

**Long Hill Township Committee Minutes
September 26, 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, **September 26, 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:

A motion was made by Mr. Aroneo and seconded by Mr. Piserchia to approve Resolution 12-318.
Vote: All Ayes

**RESOLUTION 12-318
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:

- Recreation Director
- Personnel Manual

Contract Negotiations:

- Millington Train Station Roof
- Charles Road
- DPW Agreement

Attorney Client Privilege:

- 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.

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Roll Call:

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On roll call the following Committee members were present:

Mr. Aroneo (arrived 8:15), Mr. Piserchia, Mr. Roshto, Mr. Schuler, Mayor Mazzucco

Absent: None

Also present: Mr. Pidgeon, Township Attorney; Ms. Gatti, Township Clerk

Appointments of New Administrator

Mayor Mazzucco made a motion, seconded by Mr. Roshto to approve **12-343**, to appoint Mr. Neil Henry as Township Administrator. Vote: All in Favor.

**RESOLUTION 12-343
APPOINTING TOWNSHIP ADMINISTRATOR - HENRY**

BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that Neil Henry is hereby appointed as the Township Administrator effective September 27, 2012, under the following terms and conditions contingent upon the clearance of the appropriate background check:

1. Neil Henry shall serve as the Township Administrator pursuant to Article II of the Township Code, as authorized by *N.J.S.A. 40A:9-136*.
2. As Township Administrator, Neil Henry shall have the powers and duties set forth in subsection 2-5.6 of the Township Code.
3. Neil Henry shall serve at the pleasure of the Township Committee.
4. Neil Henry's annual salary shall be \$115,000, which will be prorated for the balance of 2012.
5. Neil Henry shall be entitled to three (3) weeks [112.5 hours] towards vacation time, three (3) personal days [22.5 hours] and twelve (12) sick days [90 hours] all prorated for the balance of 2012 as per offer letter dated September 13, 2012. In all other respects, Neil Henry shall be subject to and entitled to the benefits set forth in the Personnel Policies and Procedures.
6. As an executive employee exemption, Neil Henry shall not be entitled to any overtime or compensatory time for hours worked in excess of forty (40) in any week.

Mayor Mazzucco invited Mr. Henry to come up, introduce himself to the Township and to tell us a little about himself. Mr. Henry thanked the Township Committee for the opportunity to serve the people of Long Hill Township. He said he had over twenty years in the private sector, working as a marketing, sales professional. He also served 6 years as the Mayor of Mendham Borough and a councilman before that. He has twelve years in elective government. He thanked everyone for this appointment and looked forward to working with everyone.

Township Committee Liaison Reports

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Mr. Piserchia advised that he and Mr. Roshto had attended the LAPC meeting this week. There are a few things worth mentioning. Under OEM guidance all of the 374 fire hydrants will receive markers. The cost will be \$8-10 per hydrant. OEM has \$2,500 dollars that they can use for this. It may cost more as the estimate was \$3,200.00 to \$3,500.00. He was asking if we could cover the balance. He felt it was a good deal for the Township. Installation will either be by the Fire Company or the Boy Scouts. All of the reflectors will be uniform. The monies could be raised privately but thought in respect of what they are doing maybe this will be something the Township will consider.

Mutual Aid Agreements

The LAPC would like to come up with very general mutual aid agreements with surrounding towns. The Committee has talked about this before. Mr. Roshto said the Chief Hedden called him this week and wanted to know whether we could rely on the statute. I thought it better to have mutual aid agreements. He was going to look at all the old ones, review them and then present a proposal. One practical suggestion I have is that we just enter in bi-lateral agreements with various towns. One of the things that came up at the LAPC meeting was can we combine DEPW, Fire, all the mutual aid agreements into one or do we need a separate one for each.

Mr. Pidgeon advised that the Police would be separate because they have their own statute. Mirror the same language and we have an overall shared services agreement whereas mutual aid is strictly limited to the Police Departments.

