs over the past year and was the biggest solar panel array in Long Hill Township wherein it will have environmental impacts and will reduce carbon dioxide and other greenhouse gases by 123,784 pounds per year plus reduce the need for electricity generated by fossil fuels; and

WHEREAS dedicated volunteers serve as board members on the Lounsberry Meadow Board and offer their time and support in order to provide valuable services to our residents; and

WHEREAS Lounsberry Meadow Board members have been effective in property management and improvement and have made prudent financial decisions which has allowed them to have three consecutive years maintaining the rent price for their tenants during tough economic times; and

NOW THEREFORE BE IT RESOLVED that I, Mayor Nanette Harrington, along with the Long Hill Township Committee and on behalf of Long Hill Township residents hereby congratulate Lounsberry Meadow on twenty years of service and achievement and sincerely thank all the volunteers, past and present, for their hard work and dedication to this community service organization.

Mr. McGuire thanked the township on behalf of the board for the recognition.

Administrator Report

Request for Proposals

Mr. Sheola asked for direction in regards to the submitted proposals. Mr. Aroneo asked if the Committee can contact him by e-mail and Mr. Pidgeon commented that they can communicate with Mr. Sheola.

Presentation of Proclamation

Mayor Harrington stated that she would like to read the Proclamation presented to Mr. Vitureira at the Volunteer Dinner.

“WHEREAS, in January 2006, **George Vitureira** took the oath of office after having been duly elected Committeeman for the Township Committee of Long Hill Township; and

WHEREAS, since taking office, **George Vitureira** has dedicated a substantial part of his life to this community and has demonstrated in many ways his deep and genuine love for this township; and

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WHEREAS, George Vitureira has demonstrated the spirit of volunteerism through his drive and motivation and countless hours of hard work; and

WHEREAS, on behalf of the Township Committee and the residents of Long Hill, **George Vitureira** has served as Mayor of the Township of Long Hill from 2007 through 2009; and has also served as a member of the Board of Health, the Planning Board, the Finance Sub-Committee, the Wastewater Management Advisory Committee, the Communications Advisory Committee, the Promotion & Enhancement Committee, the First Aid Squad as an EMT and was the motivator in the creation of the Community Day Committee and Financial Responsibility Advisory Committee, and has served as a liaison to the First Aid Squad, Emergency Management and Senior Citizen's of the township; and

WHEREAS, while Mayor in 2008, **George Vitureira** created a steering committee to develop a town wide picnic to be known as "Community Day" which was held in 2008, 2009 and 2010 and under his leadership and dedication there where over two thousand residents and other guests who thoroughly enjoyed many festivities, including food, music, fireworks, games, competitions, and other exhibitions; and

WHEREAS, as a member of the Finance Sub-Committee and the Financial Responsibility Advisory Committee, **George Vitureira** made substantial contributions to the work of stabilizing the tax rate, keeping to a minimum the increases in the town's taxes, and providing guidance to the restructuring of various departments' budgets and staffing; and

WHEREAS, as a member of the Wastewater Management Advisory Committee since 2006, **George Vitureira** was instrumental in assisting the Committee's review of the Waste Water Management Plan, working toward resolution of the sewer moratorium and reviewing applications for connection to the local waste water system; and

WHEREAS, through these efforts, **George Vitureira** has significantly made Long Hill a better place for all of our residents to live and prosper; and

NOW, THEREFORE, BE IT RESOLVED that, on December 1, 2011, the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey and on behalf of the residents of Long Hill Township, does hereby bestow to **George Vitureira:**

THE PROMINENT VOLUNTEER SERVICE AWARD"

Mr. Aroneo thanked Mr. Vitureira for all his hard work.

Mr. Vitureira commented that he has been proud to work with all the volunteers and looks forward to working in other aspects of town and will serve where needed.

Mr. Mazzucco stated that it great working with him and you always knew where you stood.

Mr. Piserchia stated that even if we did not always agree you respected our opinion and defended yours.

