

**Long Hill Township Committee Minutes  
March 28, 2012 Regular Meeting**

The Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, convened in Regular Session at the Municipal Building, 915 Valley Road, Gillette, New Jersey, on Wednesday, **March 28, 2012** at 7:00 p.m.

**Statement of Adequate Notice:**

Deputy Mayor Piserchia 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, 2012; posted on the bulletin board in the Municipal Building on January 4, 2012 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. Schuler and seconded by Mr. Aroneo to approve Resolution 12-146  
Vote:

**RESOLUTION 12-146  
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:

- ~~CFO Position~~
- Building Sub Code Official
- Tax Clerk
- Township Administrator Recruitment
- QPA

Contract Negotiations:

- None

Attorney Client Privilege:

- Zoning

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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### **Roll Call:**

On roll call the following Committee members were present:

Jerry Aroneo; Guy Piserchia; Cornel Schuler

Absent: Guy Roshto; Mayor Michael Mazzucco

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

### **Pledge of Allegiance:**

All present recited the Pledge of Allegiance.

### **Township Committee Liaison Reports:**

Mr. Aroneo updated the Committee and public on the following as Township Committee Liaison; the newly formed Flood Plain Advisory Committee met for the first time and discussed orders of priority and some of the things recommended to the Township Committee. Obviously there are things that the Committee has already discussed. A new tactic not yet discussed was creating a super committee among other towns along the Passaic River so that we get representation in the State and Federal Government. So rather than just being Long Hill we can have the assistance of all of the surrounding towns who deal with the same problems. It was felt that the Township Committee should make that decision. It should be noted that what we feel would be best for us may not be in the best interest of others. We do have to protect our residents. He stated that as far as open space we continue to review properties and there will probably be a recommendation for property acquisition sometime this year.

Mr. Piserchia thanked Mr. Aroneo for his report.

Mr. Piserchia updated the Committee and public on the following as Township Committee Liaison; for those that may not know the school board unanimously passed its budget on Monday evening and they were .23 below the tax level. The average assessed home in Long Hill is \$387,000 so the budget will equate to about \$56.00 per residence. State Aid increased about a quarter of a million dollars this year and they warned that this would be a challenge in future years. The budget will be posted on their web site. He briefly reviewed the Global Connect System and thanked the sub committee for their hard work. There will be training for the various groups. The two main features of the system are that the Police and OEM can now get in touch with anyone. We would like 100% voluntary participation. You will be able to list any contact (cell, email, relative, etc.).

Mr. Aroneo said he had forgotten to mention that last night at the Planning Board we discussed the TIFA property and their deficiency in the correction of some of their site plan approvals which was many years ago. This means that right now they are not allowed to go with the site plan waiver. The Planning Board has asked the Township Committee to look at it and decide if it wants to take enforcement action against them. It is something we need to discuss and decide if we want our Zoning Official to review it.

Mr. Pidgeon said there was a lot of background information that should be reviewed before a decision is made. He suggested it be discussed and decided on the 11<sup>th</sup>.

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**Administrator Report:**

**Proposed Construction Department Fees**

Mr. Sheola stated that he felt that the Construction Code fees should be addressed. DCA says the building office must be self-sustaining. He pointed out that in the packet you will see a memorandum plus some charts and graphs which will show the number of permits issued, increase in cost of construction and other useful information. Even if there were a decision to go out to a third party agency for sub-codes you are still required to employ a construction code official and technical assistant from the revenue that you would generate from the sub-code permits would go right out to the third party and you would have an off-setting revenue loss. This should be scheduled for future Township Committee consideration.

**Ordinance Public Hearing / Consideration of Adoption:**

**ORDINANCE #298-12 AN ORDINANCE CREATING A TECHNICAL REVIEW COMMITTEE AND SUPPLEMENTING AND AMENDING THE TOWNSHIP LAND USE CODE**

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

A motion was made by Mr. Aroneo and seconded by Mr. Schuler to adopt Ordinance 298-12.

Roll Call Vote: All Ayes

**ORDINANCE #298-12  
AN ORDINANCE CREATING A TECHNICAL REVIEW COMMITTEE AND SUPPLEMENTING  
AND AMENDING THE TOWNSHIP LAND USE CODE**

**STATEMENT OF PURPOSE:** *To create a technical review committee to meet with applicants for subdivision, site plan or variance approval prior to an application being deemed complete to discuss the proposed application, overall planning issues, and technical aspects of the application with the applicant and the applicant's professionals.*

**WHEREAS**, the Township Planning Board, in a December 12, 2011 memorandum from Township Planner Kevin O'Brien, recommended the creation of a Technical Review Committee and submitted proposed ordinance provisions for consideration by the Township Committee; and