Mr. Piserchia said there continues to be spots in town where the reception for the new radios is not working. A county representative was there. There is nothing urgent but thought this Committee and residents need to be aware and that it is being worked on. (Mr. Roshto excused himself from this part of the presentation)

Mr. Piserchia Shade Tree Commission was thrilled with the Ordinance that we will be voting on tonight. There were a few places where they suggested different wording. In the beginning where we have "if a zoning permit" they suggested "when or where"; in the same sentence "the property owner may" they suggested "shall"; fourth line down the "zoning officer shall issue a permit only if" and thought it should be "when". Mr. Pidgeon said it was up to the property owner to apply. When the ordinance comes up just make a motion to amend and the changes can be made without any further hearing.

Mr. Roshto reported that the Morris County Mosquito Commission came back in the middle of last month. They are still here working three days a week clearing the Passaic River of debris. They have gone beyond just clearing the large pieces as the water table is so low, they have taken things from the bottom to keep things moving. Mr. Roshto commended the Morris County Mosquito Commission for being so responsive to the Township's needs.

LAPC also discussed the reverse 911 system which is contracted with Global Connect. One of the things they are waiting on from this Committee is a review on Global Connect Policy. Please make sure it is on our agenda for the next meeting for discussion.

Mayor Mazzucco said that Senator Kane's staff will be in the Library on Monday, October 1st from 11 am to 2 pm to assist residents with any questions or concerns on State matters.

Mr. Roshto also announced that Congressman Lance will be in the Library at 7:30 pm tomorrow night. I am going to be asking him about White Bridge Road and see if there is any federal funding available.

Discussion / Action Items:

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Proposed Turf Field at Riverside Park

Township Engineer Paul Ferriero to address the matter.

Mr. Ferriero was concerned with stormwater management and drainage. After a rain the water will not immediately drain into the ground. It will be like a sponge on top. We will have to manage the stormwater. We could put a system underneath the turf. At Riverside we have **mottling** at 15 inches. The infiltration system has to be at least 24 inches above that with the bottom with everything on top. Based on that I find that there will have to some kind of service stormwater detention basin. It is feasible it just needs more area to put the system in and there will be additional costs, possibly \$20,000-\$25,000.

Mr. Roshto questioned long term maintenance costs. Mr. Ferriero said there were a lot. Drainage is fairly routine. Turf fields have a lot of maintenance as they will be heavily used. There is specialized equipment for tending the field. It would be ideal if you could share the services as it has to be done a few times a year and It is expensive. The other thing to look at is the life cycle. It is essentially carpet and will wear out. The maintenance, how well it is installed and use will dictate how long it will last. If the drainage doesn't work properly that is another problem. We will have to install a drainage system.

Mr. Schuler asked what the cost of replacement would be in 12 years. Mr. Ferriero said he had heard \$150,000 - \$200,000. The life of the turf depends on the installation. Hopefully you will get 15 years.

Mayor Mazzucco said he had gone to Madison with Deputy Mayor Piserchia and Mr. Sweeny from DPW. Mr. Sweeny was talking at length with DPW director in Madison. One of the things he said was that you have to keep the leaves off of the product. They cannot sit on top of the turf as it will void the warranty. A challenge for our Riverside facility, which is surrounded by trees, is the maintenance aspect of having to keep it clear of leaves. That will be a time consuming effort. That is a big consideration.

Mr. Ferriero said on that thought that one other thing that had to be considered was a good fence around as you don't want unauthorized people using it.

Mr. Piserchia these are things that are certainly critical to any conversation to turf or not turf. I don't think it is something we need discuss tonight. The main thing I think we need to find out is can it be done. We are concerned about the cost of drainage issues, wetlands etc. where it might not be feasible. Mr. Ferriero said the next step is to find out what is the life cycle of the field.

