

Long Hill Township Committee Minutes April 25, 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, **April 25, 2012** at 7:00 p.m.

Statement of Adequate Notice:

Mayor Mazzucco 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:

RESOLUTION 12-174 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:

- Consultant Request
- Tax Clerk
- Township Administrator Recruitment
- OEM Director
- Volunteer
- Personal Manual

Attorney Client Privilege:

- Zoning

Property Acquisition:

- Open Space

Privacy:

- Parking

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.

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Roll Call:

On roll call the following Committee members were present:

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Jerry Aroneo; Guy Piserchia; Guy Roshto; Cornel Schuler; Mayor Michael Mazzucco

Absent: None

Also present: John Pidgeon, Township Attorney; Christine Gatti, Township Clerk

Township Committee Liaison Reports:

Mr. Aroneo updated the Committee and public on the following as Township Committee Liaison; he reviewed the COAH Trust balance and pointed out that the state may seize control of those assets on July 17th. He recommended that the township authorize improvements to our own affordable housing projects at Lounsberry Meadow. He suggested that Planners be interviewed for that position in order to make a recommendation to the Township Committee. He stated that the Open Space Advisory Committee is continuing to review acquisitions for open space and moving along with the grant process. He pointed out that the Communications Advisory Committee is always looking for help and volunteers.

Mr. Roshto updated the Committee and public on the following as Township Committee Liaison; on Saturday the Flood Plain Advisory Committee had had spent a couple hours touring the Passaic River. He added that there has been remarkable progress made by Morris County. They are stopping now for trout season but plan to return in August. The Culvert Hill area and by South Main are done. He reviewed Planning Board discussions at their last meeting.

Mr. Piserchia updated the Committee and public on the following as Township Committee Liaison; The Shade Tree Commission wanted me to state publicly that the Challenge Grant for 2012 was a rousing success and they ended up with 24 applications. They asked that we thank Denis Kelly and the Echo Sentinel because of the publicity they generated. He reviewed items reviewed by the Shade Tree Commission.

Mr. Roshto reviewed the new communication system Global Connect which is similar to the reverse 911 system and something that we are long overdue for. Most of the residents would probably agree that communication over the past three serious events was lacking. This will give us the ability to reach out to the residents, to let them know what is or is not happening in town, where the events or flooding is occurring in town and where roads are closed, etc. He reviewed the system and training of township officials.

Discussion:

Draft Meyersville Hamlet Ordinance

Mayor Mazzucco commented that the Committee wanted to get comments from the public on this matter so we sent out letters to many of the hamlet residences in order to get their input.

Mr. Roshto summarized the proposed ordinance. He reviewed the history of the matter and discussion and recommendation from the Planning Board.

Mayor Mazzucco opened the discussion item to the public for comment.

Richard Pfluger, resident of Hickory Tavern Road, commented that the people of Meyersville basically want it to stay the way it is and do not want change. He reviewed the language in the ordinance regarding residential on the first floor of the building. He added that he thinks we

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should keep the setback at 50 and no residential on the first floor. You are having a specific name and zoning change and I think that needs clarification. If it's a hamlet it should be referred to as such.

Cecilia Cilli, resident of Gillette, agreed with Richard on the setback of 50 ft. They were set so that you would not have an encroachment in the circle. The proposed change would increase the development and possibly impervious surfaces. She reviewed other concerns with the language in the proposed ordinance. She recommended that entertainment be clearly be defined – indoor/outdoor.

Mr. Pidgeon and Ms. Cilli reviewed the ordinance language.

Ms. Chili pointed out that one of the members of the Planning Board who is writing this proposed ordinance has a business arrangement with one of the largest property owners in this area. Shouldn't that person recuse himself from this redevelopment of Meyersville?

Mr. Pidgeon stated that he would say yes they should recuse themselves.

Deborah Schmidt, resident of Meyersville, requested that the Committee say no to the proposed ordinance from the Planning Board and reviewed her concerns which included flooding.