Mr. Piserchia stated that he would like to read the Proclamation presented to Mayor Harrington at the Volunteer Dinner:

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“WHEREAS, on January 5, 2009, **Nanette Harrington** accepted the oath of office after having been duly elected Committeewoman for the Township Committee of Long Hill Township; and

WHEREAS, since taking office, **Nanette Harrington** has dedicated a substantial part of her life to this community and has demonstrated in many ways her deep and genuine love for this Township; and

WHEREAS, without expectations of any personal remuneration, **Nanette Harrington** has demonstrated the spirit of volunteerism through her drive and motivation and countless hours of hard work; and

WHEREAS, on behalf of the Township Committee and the residents of Long Hill Township, **Nanette Harrington** has served as Mayor in 2011, Deputy Mayor in 2010 and Board of Health President in 2010 and has served as a member and liaison on numerous other Committees, including as member of the Lounsberry Meadow Board, Environmental Commission, Shade Tree Commission, Planning Board, Waste Water Management Advisory Committee and Financial Responsibility Advisory Committee and Board of Education Liaison; and

WHEREAS, **Nanette Harrington** has made substantial personal contributions that have advanced and resolved various causes, including, among other matters, the analysis of the Township’s sewer rate ordinance wherein her efforts led to the revision of the sewer rates resulting in a fair and equitable method of sewer billing which reflect the actual usage and therefore bill each resident appropriately; her assistance with the negotiation of the Police Department and Department of Public Works labor contracts allowed the township and their employees to reach a fair amicable resolution; the redesign of the Township’s Planning and Zoning Application process wherein her analysis clarified and streamlined the process for applicants that go before the Planning Board and Board of Adjustment; and

WHEREAS, through these efforts, **Nanette Harrington** has significantly made Long Hill a better place for all of our residents to live and prosper; and

WHEREAS, **Nanette Harrington** provided her untiring work and dedication with a professionalism and civility that has brought favorable praise and honor to the Township Committee;

NOW, THEREFORE, BE IT RESOLVED that, on December 1, 2011, the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey and on behalf of the residents of Long Hill Township, does hereby bestow to **Nanette Harrington**:

THE PROMINENT VOLUNTEER SERVICE AWARD”

Mr. Mazzucco stated that it was a pleasure working with Nan and through all the debate we can still work well together.

Mr. Aroneo agreed and commented that he appreciates all the time working with the township.

Mayor Harrington indicated that it has been an honor and privilege serving the township. She stated that the township tackled difficult issues and wished the Committee the best of luck in the future.

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Mr. Piserchia commented that Nan's professionalism and leadership during difficult times was admirable and appreciated.

Discussion

EPA Report on Contamination

Eric Wilson, USEPA, Removal Action Branch, Section Chief, introduced Dan Harkay, USEPA, Removal Action Branch, Section Chief. He stated that his group is in charge of assessment and Mr. Harkay is in charge of clean up. Mr. Harkay overviewed the cleanup efforts by his team on South Main Avenue, Mesler Street and Bay Street. Messrs. Harkay and Aroneo reviewed the cleanup at 20 Bay Street which will include laying down mulch. A discussion ensued among the Committee and Mr. Wilson and Mr. Harkay regarding the affected properties and appropriate cleanup. Mr. Wilson indicated that there is a property on Meyersville Road that is currently being investigated.

Alexandra Hennessey, Environmental Commission Chair, commented on developing property on Valley Road and whether it has been checked. Mr. Wilson stated that any developer should have the appropriate analysis done on the property because it is their responsibility. Mr. Harkay stated that a Phase I Environmental assessment should be done.

Charles Arentowicz, resident of Millington, thanked the EPA for assistance. Messrs. Wilson and Arentowicz reviewed asbestos analysis on properties on Valley Road.

Mayor Harrington thanked the EPA for all the information and asked that the information be posted on the website.

Mr. Aroneo asked if the township was interested in a property that had asbestos how concerned the township should be. Mr. Harkay stated the township should contact the proper agency for guidance. He added that if the asbestos is not surfaced then it should not be a threat.

The Committee thanked the EPA for their update.

Meyersville Field Parking

Mr. Sheola stated that he and the Recreation Department discussed the parking issue at the Meyersville Field. Mr. Mazzucco indicated that the parking lot is always packed with biker parking and people are parking all over the place. He stated that the Committee should consider restricting the use of the lot by ordinance. He added that it is a safety issue.

Mr. Aroneo indicated that before an ordinance is adopted why not research other alternatives. He asked whether the township can put tiles on the lawn on the township property across the street for the biker parking. Mr. Sheola commented that there may be a conflict if the pump station needs work. Mr. Piserchia agreed with Mr. Mazzucco and pointed out that it is a very dangerous area. Mr. Aroneo suggested the township put up a bike parking sign across the street and consider paving our own lot to fit more cars. Mr. Aroneo suggested the sign say that no bike parking when field in use. Mayor Harrington agreed and recommended a sign with temporary parking restrictions.

Dennis Sandow, resident of Millington, pointed out that the pump station is not owned by the township and is actually on an easement.