**WHEREAS**, the Township Committee supports the recommendations of the Planning Board as outlined in the Township Planner's memorandum;

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that the Township's Land Use Code e is hereby

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supplemented and amended as follows:

**Section 1.** The definition of “Administrative Officer” in Section 111 entitled “General Terms” is amended to read as follows:

*“Administrative Officer -*

1. The Township Planning and Zoning Administrator shall be the Administrative Officer charged with reviewing development applications and requests for administrative waivers and determining whether they are complete in accordance with the provisions of N.J.S.A. 40:55D-10.3.
2. The Administrative Officer may consult with the Township Technical Review Committee in determining complete applications.
3. The Township Zoning Officer shall be the Administrative Officer for all other purposes.”

**Section 2.** The following new definitions are hereby added to Section 111 in alphabetical order:

*“Technical Review Committee -* The Committee shall consist of: The Administrative Officer, the Zoning Officer, the Planning Board Engineer and the Planning Board Planner. The Committee may be called to review applications at the discretion of the Administrative Officer.

*Application For Development –* The completed application form and all accompanying documents required by ordinance for approval of a subdivision plan, site plan, planned development, conditional use, zoning variance, site plan waiver, development permit, or other permit pursuant to this chapter.

*Complete Application -* An application form completed as specified by this chapter and the rules and regulations of the Township and all accompanying documents required by this chapter for approval of the application for development and the submission of all required fees and professional review escrow funds.”

**Section 3.** Subsection 162 entitled “Requirements” in Section 160 entitled “Site Plan and Subdivision Review” is supplemented and amended by adding the following new subsections 162.8 entitled “Completeness Requirements” and 162.9 entitled “Technical Review Committee”

**“162.8 COMPLETENESS REQUIREMENTS**

- a. No application for development shall be deemed complete unless the applicant has submitted the applicable items, information and documentation listed in the checklist as well as all required application fees and professional review escrow funds. If an applicant wishes

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to exclude any required item the applicant must request a waiver in writing for each item and state the reasons supporting each such waiver request. Checklists for each type of application are found in Section 167.

b. Each application for approval of a minor subdivision, minor site plan, preliminary major subdivision, preliminary major site plan, final major subdivisions, final site plan or a conditional use, as the case may be, and each application for variance relief, shall include all items, data, information and/or documentation requested in the appropriate corresponding checklists. Design waiver requests are to be listed separately along with a reason for the requested waiver.

c. The Administrative Officer shall review all applications and accompanying documents required by this chapter to determine that the application is complete within the 45 day statutory period. An application for development shall be complete for purposes of commencing the statutory time period for action by the Planning Board or the Zoning Board of Adjustment when so certified by the Administrative Officer. Nothing herein shall be construed as diminishing the applicant's obligation to prove in the application process that he or she is entitled to approval of the application.

d. The Administrative Officer may subsequently require correction of any inaccurate or erroneous information. The Administrative Officer may also require submission of additional information not specified in the checklist or any revisions to the accompanying documents, as are reasonably necessary for comprehensive review of the application for development. .

### **162.9 TECHNICAL REVIEW COMMITTEE**

#### **a. Purpose**

A Technical Review Committee (TRC), comprised of the Administrative Officer, Zoning Officer, the Board Engineer, and the Board Planner shall meet with applicants for subdivision, site plan or variance approval prior to any application being deemed complete. The Technical Review Committee will discuss the proposed application, overall planning issues, and technical aspects of the application with the applicant and their professionals.

#### **b. Meetings**

Technical Review Committee meetings shall take place at a time and place convenient to the Administrative Officer and the Technical Review Committee.

#### **c. Review and Comments**

1. Members of the Committee shall perform a preliminary review of the application for discussion with the applicant at the Technical Review Committee meeting.

2. The TRC shall review each application for compliance with the Township's zoning requirements, development regulations, sound planning policies and design standards and shall advise the applicant of any deficiencies.

3. The findings of the TRC shall in no way be construed to relieve the applicant of the responsibility for complying with zoning requirements, development regulations and design standards and shall not be binding on either the Board or the applicant.

4. An application shall be deemed complete by the TRC if it finds that the application will meet or will exceed the Checklist standards specified in Section 167 of the Township Land Use Ordinance. If the application does not meet the Checklist standards it shall be deemed incomplete.

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5 After an application is deemed complete, reports on the application shall be prepared by the appropriate staff and submitted to the approving authority to assist in their deliberations.

**d. Waiver of Requirement to Appear**

The Administrative Officer may waive the requirement for an applicant to appear before the Technical Review Committee based upon the complexity of the application, or may invite additional Township agencies to participate in the Technical Review process.”