Maureen McCoy, resident of Meyersville, reviewed her concerns with the ordinance and pointed out that the language is confusing and unclear.

Mr. Roshto and Ms McCoy reviewed the language in the ordinance. Mr. Pidgeon recommended that buffer be clarified in the ordinance.

Rosemary Griss, resident of Meyersville, addressed her concerns with the proposed ordinance language and pointed out that the Meyersville Master Plan is not a hap-hazard document and much thought has gone into the writing of this Plan.

Angelo Sella, resident of Meyersville agreed with her neighbor and indicated that she does not see any benefit in changing the ordinance. She added that the residents love Meyersville the way it is and the changes do not make sense.

The Committee thanked the residents for coming out to comment on this matter. Mayor Mazzucco commented that the consensus seems to be to not change the setbacks and not authorize first floor residential. The Committee reviewed the matter. Mayor Mazzucco stated that there was a comment in regards to the partnership of one of the members of the Planning Board which should be addressed. Mr. Pidgeon stated that the Committees feelings should be made known to the Planning Board. The consensus of the Committee was that the suggestions should be forwarded to the Planning Board. Mr. Roshto indicated that forwarding the proposed ordinance back to the Planning Board with comments is the right thing to do and stated that he would write up a memo of the comments and concerns. He added that it seems that the public is interested in having the zone changed to Meyersville Hamlet. The Committee reviewed their concerns and Mr. Roshto agreed to refer the matter to the Planning Board.

Main/Central Avenue Project

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Paul Ferriero, Township Engineer, indicated that the township applied for NJDOT grant funding in two phases; one was \$175,000 and the other for \$195,000. The original cost estimates for the project was about \$450,000 for all the construction. That compares to \$370,000 which is what we received in the grant. On top of that there are costs associated with the design/management of the projects. As part of the grant program the township must consider each project separately. He reviewed the estimates.

He reviewed the project which is essentially milling, paving re-stripping, changing the handicap ramps for the sidewalks, changing the drainage inlet along the road. We will be retaining the concrete accents that we put in a few years ago.

He indicated that does not know where the delineation line is between phase one and two. If we design and build the project separately we are probably talking about a total of \$67,000. He reviewed his letter dated April 19th. I estimated the design cost would be \$28,000 and the construction management would be \$15,000 which saves the township about 1/3 of the cost. Also, we are about \$80,000 short on the construction. The DOT will not reimburse the municipality for any of the design costs. He reviewed his recommendation. A discussion ensued on the condition of the road and possible remedies.

He advised the Committee that the township has until August 22nd to award a contract for Phase I. As I said it does make sense to do phase one and two together. I would recommend that we start with the design for the full project now with the goal of awarding the full contract by the 22nd of August. The bid specs are included in the \$28,000.

Mr. Piserchia questioned White Bridge Road. We need some numbers as to the cost. Mr. Ferriero reviewed the background on the road. He stated that the paving job itself would cost approximately \$240,000 to do the road from Carlton to New Vernon Road.

The Committee along with Mr. Ferriero reviewed possible grant funding the timeline for grants. Mr. Aroneo commented that he is in favor of grant funding or perhaps phasing it for grant funding. Mr. Piserchia asked if the road can be taken over by the county or state and Mr. Ferriero indicated that the township can always ask.

Mr. Ferriero reviewed the Complete Streets program and policy and recommended the Committee consider the resolution which he can draft. He added that adopting the policy gives us an extra point when applying for grants with DOT. The Committee agreed with his recommendation.

Tom Sweeney, DPW Director, stated that White Bridge Road is the worst road in the township and we receive the most complaints about this road. He reviewed his concerns with the road getting progressively worse. He suggested that the township apply for grant funding for Carlton Road.

Mr. Ferriero's stated that he would move forward with the Main/Central Avenue project and asked that the Committee let him know on their decision regarding White Bridge Road.