Laptop Purchase Request

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Mr. Sheola stated that Mr. Vitureira requested to purchase his township laptop. He indicated that any items under \$1,500 in value does not have to be sold at auction, He suggested that the laptop be offered to Mr. Vitureira for \$250.00. The Committee briefly reviewed the matter and suggested that the laptop be put into the conference room to be used by boards and committees; Mr. Aroneo agreed. Mr. Vitureira commented that he would not purchase the laptop.

Ordinance Public Hearing / Consideration of Adoption:

ORDINANCE #291-11 - AN ORDINANCE AMENDING THE SPEED LIMIT ON A PORTION OF CARLTON ROAD AND SUPPLEMENTING AND AMENDING CHAPTER VII OF THE TOWNSHIP CODE ENTITLED "TRAFFIC"

Mayor Harrington 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 291-11. Roll Call Vote: All Ayes

**ORDINANCE #291-11
AN ORDINANCE AMENDING THE SPEED LIMIT ON A PORTION OF CARLTON ROAD AND
SUPPLEMENTING AND AMENDING CHAPTER VII OF THE TOWNSHIP CODE ENTITLED
"TRAFFIC"**

STATEMENT OF PURPOSE: *To lower the speed limit to 40 mph on the northern portion of Carlton Road.*

WHEREAS, the Township Police Department has recommended lowering the speed limit on the northern portion of Carlton Road to 40 miles per hour from the statutory speed limit of 50 miles per hour; and

WHEREAS, after an investigation of the circumstances, Township Engineer Paul Ferriero concluded in an August 3, 2011 report that lowering the speed limit appears to be in the interest of safety and the expedition of traffic; and

WHEREAS, N.J.S.A. 39:4-8 and 39:4-197 (as amended by P.L.2008, c. 110) allow a municipality, without the approval of the Commissioner of Transportation to alter the speed limitations on local roads; and

WHEREAS, N.J.S.A. 39:4-98 which sets forth statutory speed limits provides that:

"Whenever it shall be determined upon the basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater . . . than is reasonable or safe under the conditions found to exist . . . , municipal . . .

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authorities, with reference to highways under their jurisdiction, may by ordinance, in the case of municipal authorities, . . . subject to the approval of the Commissioner of Transportation, except as otherwise provided in R.S.39:4-8, designate a reasonable and safe speed limit thereat which, . . . shall be prima facie lawful at all times . . ., when appropriate signs giving notice thereof are erected . . .”;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that Chapter VII of the Township Code entitled “Traffic” is supplemented and amended as follows:

Section 1. The speed limit on that portion of Carlton Road from White Bridge Road to a point 3,100 feet south of White Bridge Road is hereby lowered to 40 miles per hour.

Section 2. Section 7-33 of the Township Code, entitled “Speed Limits”, is supplemented and amended by adding Carlton Road in alphabetical order as follows:

“7-33 Speed Limits

The speed limits for both directions of traffic along the streets described below are established as follows:

Name of Street	Direction	Speed	Location
Carlton Road	Both	40 mph.	From the intersection with White Bridge Rd. to a point 3,100 ft south of White Bridge Rd.

Section 3. The effectiveness of this ordinance is contingent upon signs being erected as required by law.

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.

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

Resolutions:

Consent Agenda Resolutions:

Mr. Aroneo requested explanation on the transfer resolutions. Mr. Sheola reviewed the resolutions and pointed out that some of the funding costs are related to Hurricane Irene which will be refunded by FEMA.

Mr. Mazzucco updated the Committee and public on the tree clean up efforts by the Department of Public Works. He commented that all the clean up should be completed by the end of the year. Mayor Harrington indicated that there are dangerous conditions with trees down. Mr. Piserchia added that Mountain needs to be addressed right away. Mr. Mazzucco stated that if all the clean up is not done by the end of the year then the Committee will discuss our options. Mr. Piserchia indicated that the dangerous roads should be addressed right away. Mayor Harrington agreed. Mr. Mazzucco stated that this clean up has been a challenge for the Department of Public Works because we are not equipped for a storm like this. Mr. Sheola commented that the township anticipates 75% of the costs to be recuperated from FEMA.

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

Roll Call Vote: All Ayes

**RESOLUTION 11-350
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 11-351
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 the October 26, 2011 Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the October 26, 2011 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 11-352
APPROVAL AND RELEASE OF AMENDED REGULAR SESSION MINUTES**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the amended Township Committee Minutes of the October 12, 2011 Meeting.

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**RESOLUTION 11-353
AUTHORIZING THE RETURN OF PROFESSIONAL REVIEW ESCROW – PARTHENON
REALTY, LLC**

WHEREAS, Parthenon Realty, LLC of Block: 11301, Lot: 4 and Block: 11401, Lot: 23, in regards to Application No. 06-05P, 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;

WHEREAS, the Chief Financial Officer has determined that \$459.80 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 \$459.80 to Parthenon Realty, LLC – 76 Rolling Hill Dr. Millington, NJ 07946.