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

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

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

**ORDINANCE #300-12 AN ORDINANCE CREATING A TECHNICAL REVIEW COMMITTEE AND SUPPLEMENTING AND AMENDING THE TOWNSHIP LAND USE CODE**

Deputy Mayor Piserchia reviewed the amendments to the ordinance as per the Planning Board. Mr. Pidgeon added that this did not affect the checklist.

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

A motion was made by Mr. Aroneo and seconded by Mr. Schuler to adopt Ordinance 300-12 as amended.

Roll Call Vote: All Ayes

**ORDINANCE #300-12  
AN ORDINANCE ADOPTING A NEW CONSOLIDATED DEVELOPMENT APPLICATION  
CHECKLIST AND AMENDING RELEVANT SECTIONS  
OF THE TOWNSHIP LAND USE CODE**

**STATEMENT OF PURPOSE:** *To adopt a new consolidated application checklist that can be used for various types of development applications.*

**WHEREAS,** the Township Planning Board has recommended adoption of a new

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consolidated checklist that will cover various types of development applications;

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

**Section 1.** The attached “Land Use Application Checklist (1/11/2012)” is hereby adopted by the Township and is to be attached to the Township Land Use Code as Exhibit “A”.

**Section 2.** Paragraph “a” of subsection 164.1 entitled “Application Procedure for Minor Site Plans and Minor Subdivisions” is amended to read as follows:

“a. The applicant shall submit to the Secretary of the approving authority the appropriate application(s), which includes the application(s) for any requested variance(s) and the application checklist attached to this Land Use Code as Exhibit “A” with the items of information required therein . . . .”

**Section 3.** Subsection 164.4 entitled “Submission (Checklist) Requirements for Minor Site Plans and Minor Subdivisions” is amended in its entirety to read as follows:

“Submission requirements for minor site plans and minor subdivisions are set forth in the Land Use Application Checklist, which is attached to this Land Use Code as Exhibit “A”.

**Section 4.** Subsection 165.1 entitled “Application Procedure for Preliminary Major Site Plans and Preliminary Major Subdivisions is amended in its entirety to read as follows:

“a. The applicant shall submit to the Secretary of the approving authority the appropriate application(s), which includes the application(s) for any requested variance(s) and the Application Checklist attached to this Land Use Code as Exhibit “A” with the items of information required therein . . . .”

**Section 5.** Subsection 165.4 entitled “Submission (Checklist) Requirements for Preliminary Major Site Plans and Preliminary Major Subdivisions” is amended in its entirety to read as follows:

“Submission requirements for minor site plans and minor subdivisions are set forth in the Land Use Application Checklist, which is attached to this Land Use Code as Exhibit “A”.

**Section 6.** Subsection 166.1 entitled “Application Procedure for Final Major Site Plans and Final Major Subdivisions” is amended to read as follows:

“A final plan or final plat shall be submitted to the Secretary of the approving

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authority within three (3) years after the date of preliminary approval or any authorized extension thereof as permitted by this Section. The applicant shall submit to the Secretary the appropriate application(s), which includes the applications for any requested variance(s) and the Checklist attached to this Code as Exhibit A with the items of information required therein; evidence of payment of fees in accordance with Section 180 of this Ordinance. . . .”

**Section 7.** Subsection 166.4 Submission (Checklist) Requirements for Final Major Site Plans and Final Major Subdivision

“Submission requirements for final major site plans and final major subdivisions are set forth in the Land Use Application Checklist which is attached to this Land Use Code as Exhibit "A".

**Section 8.** Subsection 173 entitled “Provisions Applicable to Both Planning Board and Board of Adjustment” in Section 170 entitled “Land Use Procedures” is supplemented and amended by adding a new Subsection 173.12 entitled “Submission Requirements - Checklist” which reads as follows:

**“173.12 Submission Requirements - Checklist**

All applicants must comply with the submission requirements set forth elsewhere in this Code and in the Land Use Application Checklist, which is attached to this Code as Exhibit “A”.

**Section 9.** 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 10.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 11.** This ordinance shall take effect immediately upon final passage and publication as required by law.

**Ordinance Introduction:**

**ORDINANCE #302-12 RESTRICTING PARKING AT THE MEYERSVILLE FIELD TO PATRONS OF THE FACILITY**



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Mr. Pidgeon noted that during the review Mr. Sandow pointed out that some other blocks and lots needed to be updated. I suspect there are references though out the Township Codes with old block numbers. At some point in time we should update them. Mr. Sandow and others also pointed out that we should have a handicapped spot at Meyersville Field. The Police Department will have to work with the Township Engineer to describe it. I think Lisa Scanlon, Recreation Director and the Recreation Department would like to have this restriction as to parking limited to users in the facility so I suggest we adopt this as is. Then once the handicapped description is submitted we can add that as well as the block and lot numbers.