Turf Field Proposal

Mr. Piserchia stated that residents have requested that the township turf Riverside Park Fields. The Committee at that time was receptive to the idea. We had mentioned to a few of the residents that came and represented the petitioners that we would give them some kind of an

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answer by April of last year. He added that there were reasons why we could not give a definitive answer a year ago. However here we are a year later and the same residents have been contacting us asking when this would be addressed. My personal feeling is Long Hill is in desperate need of a turf field or two and the demand from the residents is fair. He added that he is sure that local organization would also fundraise for this project.

Mr. Ferriero commented that when you build a turf field you see a nice carpet that everyone plays on. Under that there is probably 18 inches of stone with drainage system in it which takes the water away. He reviewed the process of building a turf field. He reviewed the advantages and disadvantages of a turf field. He added that he does know what is involved with Riverside or whether it can be done or not. There has been a lot of discussion about turf field and issues with lead, coloring, etc. most of which have been solved. You have to keep in mind that it is not just the field that you have to construct. You have to build a storm water management system to go with it. I don't know what the cost of carpet replacement is. I have been told longevity is approx. 7-10 years.

Mayor Mazzucco suggested that Mr. Ferriero look into the details and give the Committee a more accurate estimate on the approximate cost of the project and what is needed. Mr. Ferriero stated that he could get some of the information together quickly. We would have to find out the water table by doing some soil bores off the edge of the field. I have designed these fields in areas where there was nothing but clay.

Mr. Aroneo commented that when we originally examined the issue we thought we needed more fields. We did not need to use the existing fields more intently. We need to acquire more fields because of things happening at the same time. We have been running with that project. We need to acquire properties that would give us more grass fields and then come back to this at another point. If we do decide to go with one turf field we still have to fund it. If it were to be privately funded then we can take a different approach. If we have to fund it we have only three options. Take it out of our regular budget, issue bonds for it or tap the open space fund. Are we prepared to fund it? Do we abandon what we have been working on? Do we continue to go with the current project?

Mayor Mazzucco recommended that we do our homework and find out the costs or if it is feasible.

The consensus of the Committee was to authorize Mr. Ferriero to investigate and then report back his findings.

Little League Draft Lease

Lisa Scanlon, Recreation Director, pointed out that since I starting as Recreation Director I keep hearing about the supposed 99 year lease that exists between the Township and Little League for the use of the fields. Because we could not find the lease we decided that there should be one. One of the things that became apparent is that within the standard lease Mr. Pidgeon had recommended there be some language in there about the Little League covering their own utility bill which has not been the practice and has been paid by the township. She added that this would be a substantial nut for the Little League to absorb. Right now it is run by volunteers and the costs are structured to run the facility. She commented that she feels the fees they charge the residents to participate is very reasonable. Boards of volunteers maintain the fields. They also help us maintain Meyersville Field.

Mr. Pidgeon said the lease was for ten years with four renewals.

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The Committee along with Mr. Pidgeon reviewed the language in the lease in regards to the utility cost.

Toughbook Data Charges

Mr. Piserchia stated that the township bought Toughbooks for the Stirling Fire Company, Millington Fire Company and the First Aid Squad. They will be installed in two vehicles. In the future each of the companies and the First Aid Squad may either purchase an additional one themselves or come back for Capital Budgets. There are wireless charges associated with each of these Toughbooks, anywhere from \$30-50 each. It is \$240 per month if we were to cover it for each of the services. I would suggest that we cover the cost of the service. They need these to do their job and I feel it is a reasonable request. The Committee reviewed the matter and agreed to invite the Chiefs to the next meeting to review the matter.