Mr. Piserchia said they had spoken with the company that does most of the fields in the state and have an estimate. It is probably over a year old. The estimated cost could be anywhere from \$500,000-\$600,000 per field. \$200,000 is to replace a field but the initial cost is \$500,000-\$600,000. Mr. Schuler said that from his perspective we are discussing form \$625,000-\$650,000 initial outlay and then putting us on the hook every twelve to 14 years.

Mr. Piserchia said these were important considerations. We are probably the only town in this area that doesn't have a turf field. I have a contact in Madison and I knew they had built a sizeable complex. I called him and asked if he would mind giving me a tour. I was pleasantly surprised and do thank our friends in Madison for arranging a tour. We had the benefit of seeing the end product which was impressive. They explained to us how it began, the challenges they ran into and the effort it took to do this. They received remarkable responses from the local business. He wanted to publicly thank Madison for all their help and guidance.

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Madison used open space money, and money from the County to purchase the land and they used Bond Anticipation Notes of \$3,000,000.00 and change. Now what they are doing to pay back that debt they are letting people put banners up at \$1500.00 each; someone can pay \$100,000 to put their name on a field; the Athletic Foundation built a snack shack to the tune of \$110,000 and then donated it back to the town; they are doing a paving brick sale when once done will net \$600,000. The annual revenues come from charging all that use the field. It is used quite a bit and they generate a sizeable amount of money which helps pay down the interest and the debt. Their goal is within 10 years to have that paid off. In listening to the numbers they were throwing out I think they will achieve it. The exciting part was the 200 parking spots are full every weekend. It is a community attraction. I was very impressed with the facility.

Draft Off-Site Sign Ordinance

Denis Sandow, Promotion and Enhancement Committee was asked to see what could be done about sign clutter in town. We have conducted an inventory. There are 190 streets in town, 229 intersections. At those intersections there are 407 street signs and 1,657 other signs on the street for traffic control, direction, safety and alike. 42% (percent) of the signs in town are on County Roads and as a practical matter all the traffic control signs on those roads belong to the County. We would have to negotiate with them to do anything about clutter. There are already 115 directional signs before we talk about the directional signs for the businesses. These range from municipal location, county direction signs by towns, signs for 32 bike routes, signs for the VA Hospital in Lyons, signs for Historical markers. The question of how to get rid of the clutter is difficult because many of the signs support local ordinances and state law. If we pass a no parking ordinance we have to put up signs to make the ordinance enforceable. There are 357 no parking standing signs in town and to remove those you would have to take them out of the ordinance. Interestingly enough there are no more than three or four No Parking signs on Long Hill Road which is probably the most hazardous no parking road we have. I am not sure what to do more about that except maybe we need more than less. The common complaint is the approximately 50 faded signs which fall into 2 categories, No Parking and Standing and No Dumping are faded beyond readability. The entire 90 page inventory has been turned over to Public Works is matching the total list against the unreadable sign list. The Police Chief is aware of this as well. Sometime in the next 2 weeks we hope to meet with Public Works and the Police Department to go through a series of recommendations to give to this Committee before you pass the Ordinance as proposed. When you look at all the legalities involved we are not going to do much to reduce the clutter.

Mayor Mazzucco asked if we had budgeted for sign replacement. Mr. Sweeny thought there was about \$4,000 for sign replacement such as stop signs, speed limits, no parking signs, etc. The no parking signs are expensive. Through the co-op they could be \$8.00 - \$10.00 per sign. Mr. Sandow has been very helpful with his survey list. Mr. Ferriero said he would like to coordinate with Mr. Sweeny on this as there are some new federal standards.

Mr. Schuler asked if there was anything we could do streamline the number of signs. Mr. Pidgeon said as Mr. Sandow pointed out it is very difficult because every time we pass any type of traffic ordinance it is contingent upon signs being installed in conformance with the Manual and Uniform Traffic Control Devices.

Mr. Sandow said that on Castle Place (a small street off Mountain, south of Valley), there are 2 houses and 6 no parking signs. They are probably there due to the proximity to the yearly Berkeley Heights Fireworks. What do you want to do with that?