Mr. Sandow said that much to his amazement he discovered that there are no handicapped parking places at the Millington Train Station. There is one for the café but the big lot has none. Section 8-7 dates back to 1976 and there must have been one then but there are no blue stripes or signs in the big lot. We could stripe it or get handicapped signs for the lot.

Mr. Aroneo said he had observed that there is no handicapped access anywhere in our town to the train itself. I took that issue up five years ago with New Jersey Transit and got nowhere.

Marco Santacross, resident of Valley Road, commented that he thought someone should do something about people selling cars and putting them on a public road. There is another area on Valley Road (going West opposite Deer Run) that has some kind of business and he has a parking lot that is full of cars. There should be no parking at all on Valley Road.

Deputy Mayor Piserchia said that if Mr. Santacross saw something that he thinks is illegal he should call the police. He asked Mr. Sheola to have someone contact Chief Hedden to alert them to the situation.

Mr. Sheola stated that he thought Chief Hedden should be the contact regarding cars for sale and the Zoning Officer would handle the situation regarding cars for business purposes or running a business

Deputy Mayor Piserchia asked for a motion to introduce by first reading Ordinance 302-12.

There were no further comments from the public. Deputy Mayor Piserchia announced that the public hearing is scheduled for April 25<sup>th</sup>.

Mr. Aroneo made a motion to introduce Ordinance 302-12 as discussed; seconded by Mr. Schuler.

Roll Call Vote: All Ayes

**ORDINANCE #302-12  
RESTRICTING PARKING AT THE MEYERSVILLE FIELD  
TO PATRONS OF THE FACILITY**

**STATEMENT OF PURPOSE:** *To alleviate parking problems at Meyersville Field by restricting parking to users of the onsite facilities.*

**WHEREAS,** the Recreation Department has experienced a shortage of parking spaces at the Meyersville Field, and

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**WHEREAS**, Recreation Director Lisa Scanlon has recommended that the Township Committee adopt an ordinance restricting parking to patrons of the facility; and

**WHEREAS**, the tax map references for parking restrictions in other locations set forth in subsections 8-5 and 8-7 need to be updated;

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Long Hill that Chapter VIII of the Township Code entitled "Parking Lots" is hereby supplemented and amended and amended as follows:

**Section 1.** Section 8-5 entitled "Parking Restrictions and Other Municipal Parking Lots" is supplemented and amended by updating the tax map references in subsection 8-5.1 and 8-5.2 and by adding the following new subsection 8-5.3 entitled "Parking Restrictions in Meyersville Field Parking Lot" which reads as set forth below:

**"8-5 PARKING RESTRICTIONS IN OTHER MUNICIPAL PARKING LOTS.**

**8-5.1 Parking Restrictions in Millington Café Parking Lot.**

In the parking lot immediately adjacent to the Millington Railroad Station/Millington Station Café (Lot 7.04, Block 10100 226) parking, stopping and standing are restricted to one (1) hour at all times. Any vehicle parked, stopped or standing in violation of this section shall be subject to the penalties set forth in Sections 8-6 and 8-7 of this chapter.

**8-5.2 Parking Restrictions in Millington Fire Company Lot.**

In the existing parking lot located at the southeast corner of Long Hill Road and The

Crescent and known as Lot 1, Block 12305 423 on the Township tax maps, parking is restricted to members of the Millington Volunteer Fire Company engaged in fire company business or activities and other persons using the Millington Fire Company building for other purposes such as voting, attendance at fire company dances or other events and other similar activities.

**8-5.3 Parking Restrictions in Meyersville Field Parking Lot.**

In the parking lot at the Meyersville Field located on New Vernon Road, north of Meyersville Circle.(Lot 9, Block 14602) parking is restricted to patrons of the facility (the ball field, the tennis court, playground area, or the basketball court). For purposes of this section, "patron" shall include players, coaches, spectators, league and team officials, and others actually using the recreation facilities located onsite.

**8-6 REMOVAL OF ILLEGALLY PARKED VEHICLES.**

Any vehicle parked in a municipal parking lot in violation of any provision of this chapter shall subject the owner of such vehicle to the penalties hereinafter provided, and any Police Officer may cause such vehicle to be removed. The owner of the vehicle shall

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pay the reasonable cost of such removal and any storage charges which may result from such removal before regaining possession of the vehicle. These costs shall not mitigate the penalty provisions of this chapter.

**8-7 HANDICAPPED PARKING SPACES.**

Pursuant to N.J.S.A. 40:48-2.46, those parking spaces described below shall be designated and established as "handicapped parking spaces" and shall be so marked by signs in conformance with the current Manual on Traffic Control Devices for Streets and Highways:

Municipal Parking Lot Adjacent to Millington Railroad Station (Lot 3 4, Block 12301 448):  
Spaces designated by the handicapped parking signs.