Ordinance Public Hearing / Consideration of Adoption:

ORDINANCE #302-12 - An Ordinance Restricting Parking At The Meyersville Field To Patrons Of The Facility

The Committee reviewed the language in the ordinance and their concerns with enforceability. Mr. Roshto suggested that township explore their options to possibly access parking elsewhere. Mayor Mazzucco commented that this is a huge safety issue and added that he does not feel obligation to offer parking to out of town cyclists. Mr. Schuler agreed with Mayor Mazzucco. Ms. Scanlon reviewed the matter and issue with limited parking during field use. Mr. Piserchia comments that he recognizes challenge benefits outweigh negatives and perhaps the township can initially give warnings. Mr. Aroneo stated that he has never been in favor of the ordinance although there is no other solution. The Committee along with Ms. Scanlon reviewed the matter.

Mayor Mazzucco opened the public hearing.

Dennis Sandow, resident of Millington, said that the DPW Director had said the eastern end of White Bridge had been paved down to the parking lot. That parking lot is now paved. He suggesting is that we take a more pro-active view of the cyclist and erect a series of signs that say direct the bicycle riders to park in the Feds Parking Lot.

Ms. Schmidt felt Mr. Sandow's suggestion was a wonderful idea. By putting the sign there it would eliminate requirement of an ordinance with selective enforcement.

Mr. Aroneo agreed that it was a great idea. Mayor Mazzucco reiterated that this is a safety issue that must be addressed. Mr. Roshto suggested that the township try the signage first. Ms. Scanlon suggested that there be enforcement in order to solve the parking problem. Mr. Aroneo agreed with Mr. Roshto to try the signage and redirect cyclist parking. Mr. Piserchia commented that he does not think the ordinance is onerous.

Mayor Mazzucco closed the public hearing

A motion was made by Mr. Piserchia and seconded by Mr. Mazzucco to adopt Ordinance 302-12. Roll Call Vote:

Ayes: Mr. Piserchia, Mr. Schuler and Mayor Mazzucco

Nays: Mr. Aroneo and Mr. Roshto

Ordinance passed.

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A motion was also made by Mr. Aroneo, seconded by Mr. Roshto to direct the Recreation Director to work with the DPW Director to provide signage directing bicycle traffic away from field to the cul-de-sac as discussed. 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

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

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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 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

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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:

Consent Agenda Resolutions:

Mr. Aroneo abstained from voting on Resolution 12-176.

Mr. Aroneo reviewed Resolutions 12-186 and 12-187.

Joan Donat, Tax Collector reviewed the conference and CEU need/

Mr. Aroneo requested that a report be provided detailing the business need and how attending the conference benefits the township; the Committee agreed.

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

Roll Call Vote: All Ayes

Mr. Aroneo – abstained from Resolution 12-176

**RESOLUTION 12-175
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 12-176
AUTHORIZING RELEASE OF ENGINEERING REVIEW ESCROW [BODNAR]**

WHEREAS, Stephen Bodnar, owner of 45 Highland Avenue for Block: 11103, Lot: 12 requested the return of his Engineering Review Escrow; and

WHEREAS, the Township Engineer has certified that there are no outstanding invoices and has approved the release of the Engineering Review Escrow;

WHEREAS, the Chief Financial Officer has determined that \$939.55 remains in the account;

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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 Engineering Review Escrow in the total amount of \$939.55 to Stephen Bodnar.

**RESOLUTION 12-177
APPROVAL OF SEWER REFUND**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby authorize a refund in the amount of \$367.90 for 2010 Sewer on Block: 12203 Lot: 21 to Marco Santacross, 2044 Valley Road, Millington, NJ 07964, due to a change from a flat well rate to a metered well for the year.

**RESOLUTION 12-178
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 1st quarter taxes for Block: 12701 Lot: 12 in the amount of \$4,897.40 to Chris J. Garavente, 120 Shawnee Path, Millington, NJ 07946 due to duplicate payment.