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Mr. Roshto said that one of points in the ordinance talks about the need for design standards. Has it been finalized? Mr. Sandow said that it had. The Great Swamp People have adopted the identical standard with a different background color for their signs. The Committee thanked Mr. Sandow for all his hard work.

Mr. Roshto said he was in favor of an ordinance that provides way faring signs that give direction to centers in the Township. He was not convinced that it makes sense to put signs up for off-site businesses and was not sure that he was comfortable advertising for the out of the way businesses on our main streets and right- of-ways. He would like to discuss crafting this ordinance in a way that high lights our main streets and centers of our towns. One of the signs that was shown on page 51 he thought was a beautiful example of what he would like to see. It looks a little historic and you could slide the signs in and out of the s6 slots as you need them. It is blue and white and had signs pointing to the post office, school, parking and whatever we want to highlight in town. He felt this more appropriate than the discussion of out of the way businesses. Mayor Mazzucco commented that everyone seems to find the Great Swamp Green House without signage. It is probably one of the best hidden places but it is always packed. I am not persuaded for us to advertise for businesses.

Mr. Piserchia asked Mr. Roshto, in regard to the sign he referred to, are you more amenable to the sign just saying restaurant rather than the name of the business. Mr. Roshto thought that was perfect and definitely thought out of the way businesses could benefit from having these wayfaring signs.

Mr. Aroneo asked if you would agree to it just saying "Green House" or Plant Store"? Mr. Roshto agreed. Mr. Aroneo thought this started with Murphy's who has no sign on their property but wanted one off premise. He was not sure if we needed to put restaurant or plant store. He was not opposed to it if it is done fairly, tastefully and with some limitations.

Mr. Roshto thought if it was done tastefully and represents our type of town it could be a nice addition.

Mr. Sandow, Promotion and Enhancement, said with respect to Murphy, he has no sign out because he is at a dead end and doesn't have enough frontage to qualify for a sign. The side of his building is a huge Murphy with Shamrock which cannot be missed when driving past on Poplar. With respect to the multi swap it out signs, those tend to be very small and work in a parking or 15 mile per hour zone. Any sign that we put up has got to meet the standards with four inch letters. Those get to be big signs with the size of the letters.

Mr. Roshto did not think we had to be focused on traffic. One of the things we have been focused on in the Planning Board is a live, work, walk. If that is the case this is the kind of sign that supports those elements.

Mr. Sandow thought the nature of the location is where we have a business zone which extends off the main thoroughfare, which is what we are talking about; all have 35 or 40 mile hour speed limits. To be affective the sign has to be readable at those speeds. If we had a truly walking situation with clustered buildings, yes the little signs would work. We are not talking about putting these signs on streets where there is slow traffic. If you want to put post office, down town, etc. then you are talking about large signs. We have no signs pointing to the lake. There are a lot of compromises involved. You can find a hundred reasons not to do this but the reasons to do it is that it has been promised too many businesses over the years and probably will not hurt if it is done tastefully and well.

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Mr. Schuler liked the idea of way fare rather than naming a business but giving a concept direction. I think to Mr. Sandow's point, Valley Road is a 35 mile per hour zone. We need signs that can be read from moving vehicles. Maybe someday Valley Road will change from what it is today but for now I think the target audience on this is going to be the people driving their cars as opposed to pedestrians walking on the street. I am for a discussion on way fare vs. actual Business names. Something is better than nothing. Mayor Mazzucco asked for further comments. None Heard.