Millington Railroad Station Parking Lots 7.02 and 7.04 ~~7 and part of Lot 6~~, Block 10100 226):

Spaces designated by the handicapped parking signs.

Stirling Railroad Station Parking Lot (Lot 4.01 4 and 5, Block 10100 226; Lots 4.01 and 4.02, Block 11507):

Spaces designated by the handicapped parking signs.

Gillette Railroad Station Parking Lot (Lot 3.01, Block 10100 226):

Spaces designated by the handicapped parking signs.

**8-8 VIOLATIONS AND PENALTIES.**

Every person convicted of violating any provision of this chapter shall be liable to a penalty of not more than one hundred (\$100.00) dollars.

**Section 2.** Regulatory and warning signs conforming to the current manual on Uniform Traffic Control Devices for Streets and Highways shall be erected and maintained to effect the above regulations.

**Section 3.** 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 4.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 5.** This ordinance shall take effect immediately upon final passage and publication as required by law.

**Resolutions:**

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**Consent Agenda Resolutions:**

Deputy Mayor Piserchia announced the following changes or additions to the Consent Agenda: Resolution 12-157 had been revised and copies distributed to the Public and the Committee Members, Resolution 12-151 will be pulled at the request of the Tax Collector, Resolution 12-158 Authorization to File for NJ Office of Historic Preservation Grant for the Millington School House is added to the agenda. Copies have been provided to the public and to the Township Committee

Mr. Pidgeon said Resolution 12-156 needs to be revised. Take out everything after \$15 per hour beginning immediately for next 4 weeks.

Mr. Schuler asked for a quick summary of Resolution 12-149. Mr. Sheola stated that the temporary budget was designed to cover expenses for the first three months of the year until you adopt a budget. These departments have some bills that occur in the first couple of months of the year that were not anticipated when we did the temporary budget. The numbers you see here are not the added to numbers but they are new appropriation numbers.

Mr. Aroneo said he wanted to read Resolution 12-155 by title - Granting Permission For The Use Of Stirling Lake For the Policemen's Benevolent Association Annual Trout Fishing Derby And Approving The Township's Support To Co-Sponsor The Derby – that Derby will be held on April 21<sup>st</sup>. I would like to thank the PBA for running the event.

Mr. Aroneo asked to pull Resolution 12-150 and pointed out that he would recuse himself from the resolution.

Mr. Pidgeon advised that if Mr. Aroneo were to excuse himself there would be no quorum.

After discussion it was decided that Mr. Aroneo could just abstain on Resolution 12-150. Deputy Mayor Piserchia requested discussion of Resolution 12-150.

Mr. Pidgeon said you could pull it out and then discuss it or you can discuss it and leave in the Consent Agenda. It would need a unanimous vote to be in the Consent Agenda. It can be pulled and then voted on separately.

Deputy Mayor Piserchia called for a motion for the Consent Agenda 12-147 to 12-158 with 12-150 being pulled for discussion and Resolution 12-151 withdrawn.

A motion was made by Mr. Schuler and seconded by Mr. Aroneo to approve the following consent agenda resolutions as discussed. All Ayes

**RESOLUTION 12-148  
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 January 3, 2012, January 11, 2012 and January 25, 2012 Meetings.

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**BE IT FURTHER RESOLVED** that the Township Committee hereby approves the January 3, 2012, January 11, 2012 and January 25, 2012 Meetings Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 12-149  
AMENDMENT TO THE 2012 TEMPORARY BUDGET**

**WHEREAS**, 40A:4-19 Local Budget Act provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

**WHEREAS**, the total appropriations in the 2011 budget, less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General - Total General Appropriation	\$	12,283,762
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**WHEREAS**, 25.25% of the total appropriations in the 2011 Budget less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General -	\$	3,224,487
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**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the temporary appropriations be amended and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

**New Appropriation  
GENERAL GOVERNMENT**

Finance		
Other Expenses		\$7,500.00
MIS		
Other Expenses		\$15,000.00
Assessment		
Other Expenses		\$1,000.00
Legal Services		
Other Expenses		\$30,000.00
Engineering Services		
Other Expenses		\$20,000.00
Planning Board		
Other Expenses		\$7,500.00
Public Defender		
Other Expenses		\$2,500.00
Uniform Construction Code		

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Other Expenses	\$5,000.00
Fleet Maintenance	
Other Expenses	\$30,000.00
Recreation	
Other Expenses	\$17,500.00

**RESOLUTION 12-152  
APPROVAL OF TAX REFUND**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund of 2012 1<sup>st</sup> quarter Homestead Rebate credit for Block: 13901 Lot: 91 as this parcel has a totally Exempt Veteran tax status in the amount of \$1,000.00 to Angelo and Judith Scilla, 491 Meyersville Road, Gillette, NJ 07933.