**RESOLUTION 12-179
AUTHORIZING REFUND FOR
TAX TITLE LIEN CERTIFICATE [BLOCK: 13501, LOT: 6]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Tax Collector, does hereby authorize a refund check which represents the redemption of Tax Title Lien #1236 for Block: 13501 Lot: 6 dated 12/6/2011 in the amount of \$16,760.46 to Ridge Capital, PO Box 653 Montvale, NJ 07645.

**RESOLUTION 12-180
AUTHORIZING FINANCIAL CONTRIBUTION – MEMORIAL DAY PARADE**

BE IT RESOLVED that the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, authorizes the donation of six hundred dollars (\$600) to Memorial Post 484 to offset expenses for the Memorial Day Parade on May 28, 2012.

**RESOLUTION 12-181
APPROVING SPECIAL EVENT LICENSE –
AMERICAN LEGION POST 484**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S 12-07 for the “2012 Memorial Day Parade” to the “Sponsor” American Legion Post 484, for their Special Event to be held on May 28, 2012 on Main Avenue and surrounding streets in Stirling; and

BE IT FURTHER RESOLVED that the Township Committee hereby authorize the street closures for the American Legion Post 484 on May 28, 2012 provided that the closure is acceptable to the Police Chief;

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

**RESOLUTION 12-182
APPROVING SPECIAL EVENT LICENSE [LONG HILL TOWNSHIP PBA CIVIC
ASSOCIATION]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S 12-05 for the event to the "Sponsor" Long Hill Township P.B.A. Civic Association, for their Special Event to be held on June 1, 2012 at the Long Hill Township Community Center on Warren Avenue in Stirling; and

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

**RESOLUTION 12-183
APPROVING SPECIAL EVENT LICENSE –
JOSEPH E. ENRIGHT FOUNDATION / HEALTH TREK**

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 12-06 for the "Health Trek" to the "Sponsor" Joseph E. Enright Foundation, for their Special Event to be held on May 12, 2012 on various streets in the township as listed in their application; and

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

**RESOLUTION 12-184
AUTHORIZATION FOR THE TOWNSHIP TO ACCEPT A
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2012 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 #2012-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

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WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award #2012-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 2012 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 FFY10 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 2012 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 FFY12 Homeland Security Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that the Long Hill Township Clerk, 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 12-185
AUTHORIZING SALE OF ABANDONED JUNK VEHICLE**

WHEREAS, the Township Police Department obtained junk title to an abandoned 1994 Ford, Contour motor vehicle (VIN 1FAFP6532XK234947) pursuant to *N.J.S.A. 39:10A-3*; and

WHEREAS, *N.J.S.A. 39:10A-1b* provides that when any municipality shall have taken possession of a motor vehicle found abandoned and when such motor vehicle which has been ascertained not to be stolen and to be one which can be certified for junk title certificate shall have remained unclaimed by the owner for a period of fifteen (15) business days the same may be sold at auction in a public place; and

WHEREAS, subparagraph d of *N.J.S.A. 39:10A-1* provides that the public agency shall give notice of a sale conducted pursuant to § b by certified mail, to the owner, if his name and

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address be known and to the holder of any security interest filed with the Director, and by publication in a form to be prescribed by the Director by one (1) insertion, at least five (5) days before the date of the sale, in one or more newspapers published in this state and circulating in the municipality in which such motor vehicle is held; and

WHEREAS, *N.J.S.A. 13:10A-1* further provides that if the motor vehicle is sold at auction prior to identification of the owner, the public agency shall document the condition of the motor vehicle in writing and with photographs prior to the sale; and

WHEREAS, *N.J.S.A. 39:10A-3* provides that said junk title certificate with proper assignment thereon shall be assigned and delivered to the purchaser of the vehicle at public sale; and

WHEREAS, *N.J.S.A. 39:10A-5* provides that the proceeds realized there from, after payment of the expenses of possession and sale, shall be remitted to the treasury of the public agency as its sole property; and

WHEREAS, *N.J.A.C. 13:21-10.1* provides that a motor vehicle junk title certificate is a terminal certificate which means that the vehicle described thereon may not be subsequently titled or registered in this state;

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

1. The sale of the 1994 Ford 4-door Contour motor vehicle (VIN 1FAFP6532XK234947) is hereby authorized.
2. The public sale shall be conducted in accordance with the requirements of *N.J.S.A. 39:10A-1b* and *d*.
3. The minimum bid that will be accepted is \$250.00.
4. If the towing contractor is the only bidder on the subject vehicle, the junk title to that vehicle may be assigned to the towing contractor to cover the towing and storage charges.