Best Practice Check List

CFO Mangin said the Best Practice Check List came about in 2010. The CFO scores the Municipality and submits it. We have to achieve a score above eighty percent. If you score below that percent the State will withhold 1% (percent) of the final aid payment payable in December. I believe for Long Hill that would come to \$10,100.00. We scored eighty four percent this year so we will not lose any state aid. This particular check list focuses more on financial issues. Last year was more management. The problem with this is that a lot of the budget question possibly could have been answered yes. I answered perspective because I wasn't exactly sure if they were followed during the budget process. An answer of perspective, which means we will do it, is just as good as a yes. There are a couple of areas in finance where we did answer No and are things I will implement next year such as Discussing with the Tax Assessor the possibility of reassessments or re-evaluations which should be done annually; Accounting Manual is a good idea; An audit of Management Practices. There were a number of things I thought we could do and I answered perspective to a number of those. He asked if anyone had any questions.

Mr. Aroneo agreed. Some of them that are perspective some of it we actually do. On the internal accounting process and procedures as a member of the Finance Committee I have done that on an annual basis. I have audited the phone lines twice and have saved some money.

Mr. Mangin said there were things in there that we don't do but could do in the future.. In reference to the get this year (Sheet 3B) where the state wanted you to identify a structural imbalance, that would be revenue at risk, one time revenues, one time drops in appropriations, to be honest I wasn't crazy about our Sheet 3B in this year's budget document. Mr. Mangin went on to outline what should be done.

Mr. Aroneo referred to the preparation of the annual budget definition. We debate surplus to no end.

Mr. Mangin said that was another thing I had answered perspective because I think we should really do surplus rejections. Not being part of the budget discussion I wanted to answer this way so it would remind me that this is something I have to do.

Re: Tax Appeals. He also said he would like to get in to discussions with the assessor where we actually project out tax appeals. When tax appeals starting hitting I know about them ahead of time and we can plan for them.

Discussion ensued on worker's comp. and disability.

Mr. Roshto did not understand why we weren't 100%. I looked at all 50 questions and they are all very common sense kind of things. I'd ask that this time next year that we would be shooting for the maximum. Mr. Mangin thought that 15 of the 50 were repeats. If you were to answer respective in one year and it's a repeat you cannot answer respective again. As I remember all the repeats were yes. The Committee thanked Mr. Mangin for his input.

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Ordinance Public Hearing/Consideration of Adoption

Mayor Mazzucco asked for any comments regarding **ORDINANCE #305-12 REQUIRING COPIES OF CERTAIN ZONING PERMIT APPLICATIONS TO BE FORWARDED TO THE TOWNSHIP SHADE TREE COMMISSION AND SUPPLEMENTING AND AMENDING SECTION 106 OF THE TOWNSHIP LAND USE ORDINANCES**

Mr. Piserchia gave a brief outline of the request from the Shade Tree Commission

Mayor Mazzucco asked for a motion to amend. **Ordinance #305-12 Requiring Copies Of Certain Zoning Permit Applications To Be Forwarded To The Township Shade Tree Commission And Supplementing And Amending Section 106 Of The Township Land Use Ordinances**

A Motion was made by Mr. Piserchia amending Ordinance 305-12 with amendments in 3 areas; **if** in the first line to be changed to **when** or **where**; where it says owner or developer **may** – may to be changed to **shall**; on the fourth line – the zoning officer shall issue a zoning permit only **if** – change the word if to **when**, Mr. Roshto seconded. Vote: All in Favor.

Public Comment:

Mr. Sandow, Millington, said he was not opposed to this but was concerned about it passing. After listening to the discussion at the Planning Board last night I realized just how bad this law might be. The ordinance specifies that the application be referred to the Shade Tree Commission as a whole. The only way the Shade Tree Commission can formulate their response is to hold a meeting on the record under the open public meetings law with proper notice and minutes. At the Planning Board I heard a discussion that said that they could have a sub-committee or do it by email. Actually the Commission cannot take an action without an open public meeting. The zoning official only has a limited amount of time to honor the request. If the Shade Tree Commission is going to be involved as a Commission then there has to be some room with the timing or relaxation of the language so it says in effect that the zoning official can pass this on to a couple members of the Shade Tree Commission and accept their judgment not as a commission action but as the action of concerned citizen who sit on that commission. I don't think you can tax the Shade Tree Commission with meeting the deadlines and still satisfy the requirement of open public meetings.