**RESOLUTION 12-153  
APPROVING SPECIAL EVENT LICENSE –  
CHAMBER OF COMMERCE / ARTS & CRAFTS SHOW**

**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 12-03 contingent upon receiving the applicable insurance certificate for the “Blossom Fest Arts & Crafts Show” to the “Sponsor” Long Hill Chamber of Commerce, for their Special Event to be held on May 20, 2012 on Long Hill Road [between Crescent and Division]; and

**BE IT FURTHER RESOLVED** that the Township Committee hereby authorize the street closures for the Long Hill Township Chamber of Commerce on May 20, 2012 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 12-154  
APPROVING USE OF HICKS TRACT – CUB SCOUT PACK 56**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill does hereby grant permission for Cub Scout Pack 56 to use the Hicks Tract to hold their annual campout on May 19<sup>th</sup> through May 20<sup>th</sup> as per correspondence dated March 9, 2012, subject to meeting all the requirements of the receipt of a Hold Harmless Agreement, Certificate of Insurance and Fire Permit.

**RESOLUTION 12-155  
GRANTING PERMISSION FOR THE USE OF STIRLING LAKE FOR THE POLICEMEN’S  
BENEVOLENT ASSOCIATION ANNUAL TROUT FISHING DERBY AND APPROVING THE  
TOWNSHIP’S SUPPORT TO CO-SPONSOR THE DERBY**

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**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby grant permission for the Policemen's Benevolent Association to hold their Annual Trout Fishing Derby at Stirling Lake on Saturday, April 21, 2012 from 8:00 a.m. to 1:00 p.m. and approving the Township's support to Co-Sponsor the derby.

**RESOLUTION 12-156  
AUTHORIZE EMPLOYMENT OF  
PART-TIME CLERK IN THE TAX OFFICE - ZAMPELLA**

**WHEREAS**, due to a resignation, there exist the need to fill the position of Tax Clerk in the Collector and Assessment Offices; and

**WHEREAS**, a candidate has been identified in the name of Collette Armenti-Zampella who has the education and experience necessary to fulfill the position requirements; and

**WHEREAS**, it is the recommendation of the Township Administrator, Tax Collector and Tax Assessor that Colette Armenti-Zampella be appointed as a temporary part-time Tax Clerk and Tax Assessor Clerk and:

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby appoint Colette Armenti-Zampella as a temporary Part-time Clerk for the Tax Collector and the Tax Assessor's offices for the next four weeks, effective March 28, 2012, at a rate of \$15.00 per hour, for up to 30 hours per week.

**BE IT FURTHER RESOLVED** that the Chief Finance Officer has certified that sufficient funds are available in account 2-01-145-145-102 and 2-01-20-145-150-105.

**RESOLUTION 12-157  
APPOINTING CHIEF FINANCIAL OFFICER - MANGIN**

**WHEREAS**, Richard Sheola resigned as the Township Chief Financial Officer ("CFO") effective April 1, 2012; and

**WHEREAS**, the Township of Long Hill is in need of the services of a Certified Municipal Finance Officer pursuant to N.J.S.A. 40A:9-140.13; and

**WHEREAS**, James Mangin has the necessary license, education and experience to serve as a Chief Financial Officer;

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

1. James Mangin, Certified Municipal Finance Officer License Number N-0772, is hereby appointed Chief Finance Officer for the Township of Long Hill effective April 1, 2012 and expiring December 31, 2015, with a 2012 yearly salary of \$35,000.00.
2. Mr. Mangin shall spend a minimum of one full day per work week in town hall as CFO and be available as needed to fulfill the responsibilities of Township Chief Financial Officer;

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3. A certified true copy of this resolution is to be forwarded to the Division of Local Government Services, Department of Community Affairs, State of New Jersey.

**RESOLUTION 12-158  
AUTHORIZATION TO FILE FOR MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND  
GRANT FOR MILLINGTON SCHOOLHOUSE**

**BE IT RESOLVED** by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, authorizes the Mayor, Township Clerk and Township Administrator/CFO to file for a Morris County Historic Preservation Trust Fund Grant in the amount up to \$482,000, being \$385,000 in grant funding and up to \$96,400 in Local Matching Funds for the purpose of Interior Rehabilitation to the Millington Schoolhouse.