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5. If the vehicle is sold to a third party, the proceeds shall be used to pay the towing and storage charges and the transaction shall be handled for budgetary purposes as an appropriation and a refund of appropriation.
6. The vehicle, the sale of which is authorized by this resolution, may be used only for parts or scrap and may not be subsequently titled or registered in the State of New Jersey.

**RESOLUTION 12-186
APPROVAL OF CONFERENCE REQUEST – WASTE WATER SUPERINTENDENT**

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

WHEREAS, the Township Committee has received a request through the Department of Public Works Director by the Waste Water Superintendent to attend the NJ Water Environmental Association Conference; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves the request of the Waste Water Superintendent to attend the NJ Water Environmental Association Conference as outlined in the memo dated April 4, 2012.

**RESOLUTION 12-187
APPROVAL OF CONFERENCE REQUEST – WASTE WATER EMPLOYEES**

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

WHEREAS, the Township Committee has received a request through the Department of Public Works Director that Wastewater Operator Kevin Lynn and Operator Helper Vincent Testa attend the NJ Water Environmental Association Conference; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves the request for Kevin Lynn and Vincent Testa to attend the NJ Water Environmental Association Conference as outlined in the memo dated April 4, 2012.

**RESOLUTION 12-188
AUTHORIZE CONSUMPTION OF ALCOHOL
AT STIRLING LAKE CONCERT AS PER TOWNSHIP CODE**

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 Recreation Director and Recreation Advisory Committee hereby approve a Lake Concert at Stirling Lake, Saturday, June 23, 2012 with Parrot Beach; and

BE IT FURTHER RESOLVED that based on the recommendation of the Recreation Advisory Committee alcoholic beverages be allowed at the concert in accordance with Long Hill Township Code 11-2.5, *et. sec.*, the Township Committee does hereby approve alcoholic

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beverages be allowed at the lake concert provided that the Recreation Advisory Committee provide the Police Chief with a plan to check identification and control the consumption of alcoholic beverages and the plan is acceptable to the Police Chief.

**RESOLUTION 12-189
AUTHORIZE WATCHUNG HILLS REGIONAL
MUNICIPAL ALLIANCE TO SUBMIT GRANT APPLICATION**

WHEREAS, the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Watchung Hills Municipal Alliance assists with the prevention of alcoholism and drug abuse in the Townships of Long Hill, Warren, Watchung and Green Brook; and

WHEREAS, the Township recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Watchung Hills Municipal Alliance Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset on behalf of the Township of Long Hill;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey hereby authorizes submission of an application for the Watchung Hills Regional Municipal Alliance grant for calendar year 2012 in the amount of \$25,873.00 and agree to a local match of \$1,500.

**RESOLUTION 12-190
FLOOD DAMAGE REDUCTION RESOLUTION**

A RESOLUTION ADOPTED PURSUANT TO SECTION N.J.A.C. 40:48-1, NEW JERSEY CODE ANNOTATED, FOR THE PURPOSE OF ESTABLISHING REGULATIONS DESIGNED TO PROMOTE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF ITS CITIZENRY.