**RESOLUTION 11-354
APPROVAL OF 2011 SEWER REFUNDS**

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 refunds on the 2011 Sewer Use Charge due to overpayment to the following:

BLOCK	LOT	NAME	AMOUNT
10106	2	Bernardon, Roland & Louise 4 Aaron Drive Millington, NJ 07946	\$100.21
13003	4	Murray, Brian & Theresa 159 North Ave Stirling, NJ 07980	\$23.29

**RESOLUTION 11-355
APPROVAL OF 2011 SEWER ADJUSTMENTS**

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
14001	3	senior deduction	15.00		Ojea, Pilar
12001	15	adjustment pro rated	16.54		Philipscheck

**RESOLUTION 11-356
AUTHORIZE REFUNDS DUE TO TAX APPEAL**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill on the advice of the Tax Collector does hereby authorize a refund due to Tax Appeal to Stirling Construction c/o

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Acme Plastering, 130 New Road B-9, Parsippany, NJ 07054 in the amount of \$2,855.16 for the following parcels:

BLOCK	LOT	REFUND
11704	15	\$1511.11
11703	1	\$1034.93
11702	15	\$96.87
11611	1	\$212.25

**RESOLUTION 11-357
APPROVAL OF 2011 TAX REFUNDS**

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 taxes due to overpayment to the following:

Block	Lot	Name	Amount
10202	14	Voo, Daniel & Shuchen 23 Indian Run Millington, NJ 07946	\$38.74
10701	15	Grant, Christine 15 Castle Place Gillette, NJ 07933	\$2144.62
10901	45	De Graaf, Thomas G. 126 King Dr Gillette, NJ 07933	\$2291.32
10908	4.04	Shekaren, Vijay & Soundararajan, P. 357 Valley Rd Gillette, NJ 07933	\$1633.55
10908	40	Graham N. & Rosemarie Smith 17 Norwood Dr Gillette, NJ 07933	\$221.53
11202	18	Muriel R. Tokarzewski 70 Western Blvd Gillette, NJ 07933	\$86.64
11804	9.53	Dolan, James F. & Sandra 169 Clover Hill Rd Millington, NJ 07946	\$111.82
12101	3.40	Rhoda Gavornik 7 Cooper Lane Millington, NJ 07946	\$82.50
12502	15	Schumann, Richard A. & Susan M 1 Semerad Rd Millington, NJ 07946	\$1750.00
12803	4.01	Bernzweig, Clifford & Shapiro, G.	\$2291.32

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		157 Old Forge Rd Millington, NJ 07946	
13404	9	Stapperfenne, Jr., Robert & Joyce 138 Mountain Ave Gillette, NJ 07933	\$6.00
13502	3	Bonaccorso, Mario & Margaret 14 Gates Ave Gillette, NJ 07933	\$182.99
13801	13	Pratap, Pramati 333 Meyersville Road Gillette, NJ 07933	\$121.49
13802	6	Riotto/Infante, Randolph M./ Toni 53 Preston Dr Gillette, NJ 07933	\$16.83
14203	9	Lehner, Joan B. 123 Lupine Way Stirling, NJ 07980	\$99.58
12306	12	Lefkowitz, M. & K. 19 Sunset Pl Millington, NJ 07946	\$203.99
11106	11	Henn, Daniel W./Danielle P 323 Central Ave New Providence, NJ 07974	\$671.78
11513	9	Caparoso James V. & Denise E/ 265 Morris Street Stirling, NJ 07980	\$186.09
11801	22	Chuffo, Anthony B. & Cora M. 9 Stacey Ct Millington, NJ 07946	\$3620.25
13004	22.02	Azevdo, Horacio & Cesaria 166 Central Ave Stirling, NJ 07980	\$24.51
13701	18	Fegan, Susan & Keven 245 Meyersville Rd Gillette, NJ 07933	\$188.54
14205	4.01	Shroff, Ninad & Shilpa 84 Charles Road Millington, NJ 07946	\$4174.65

**RESOLUTION 11-358
TRANSFER OF FUNDS & CHIEF FINANCIAL OFFICER'S AUTHORIZATION FOR YEAR END
TRANSFERS AND CANCELLATIONS**

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WHEREAS, during the course of the year and operations of the Township of Long Hill, certain accounting transfers and cancellations may be required to be applied to the books and records as of the close of the fiscal year; and