**Resolution 12-150 – Authorize Release of Performance Guarantee and Replace with Maintenance Bond [Bodnar]**

Deputy Mayor Piserchia was under the impression that there was something in the Developers Agreement which listed the Shade Tree Commission as the authority on the replacement of trees that had been damaged or removed without approval. Ms. Gatti and Mr. Pidgeon proved to my satisfaction that there was nothing in the Developers Agreement saying specifically that it would be the Shade Tree Commission. I believe the authority in this case was the Township Engineer. The Township Engineer has said that the engineering work meets all specifications. It was me that said I had wanted the Shade Tree Commission to approve the trees that had not been planted to replace the damaged or the removed trees. As I understand it now, it is not up to the Shade Tree Commission. They were the ones who listed the types of trees etc. that they preferred. I accept that but here is the part that I need clarification on. Last meeting we passed a tree ordinance for trees on public property. Many of the trees that were damaged or removed during this development were on township property. To me this is a bit of a contradiction. I understand that development on private portion is up to the Engineer.

Mr. Pidgeon thought this was an unusual situation because ordinarily there would not be performance guarantees and engineering inspections to this extent. A developer's agreement was entered into and he agreed to make contributions to do the Townships infrastructure above and beyond those on his property. As I understand it from talking with the Township Engineer he believed some of the damage to the right of way trees may have been caused by the township when they were doing paving work. There was an agreement entered into between the Township Engineer and Mr. Bodnar with respect to the number to trees that had to be replaced and where they had to be replaced. I believe the Shade Tree Commission had some input. However, in the developers agreement itself, executed prior to the problem with the trees, although not specifically covered by the MLUL it incorporated those provision which says that upon substantial completion of the improvements the developer submits a request to the Township Engineer to have his performance guarantee released which Mr. Bodnar did. The Township Engineer inspected the property and trees and was satisfied with the requirement. Under the circumstances I think we are hard pressed to go against our engineer.

Mr. Aroneo stated he had been out of this since 2011. I was very involved in 2010 when the issues first came to light. At the beginning there were issues about trees. That was a reason for a meeting with the interested parties who actually brought the issues to our attention. In the developers agreement I think there is provisions for tree replacement (12-17). Didn't the Shade Tree



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Commission have a meeting with Township Officials? There was money set aside for tree replacement?

Mr. Pidgeon said it was covered by the Performance Bond. Mr. Ferriero's opinion was that Mr. Bodnar had complied with the requirements and had written that the trees had been planted and the bond could be released.

Phylis Fast, Shade Tree Commissioner, indicated that she was not personally aware of any other trees being damaged after the requests were made. In speaking with other members it seems there was a maintenance guarantee bond that has to be provided. That seems to be the issue. The maintenance guarantee bond was for the trees that had been planted just in case some do not live for two years. I do not know if the site had been inspected for the trees that were requested. If the Township Engineer has done that then I think we are okay with it. I know the street trees that were damaged at the beginning of the project was an issue.

Mr. Pidgeon said that Mr. Ferriero had inspected the property and all was in order.

Deputy Mayor Piserchia thanked the Shade Tree Commission for their assistance.

Mr. Aroneo asked Mr. Pidgeon, as he had participated in the discussion, if there was a problem if he voted. He was advised that no conflict existed and therefore he could vote.

A motion made by Mr. Schuler to approve Resolution 12-150 which was seconded by Mr. Aroneo.

Roll Call Vote: All Ayes

**RESOLUTION 12-150  
AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF  
MAINTENANCE BOND [BODNAR]**

**WHEREAS**, Stephen Bodnar, owner of 45 Highland Avenue for Block: 11103, Lot: 12 requested the return of his performance guarantee; and

**WHEREAS**, Stephen Bodnar posted a Performance Guarantee in the amount of \$4,440.00 (Cash Deposit) and \$40,400.00 (Letter of Credit) for the specified improvements made payable to the Township of Long Hill; and

**WHEREAS**, Township Engineer Paul Ferriero, in a February 1, 2012 memorandum, approved the full release of the performance guarantee which includes the \$4,400.00 cash guarantee and \$44,400.00 letter of credit in exchange for a Maintenance Bond in the amount of \$5,550.00 for a two (2) year period; and

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

1. Performance Guarantee in the amount of \$4,400.00 (cash) is hereby released subject to the receipt of the maintenance bond.
2. The Millington Savings Bank Letter of Credit in the amount of \$44,400.00 is hereby released subject to the receipt of the maintenance bond.

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3. The Maintenance Bond in the amount of \$5,550.00 shall be posted.

### **Old Business:**

#### Council on Affordable Housing Update

Mr. Aroneo indicated that he did not have a lot to report. He knew the Planning Board and Mr. O'Brien are working on this and July 17<sup>th</sup> is the deadline. The state had been very quiet. If we have not encumbered the money by July 17<sup>th</sup> they have a right as an account holder to withdraw it. A discussion ensued among the Committee regarding the use for the money.