Mr. Aroneo asked Mr. Pidgeon what the deadline from when the zoning official receives the application. Mr. Pidgeon said he would check to verify. We knew this would be a tight squeeze but we did it because the Shade Tree wanted this Ordinance. It will be up to them. When they get notification of a permit about to be issued it is up to them to organize immediately to announce a public meeting.

Mr. Pidgeon said this was a courtesy referral to which Mr. Aroneo agreed. You have to remember that the Shade Tree Commission reviews when there is a problem. They won't have to call a meeting for every referral. A suggestion is still going to be valid after the zoning permit. The language is also modeled in part on referrals under the MUL to the Environmental Commission. They have the same language. I don't think we have the authority to slow down the process.

Mr. Roshto asked; Can a commission form a sub-committee to handle things like this and respond? Mr. Pidgeon said as a practical matter they could because it doesn't have any legal weight. It is not officially part of the process. We can act in accordance with State Law.

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Mr. Sandow asked if the committee of the commission handles this and decides to formulate a negative response, if there is no proper notice of a public meeting, then the applicant has no ability to appear before the commission to make his case. The response to the zoning official is not a response of the commission.

Mr. Pidgeon felt the underlying fact is that even if the Shade Tree Commission comes back with a negative response, unless the contractor is violating an ordinance regulation, that response has no teeth anyway. It is really meant to communicate so that the Shade Tree Commission was aware and speak to the property owner. It is more informational.

Mr. Sandow said he understood and said he was not opposed to it. Nowhere does it talk about trees in the public right-of-way in fact it says that anytime there is a change in footprint it has to be referred. The public right-of-way might not even be shown on the drawings.

Mr. Pidgeon said he understood the Shade Tree wanted to know when something came in and trees might be at risk.

Mr. Sandow, yes, but neither the Shade Tree Commission nor the ordinance has authority over trees not in the right-of-way on private residential property. Mr. Pidgeon said exactly.

Mr. Roshto has learned that when major or minor work is done damage could be done to trees or their root systems. He felt it was important that they have an advantage of any trees just so they could take a look to determine if trees in the right-of-way could be damaged.

Mr. Sandow said permits were needed to cut trees in the right-of-way. It is unfortunate that sometimes they get damaged but I do see that we have authority prospectively regulate against that. Mr. Pidgeon said that was correct.

Mr. Sandow said the other issue that he doesn't see clarified is that this only applies when in the Zoning Officer's judgment he has the authority to issue the permit without referring the application to one of the Boards. If it goes to one of the Boards then the Shade Tree has their opportunity when it is in front of the Board, not before. Mr. Pidgeon said they go to the Board if development approvals are required.

Mr. Aroneo said that any application before the Board the other Commissions and Boards all get copies of the plans.

Mr. Sandow said that was his point. You don't intend that if the Zoning Officer for any reason at all decides that this has to go to a Board then this would not apply. Presumably the Zoning Official has already determined that he is not going to issue the permit without Board action. Therefore the clock doesn't start running and the Shade Tree Commission does not have to be involved at this point. That is not clear. Mr. Roshto agreed with Mr. Sandow on that point.

As there was no further public comment, Mayor Mazzucco made a motion, seconded by Mr. Piserchia to adopt Ordinance 305-12 as amended. **Roll Call:** Mr. Aroneo, yes; Mr. Piserchia, yes; Mr. Roshto, yes; Mr. Schuler, yes; and Mayor Mazzucco, yes.