WHEREAS, the residents of Long Hill Township continue to be impacted by significant flooding due to the Passaic River; and

WHEREAS, Long Hill Township has over 12 miles of river frontage, the longest in the Passaic Basin and represents the Passaic headwaters ; and

WHEREAS, the **PASSAIC RIVER BASIN FLOOD ADVISORY COMMISSION** has issued fifteen **COMPREHENSIVE RECOMMENDATIONS TO RELIEVE CHRONIC FLOODING**; and

WHEREAS, these fifteen recommendations included increased funding for property buyouts, routine river de-snagging, additional flood water storage areas, better emergency preparedness using inundation maps, and a DEP expedited permit process; and

WHEREAS, Morris County and the State of New Jersey have earmarked funds to buy out flood prone properties in an effort to get people out of harm's way along and within the Passaic River Basin; and

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WHEREAS the residents and businesses of Long Hill Township continue to experience personal injury, property loss, loss of income and significant inconvenience due to road closures without any real assistance to remediate or mitigate the continual flood threat; and

WHEREAS, these road closures have placed additional hardships on Public operations including Police, Fire, First Aid, Schools, and other vital support services;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Long Hill, in the county of Passaic, and State of New Jersey, that we support the recommendations advanced by the Passaic River Basin Flood Advisory Commission calling for practical solutions that will help to minimize the impact of flooding in the Passaic River Basin;

BE IT FURTHER RESOLVED that the recommendations and initiatives of the Passaic River Basin Flood Advisory Commission be acted upon in Long Hill Township without further delay in order to prevent and or minimize the impact of future flooding within the region by calling upon the continued support of Governor Christie, along with our District 21 legislators and senators.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Authorization.

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Township Committee of Long Hill Township, of New Jersey does ordain as follows:

Findings.

1. The flood hazard areas of the Township of Long Hill are subject to periodic flooding which results in injury, property damage, disruption of commerce and emergency services, extraordinary public expenditures and impairment of the tax base, all of which adversely affect the public's health, safety and general welfare.
2. The cumulative effect of development and other obstructions in and around the Passaic River Basin has contributed to a rising water table and increased flood heights.

Statement of Purpose.

It is the purpose of this resolution to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To heighten awareness for short and long term relief of communities continuously impacted by significant flooding.
2. To ensure community support for the functions of the Passaic River Basin Flood Advisory Commission and to make certain that the County and State continue to implement their recommendations until an acceptable relief system is implemented.

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3. Developing a sustainable river program that highlights positive recreational uses of the river while minimizing the flood damage effect it causes.

Objectives.

The objectives of this Resolution are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize business interruptions;
5. To minimize damage to public facilities and utilities located in flood prone areas;
6. To maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area and the methods set forth to reduce continued flood losses;
8. To maintain eligibility for participation in the National Flood Insurance Program (NFIP).

BE IT FURTHER RESOLVED that the Clerk is hereby directed to forward a copy of this Resolution to all Municipal Clerks in Adjoining Municipalities, to the Morris County Mosquito Commission, to the Morris County Freeholders, to the Morris County Road Department, to the Morris County Park Commission, to the Governor's Office and to our State Representatives.

**RESOLUTION 12-191
RESOLUTION SUPPORTING A-2717**

WHEREAS, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be "committed for expenditure, or risk forfeiture to the State;" and

WHEREAS, the 2008 Act did not define the term "committed for expenditure" and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for "committed" as well as a timetable for expenditures; and

WHEREAS, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its "3rd round regulations" establishing municipal obligations under the "Fair Housing Act"; and

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WHEREAS, COAH's 3rd round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

WHEREAS, eight years of litigation over COAH's methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Long Hill in the County of Morris urges our State Legislators to **support and approve A-2717**, which will provide a four-year extension for municipalities to commit the municipal housing trust fund dollars; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the sponsor of A-2717, Assemblyman Anthony Bucco, Senator Thomas Kean, Assembly Representatives Jon Bramnick and Nancy Munoz, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

New Business

Mr. Piserchia pointed out that he was approached by First Aid Captain English in regards to their need for a laptop computer. Now that the Committee is utilizing iPads for township business there is a spare. He recommended that the laptop be allocated to the First Aid Squad.