WHEREAS, the application of these transfers and cancellations must be affected to allow the Township Chief Financial Officer to complete the preparation and filing of the annual un-audited financial statement prior to the close of the fiscal year; and

WHEREAS, approval of the Township Committee may not be available prior to the year end, and

WHEREAS, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the Current Year; and

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand necessary for the balance of the Current Year;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provision R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account mentioned as being insufficient, to meet the current demands, and

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Long Hill that the Township Chief Financial Officer is given the authority through the passage of this resolution to affect these transfers and cancellations which are not governed by statutory authority through December 31, 2011; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following transfers:

From:

1-01-20-145-150-100	Tax Assessor – S&W	\$ 4,500
1-01-20-165-165-200	Engineering – OE	\$ 5,000
1-01-21-180-180-200	Planning – OE	\$ 2,500
1-01-23-220-220-281	Insurance – Group Health	\$15,150
1-01-25-240-240-100	Police – S&W	\$10,000
1-01-25-240-240-200	Police – OE	\$ 4,000
1-01-25-252-253-100	Municipal Court – S&W	\$ 2,500
1-01-25-265-266-200	Fire Protection – OE	\$ 3,000
1-01-26-310-310-200	Buildings & Grounds – OE	\$ 5,000
1-01-27-335-335-200	Environmental Comm – OE	\$ 100
1-01-28-370-370-100	Stirling Lake – S&W	\$ 1,500
1-01-28-370-371-100	Parks & Playgrounds – S&W	\$ 1,000
1-01-30-422-422-100	Senior Citizens – S&W	\$ 2,000
1-01-31-446-446-407	Electricity	\$10,000
1-01-31-446-446-408	Telephone	\$ 5,000
1-01-31-447-447-001	Salary Adjustment	\$22,000

Total **\$93,250**

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1-01-20-100-100-100	Admin & Exec – S&W	\$ 6,000
1-01-21-180-180-100	Planning – S&W	\$ 1,200
1-01-21-185-186-100	Zoning Officer – S&W	\$ 1,000
1-01-25-265-269-100	Fire Prev Inspector – S&W	\$10,350
1-01-27-335-335-100	Environmental Comm – S&W	\$ 100
1-01-28-370-371-200	Parks & Playgrounds – OE	\$ 9,500
1-01-31-435-435-415	Water	\$ 2,000
1-01-31-446-446-405	Gasoline	\$20,000
1-01-31-455-455-200	Sewer System – OE	\$23,100
1-01-36-472-472-201	Social Security	\$20,000
Total		\$93,250

**RESOLUTION 11-359
CANCELLING PORTION OF EMERGENCY APPROPRIATION RELATED TO STORM
EXPENSES**

WHEREAS, the Township Committee on November 9, 2011 did approve Resolution 11-339 relating to an Emergency Appropriation in accordance with NJSA 40A:4-46, and;

WHEREAS, it has been determined the total amount of the Emergency Appropriation is not necessary to fund the unanticipated expenses; and

WHEREAS, the total amount of Emergency Appropriations created including Resolution 11-339 was \$105,000 and only \$50,500 was needed; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris (not less than 2/3's of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-48 that:

1. Portion of the emergency appropriation cited in Resolution 11-339 be and the same is hereby cancelled as follows:

	<u>Amount to be Cancelled</u>
Public Works – Road Division Overtime	\$30,000
Public Works - Waste Water Division Overtime	\$19,000
Garbage Disposal – Tipping Fees	\$ 5,500

2. That said Emergency Appropriation, as modified, shall be approved in full in the 2012 Budget

3. The Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.

BE IT FURTHER RESOLVED that two (2) certified copies of this resolution be filed with the Director of the Local Government Services.

**RESOLUTION 11-360
EMERGENCY APPROPRIATION RELATED TO STORM EXPENSES**

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WHEREAS, an emergency has arisen with respect to Hurricane Irene and the October 2011 Snow Storm and no adequate provision was made in the 2011 budget for the aforesaid purpose, and NJSA 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and;

WHEREAS, the total amount of emergency appropriations created including this appropriation to be created by this resolution is \$114,850 and 3% of the total operations in the budget for the year 2011 is \$430,470;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris (not less than 2/3's of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-48 that:

1. An emergency appropriation be and the same is hereby made for:

Sewer Pump Station Repairs	\$20,050
Repairs to Facilities	\$ 2,000
Replacement of Damaged Equipment	\$ 5,000
Tree Removal – Contractual	\$27,300
Diesel Fuel & Gasoline	\$10,000

2. That said emergency appropriation shall be approved in full in the 2012 Budget

3. The Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.

BE IT FURTHER RESOLVED that two (2) certified copies of this resolution be filed with the Director of the Local Government Services.