Deputy Mayor Piserchia pointed out that the Senior Center did not have a generator. In case of any emergency it would be good to have one so the center would be available if needed. As it is not affordable housing perhaps looking into grants would be a wise thing to do.

Deputy Mayor Piserchia noted that at the last meeting we had spoken about turfing Riverside Field and I think we said the first week in April. I will not be here and I would like to be here for that discussion if we have added it to the agenda for April 11<sup>th</sup> I would like to move it to the next meeting.

Mr. Aroneo said he would like a full Committee and agreed to move the date.

### **New Business:**

Deputy Mayor Piserchia said there were comments about White Bridge Road and it is a problem. Tom Sweeny, DPW Director, is well aware of it. The problem is the road would use up his entire paving budget. Maybe we should discuss this with a full committee.

Mr. Aroneo pointed out that Mr. Ferriero is excellent at grants. He thought that White Bridge may be a connector road. Possibly there is a grant out there. The downside is the lead time. The upside is the possibility of getting a large percentage of the cost. Mr. Aroneo questioned liability in regards to the roads condition.

Mr. Pidgeon said that for the town to be liable there has to be particular dangerous conditions and one of our defenses would be economic resources. If there is a hole in the road we have to fill it but it does not mean that we have to redo the road.

Deputy Mayor Piserchia suggested that we ask Mr. Sweeney to address the pot holes as best he can with the eye on applying for a grant at the end of 2012.

Mr. Sheola commented that Public Works asked for \$25,000 for potholes. It would be good if we looked at a phased program.

Deputy Mayor Piserchia had one quick item. Residents had approached him regarding a turn signal on Valley Road. Traveling west on Valley Road and when making a left onto Plainfield there is a turn lane but no left hand signal. Can we ask the county to address that? The reason it was brought to my attention was that it is dangerous for young drivers going to the high school.

Mr. Sheola said he would pass the request on to the Police Department and the county for their review.

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### **Meeting Open to the Public**

Mr. Sandow invited everyone to the Pasta Fiesta at the Senior Center on Friday at 5 o'clock.

Mr. Bangs, resident of River Road, stated that he has spoken with the local police department and they said that at some point in time they could actually control some of the traffic on the road. I had heard that the state needed to get involved. With that in mind I phoned the state and spoke with Mr. David Martin. Essentially he said the problem falls back to the county and local department. He reviewed his findings and his concerns with traffic on his road.

Deputy Mayor Piserchia asked how much flexibility the town had. Can we restrict it to our satisfaction?

Mr. Pidgeon said anything done would have to meet DOT regulations. I would defer to the Police Department.

Mr. Bangs gave a brief description as it pertains to the traffic patterns. He mentioned a school bus that speeds down the road at around 3:45. He added that large tractor trailers are also using the road.

Mr. Aroneo referred to Mr. Pidgeon statement where it was possible to restrict the traffic flow. Doing that may cause other problems.

Mr. Bangs suggested using police barriers to re-route traffic.

Mr. Aroneo said that before he would even consider any restrictions of traffic he would want to talk to the Police.

Mr. Bangs asked that the School Board be contacted regarding the speed of the school buses (Morris County Commission from New Providence/Morris Union Jointure). He was advised that they would be notified tomorrow. Mr. Bangs went on to say that he had a petition which presently has 31 signatures (households), with more signatures expected, that want something done.

Mr. Bangs asked if there was Wifi available in the council room or the Library so that there is public access. He was advised that there was a secure server.

Mr. Sandow said there were 2-3 wireless routers in the Library and they are accessible even from the parking lots. To get one that covers this building would mean running a very long Ethernet connection with additional routers. He did not think it was the right thing to do. He noted that the Library service often gets overloaded.

Mr. Santacross said he heard a remark about barricades on Valley Road. He was advised there were no barricades anywhere.

Mr. Aroneo wanted to recognize that this was Mr. Sheola's last regular meeting as our Administrator. He has generously offered to help us with our budget. He thanked Mr. Sheola for the last five years and wished him well in all of his future ventures.

The Committee Members all extended their thanks Mr. Sheola and wished him well.

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Mr. Sheola stated that the last five years went quickly. It has been a privilege and honor to serve the residents of Long Hill. He wished all Good Luck.

No further comments from the Public.

**Adjournment**

There being no further business, a motion was made by Mr. Schuler and seconded by Mr. Aroneo to adjourn the meeting at 9:35 p.m. Vote: All Ayes

Respectfully submitted,

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Christine A. Gatti  
Township Clerk  
/mf/

Approved: July 18, 2012