A motion was made by Mr. Piserchia, seconded by Me. Schuler to allocate the spare laptop to the First Aid Squad. Vote: All Ayes

Appointments

Mayor Mazzucco pointed out that there are two openings on the Planning Board.

He appointed Charles Arentowicz to the regular position which expires 12/31/2013 and Sandy Ramar to the regular position which expires in 12/31/2012.

Mayor Mazzucco extended heart felt thoughts and prayers to the families of Robert Falzarano and his brother George, long time residents, who were involved in as accident in Arkansas on Monday. Unfortunately one of the other gentlemen they were with passed away and we all extend our condolences to his family.

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Meeting Open to the Public

Mike Pesce, resident of Millington thanked the Committee for beginning to address the White Bridge Road issue. He encouraged the Committee to move on it sooner rather than later. He reviewed his concerns and need to fix the road. He questioned whether there were grant funding available. I did want to make a comment but it does trouble me that we have a road that has reached the end of its useful life.

Mr. Aroneo stated that when he started on this committee five years ago there was no roads program and we started one. He reviewed the process which includes rating each road. He commented that the reason why White Bridge Road has not been paved is because it is a road that no one uses. We have a funding plan in place for road repair and we have pushed out DPW Director to start a new program for crack sealing.

Joan Donat, Tax Collector, commented that she was disappointed that she was not called into private session. She added that she would like to discuss the vacant Tax Clerk position and what is needed.

Mr. Aroneo and Ms. Donat reviewed the matter of hiring a part-time tax clerk. Ms. Donat commented that she needs a part time clerk right away for both the Tax Collector and Assessor office. Mr. Aroneo stated that the Committee decided to give the Tax Office support during the peak periods which is around tax collection time. Mr. Aroneo and Ms. Donat reviewed the matter. She reviewed the added responsibility and work in her office.

Mr. Roshto questioned whether she has found residents waiting out in the hall when the office is closed. Ms. Donat indicated that there are lines outside her office. She reviewed her concerns with the lack of assistance and back up in the tax office. Mr. Aroneo and Ms. Donat reviewed the matter and Mr. Aroneo pointed out that the department is still under review. He added that personally he is not in favor of hiring for that department until we hire an administrator. He asked that she work with the temporary help that we have provided .A discussion ensued as to the duties in the office, possible amendment to the resolution and proposed allocations. Mr. Aroneo thanked Ms. Donat for her hard work.

A motion was made by Mr. Aroneo seconded by Mr. Roshto to authorize our tax department to hire temporary part-time staff for five four week cycles per year at a rate of \$15.00 per hour at the discretion of the Tax Collector.

Vote: All Ayes.

**RESOLUTION 12-192
AUTHORIZE EMPLOYMENT OF
PART-TIME CLERK IN THE TAX OFFICE**

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby authorize the Tax Collector to appoint a Temporary Part-time Clerk for the Tax Collector and the Tax Assessor's offices for five four weeks cycles (twenty total weeks) per year at a rate of \$15.00 per hour for temporary support for the tax office used at the discretion of the Tax Collector.

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.

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Meeting Open to the Public [continued]

Dennis Sandow, resident of Millington, revisited the paving issue. He stated that he heard the engineer say that he would be putting the bids out for Main Avenue in August. He reminded the Committee that the 22nd annual bicycle race will be on July 22nd and this will be yet another year where we have to say we are almost going to get it paved in time for the race. He commented that he would like to work with the Engineer and the Public Works Superintendent and see if there is any way we can get something done in that area.

Adjournment

There being no further business, a motion was made by Mr. Pierchia and seconded by Mr. Aroneo to adjourn the meeting at 11:00 p.m. Vote: All Ayes

Respectfully submitted,

Christine A. Gatti
Township Clerk
/mf/

Approved: July 18, 2012