**RESOLUTION 11-361
AUTHORIZING CANCELLATION OF CAPITAL BALANCES**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, desires that the following capital balances be cancelled for reasons as set forth:

Ordinance	Date Authorized	Title	Funded	Unfunded	Reason
127-03	May 14, 2003	Facility Improvements	\$2,432.00		Project completed
150-04	August 19, 2004	Sidewalk Construction	\$3,089.62		Project completed
150-04	August 19, 2004	Easement Acquisitions	\$116,845.00		Project cancelled
173-05	March 23, 2005	Sewer Line Repairs – Poplar Drive	\$12,322.05		Project completed

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176-05	July 13, 2005	Construction of Sidewalks	\$25,005.07		Projects competed
176-05	July 13, 2005	Easement Acquisitions	\$204,600		Projects Cancelled
212-07	September 12, 2007	Section 20 Expenses	\$54,118.05		Project Completed
229-08	June 11, 2008	Road Improvements	\$14.30		Purchases Completed
250-09	July 22, 2009	Vehicle Acquisitions	\$65,463.00		Project Cancelled
264-10	July 14, 2010	Voice Mail Upgrade	\$1,141.50		Project completed
		TOTAL	\$485,030.59		

All amounts will be cancelled to Capital Fund Balance to be used for future projects.
Adopted by Township Committee on December 14, 2011

**RESOLUTION 11-362
APPOINTING 2011/2012 BASKETBALL PROGRAM STAFF**

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice and recommendation of the Recreation Director that the following be appointed to the 2011/2012 Recreation Basketball program effective December 1, 2011:

Supervisors:	Salary/Hour
Vanessa Fowler	\$19.25
Kelly Burns	13.25
Chris Hachey	12.00
Dan Hutchinson	12.00

Referees / Timers / Scorekeepers:

Jennifer Sinnott - 3rd and 4th grade	9.00
Sarah Bujnowski - 3rd and 4th grade	9.00
Mark Blajsa	9.00
Daniella Leon	8.00
Kyle Mobus	8.00
Luke Smith	8.00
James Tagliaferro	8.00
Kimberly Pilsbury	8.00
Julia Priovolos	8.00
Carly Sinnott	8.00
Sean Bujnowski - 3rd and 4th grade	8.00
Bridget Ryan	8.00
Eric Langenauer	8.00
Jared Goetz	8.00
Stephanie Santo – SUB	8.00
Colin Lauderdale - 3rd and 4th grade	8.00

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Returning College Kids (referee/ timers/ supervisors) – December, January, March only:

Danny Zaccaria	\$10.50
Kevin Beneduce	9.75
James Spinelli	9.75
Dan Hirsch	9.75
Nick Pepe	9.75
Lucas Lourenco	9.50
David Meltzer	9.50
Meg Ryan	9.00
Emily Kesselmeier	9.00

**RESOLUTION 11-363
APPROVING SPECIAL EVENT LICENSE –
BERNARDS TOWNSHIP REGIONAL CHAMBER OF COMMERCE**

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 11-17 for the “Holiday Parade” to the “Sponsor” Bernards Township Regional Chamber of Commerce, for their Special Event to be held on December 22, 2011 on Long Hill Road as detailed in the application;

BE IT FURTHER RESOLVED that the Township Committee hereby authorize the street closure for the parade on December 22, 2011 provided that the closure is acceptable to the Police Chief and Township Administrator;

BE IT FURTHER RESOLVED that the Bernards Township Regional Chamber of Commerce is responsible for police service costs for this event and this approval is contingent upon the submission of the applicable certificate of insurance and escrow deposit in the amount acceptable by the Police Chief and Township Clerk as per Township Code 4-6.5A.

**RESOLUTION 11-364
AUTHORIZING GRANT AGREEMENT WITH
THE COUNTY OF MORRIS FOR OPEN SPACE**

WHEREAS, the County of Morris Open Space program has notified the Township of Long Hill of the approval of a grant as outlined in the amount of \$2,343,750.00; and

WHEREAS, it is the intention of the Township of Long Hill to complete the approval process and accept the grant in the above amount; and

WHEREAS, the grant documents require the original signature of the Mayor and Township Clerk; and

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, authorizes the Mayor and Township Clerk to sign the various grant agreements with and between the County of Morris and the Township of Long Hill as indicated.

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**RESOLUTION 11-365
APPROVING IN-GRADE ADVANCEMENT [MARCZEWSKI]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Police Chief Daniel Hedden, does hereby approve the advancement of Officer James Marczewski to Master Officer, effective January 1, 2012 at an annual salary of \$95,485.00.

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

**RESOLUTION 11-366
AUTHORIZATION FOR THE LONG HILL TOWNSHIP COMMITTEE TO ACCEPT A
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2011 OF DEPARTMENT OF
HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT
PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND
THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS**

WHEREAS, the Township of Long Hill, Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant CFDA #97.042, Award #2011-P110-1430 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, is for the purpose of enhancing Long Hill Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award #2011-EP-EO-0047; and

WHEREAS, the Long Hill Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of \$5,000.00 which the Long Hill Township Office of Emergency Management adequately satisfies through the 2011 Long Hill Township approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Long Hill Township Committee accepts the award of the FFY11 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$5,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$5,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption FFY11 Homeland Security Emergency Management Performance Grant; and

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BE IT FURTHER RESOLVED that the Long Hill Township Administrator, the Long Hill Township Chief Fiscal Officer and the Long Hill Township Director of Emergency Management are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; the Long Hill Township Administrator; the Long Hill Township Chief Financial Officer; the Long Hill Township Office of Emergency Management.

**RESOLUTION 11-367
AWARDING CONTRACT FOR JANITORIAL SERVICES**

WHEREAS, the Township of Long Hill received requests from seven (7) companies but only one (1) sealed bid was received for Janitorial Services on December 6, 2011 and

WHEREAS, the bid received are as follows:

Jan – Dec 2012	<u>Eastern Janitorial</u> All prices are per year
Building 1-Stirling Lake	\$550
Building 2 – Rec. Building – Valley Rd	\$4,250
Building 3 – Town Hall	\$12,900
Building 4 – Police HQ	\$16,800
Total (1-4)	\$34,500
Alt #1 - Library	\$12,500
Alt #2 – Supply Cleaning/Paper Products	\$3,250
Total (1-4 + Alts 1 & 2)	\$50,250
 Jan – Dec 2013	
Building 1-Stirling Lake	\$550
Building 2 – Rec. Building – Valley	\$4,250

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Rd	
Building 3 – Town Hall	\$12,900
Building 4 – Police HQ	\$16,800
Total (1-4)	\$34,500
Alt #1 - Library	\$12,500
Alt #2 – Supply Cleaning/Paper Products	\$3,250
Total (1-4 + Alts 1 & 2)	\$50,250

WHEREAS, Eastern Janitorial Services provided a responsive bid that is lower than the service bid price for 2010 and 2011; and

WHEREAS, the Township Administrator, serving as the Purchasing Agent recommends the award of the contract for the Eastern Janitorial Services, 23 North Michigan Avenue, Kenilworth, NJ 07033; and

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

1. Award the contract to Eastern Janitorial Services, 23 North Michigan Avenue, Kenilworth, NJ 07033
2. The contract shall be in the amount of Fifty Thousand, Two Hundred Fifty Dollars (\$50,250) for the year 2012 and Fifty Thousand, Two Hundred Fifty Dollars (\$50,250) for the year 2013 contingent upon sufficient funds in the 2012 and 2013 Municipal Budget.
3. The line item for the Township Library will be billed directly to the Library.
4. Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for Janitorial Services.

RESOLUTION 11-368

**AUTHORIZE APPROVAL OF MUNICIPAL SERVICES AGREEMENT WITH MEADOWVIEW AT
MILLINGTON CONDOMINIUM ASSOCIATION**

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, hereby approves the Municipal Service Agreement with Meadowview at Millington for snow removal and street lights in accordance with the Municipal Services Act N.J.S.A. 40:67-23.1 *et seq.*;

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of Long Hill Township and that their signature constitutes acceptance of the terms and conditions of the agreement.

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Old Business

Mr. Vitureira stated that he requested that Mr. Pidgeon draft a resolution in order for the Committee to consider putting on a non-binding referendum on the next ballot for the proposed flood wall.

Mr. Mazzucco indicated that Mr. Vitureira's recommendation is no different than the one offered by both him and Mr. Aroneo with accepting a petition. Mr. Vitureira commented that a resolution approved by the Committee does not need a petition and there seems to be interest.

Mr. Vitureira made a motion to approve the resolution to authorize the township to put a non-binding referendum on the next ballot for the flood wall in order to get the will of the people.

Mr. Aroneo stated that he is not in favor of considering last minute resolutions without it being on the agenda. Mr. Vitureira commented that this non-binding referendum is simple and will get the opinion of the entire community. Mr. Piserchia indicated that this is the first he's seen this resolution and he would be in favor of a non-binding referendum and added that he believes it was discussed at the last meeting. Mr. Aroneo commented that he would have been in favor of a non-binding referendum if residents presented the Committee with a petition with 234 signatures within twenty days as allowed by bond law. Mr. Mazzucco stated that he was in favor of a petition as well. Mr. Piserchia questioned whether Mr. Aroneo would accept a petition before the next General Election to put a non-binding referendum on the ballot. Mr. Aroneo indicated that he would consider it. Mr. Vitureira stated that he thinks the decision should be made by the entire township. Mr. Aroneo indicated that he is not in favor of voting on the resolution tonight. Mr. Piserchia stated that there is no downside to having a non-binding referendum. Mr. Aroneo reiterated that he would consider it. The Committee reviewed the matter. Mr. Aroneo indicated that the Committee did not receive a petition within twenty days. Mr. Piserchia stated that he is not sure if it was clear to the public. Mr. Aroneo indicated that the residents were well educated and asked that the new Committee decide the best way to proceed. Mayor Harrington commented that she believes that the future Committee would consider 234 signatures for a non-binding referendum.

No one seconded Mr. Vitureira's motion.

Public Comment

Felix Ruiz, resident of Laurel Avenue, commented that 234 signature would have to be legal voters in the township.

Mr. Pidgeon briefly reviewed the legal requirement.

Karl Schlegel, resident of Main Avenue, agreed with Mr. Piserchia and a non-binding referendum would allow the township to get the will of the people. Mr. Vitureira agreed and stated that it allows the residents to decide. Mr. Schlegel commented that postponing the vote guarantees no referendum.

Mr. Ruiz indicated that the Committee members were voted into office to make the tough decisions.

Joseph Cilino, resident of Heritage Road, commented on the submitted petitions and pointed out that there were more signatures of those who were not in favor of the proposed flood wall.

John Bangs, resident of River Road, stated that the proposed flood wall has already been voted

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on. He reviewed his concerns with asbestos.

Michael DeFinis, resident of Laurel Avenue, commented on his mistrust of Mr. Vitureira.

Mike Scott, resident of Skyline Drive, reviewed his issue with the pump station which continuously runs and is very loud. He added that the pump station is 100 feet from his home. He indicated that he has been in touch with both Mr. Sheola and Paul Ferriero the Township Engineer.

Mr. Sheola stated that the township is having issues with the design engineer and are aware of the difficulties. He reviewed the issues with the pump station. He added that the pump should be replaced by the end of next week. Mr. Aroneo commented that if the matter is not rectified within ten days to please reach out to Mr. Sheola directly and he would notify the Committee.

Charles Arentowicz, resident of Heritage Road, stated that the Township Administrator's evaluation has been on the agenda several times and it is an injustice to him and the taxpayers. He indicated that it should be taken care of. Mr. Mazzucco stated that the matter will be addressed this evening during executive session. Mr. Arentowicz pointed out that the Committee should have a policy that township employees can not use their position to influence others. Mayor Harrington suggested that the matter be brought to next years Committee. Mr. Aroneo commented that it is a complicated matter and reviewed the rights of employees and added that the Committee can not restrict what an employee says. Mr. Pidgeon added that the township can not discipline someone on their opinion.

Mr. Arentowicz commented on the Planning Board appointment and added that since there is no resignation Mr. Pidgeon should look at the issue legally.

Marco Santacross, resident of Valley Road, reviewed his issue with his 2011 sewer bill. Mayor Harrington reviewed the billing cycle. The Committee briefly reviewed the matter.

Guy Roshto, resident of Millington and Township Committee Member Elect, commented that as we continue to discuss the proposed flood wall he would only consider a petition with 472 signatures because that is how many residents voted for him. He added that he speaks for them.

Mr. Schlegel thanked Mayor Harrington and Mr. Vitureira for their service.

Mr. Bangs suggested that proposed flood wall be put to bed. He reviewed his concerns with traffic and speeding on River Road. Mayor Harrington suggested that he notify the traffic officer. She added that if there are issues with school buses the School Administrator should be notified. Lieutenant Mazzeo stated that he will set up a speed/traffic study for River Road.

Executive Session

A motion was made by Mayor Harrington; seconded by Mr. Mazzucco to reconvene to Executive Session at 10:05 p.m. Vote: All Ayes

Regular Open Session

The Township Committee reconvened to Regular Session at 11:14 p.m.

Adjournment

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There being no further business, a motion was made by Mr. Mazzucco and seconded by Mr. Aroneo to adjourn the meeting at 11:15 p.m. Vote: All Ayes

Respectfully submitted,

Christine A. Gatti
Township Clerk

Approved: February 22, 2012