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**ORDINANCE #305-12
REQUIRING COPIES OF CERTAIN ZONING PERMIT APPLICATIONS TO BE FORWARDED
TO THE TOWNSHIP SHADE TREE COMMISSION AND SUPPLEMENTING AND AMENDING
SECTION 106 OF THE TOWNSHIP LAND USE ORDINANCES**

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STATEMENT OF PURPOSE: *To prevent the illegal cutting of trees by requiring the referral of certain zoning permit applications to the Shade Tree Commission for its review.*

WHEREAS, the Township Shade Tree Commission has requested that copies of all building permit applications be forwarded to the Shade Tree Commission for review and comment; and

WHEREAS, Township ordinances provide that no building permit shall be issued unless the application has first obtained a zoning permit from the Township Zoning Officer;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Section 100 of the Township Land Use Ordinances entitled "Title, Purpose and Scope" be supplemented and amended as follows:

Section 1. Subsection 106.4 in Section 106 entitled "Zoning Permits; Certificates of Compliance" is hereby supplemented and amended by changing the title of that section to "Zoning Permits; Certificates of Compliance; and Referrals to Shade Tree Commission," and that section as re-titled is supplemented and amended to read as follows:

"106.4 A. If a zoning permit is required, the property owner or developer may apply for one by submitting an application with the Zoning Officer on the form provided and paying an application fee of twenty-five (\$25.00) dollars. The Zoning Officer shall issue a zoning permit only if he or she is satisfied that all requirements of the Township land use ordinances and environmental protection regulations have been satisfied. As part of his or her review, the Zoning Officer may consult with the Township Engineer, the Township Planner or NJDEP.

B. If the proposed construction or development involves a change in the footprint of any building or structure, or, if in the opinion of the Zoning Officer, the proposed development may result in the removal of or damage to any tree(s), the owner or developer shall submit a duplicate copy of the construction permit application, and all supporting documents, to the Zoning Officer for referral to the Township Shade Tree Commission for its review and comment. Failure of the Zoning Officer to make such information available to the Shade Tree Commission shall not invalidate any permit or proceeding. Moreover, the review of any application by the Shade Tree Commission shall not stay or delay the time in which the Zoning Officer or any other Township official has to act pursuant to any applicable statute, regulation or ordinance."

Section 2. Subsection 104.2 in Section 104 entitled "Construction Permit" is amended by correcting the cross reference in that section from "Section 108" to "Section 106."

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.

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Consent Agenda Resolutions:

Mayor Mazzucco asked if there was any discussion on the Consent Agenda.

Mr. Piserchia questioned Resolution 12-339 I see we are canceling outstanding checks in the amount of \$20,000. Did someone not cash their checks?

Mr. Mangin said it was a bunch of different things. This should be done annually. In 2010 we switched banks so because of that we intentionally didn't cancel any outstanding checks. In the case of payroll usually what happens is that someone says they did get a check or they lost it. We make sure it was not cashed and then we will issue a replacement check. We are supposed to void the old check but that didn't always happen. The others are just stale or never cashed. All our checks are marked cash within ninety days. Generally we wouldn't cancel anything less than a year old. When you cancel a check from 2011 the money will go back into the 2011 budget and at the end of the year it goes to surplus. Anything earlier than 2011 the money will go into miscellaneous revenue which goes to surplus. If someone came in to claim that check it would then be up to the Committee to issue a resolution if you chose to honor the check. Accounting would mark it as refund of prior revenue and would come out of surplus.

As there were no other issues, Mayor Mazzucco made a motion, seconded by Mr. Schuler to approve Resolutions 12-319 thru 12-342. Vote: All in Favor

**RESOLUTION 12-319
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 12-320
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 June 27, 2012 and July 12, 2012 Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the June 27, 2012 Meeting Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 12-321
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 for overpayment of 2012 3rd quarter tax on Block: 12901 Lot: 41 in the name of John Duryee for 10 Indian Run in the amount of \$3,294.91

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to BAC Tax Services Corporation, Cash Management, 1757 Tapo Canyon Road, Simi Valley, CA 93063.

**RESOLUTION 12-322
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 for overpayment of 2012 taxes by Performance Title Company on Block on Block: 11513 Lot: 36 in the amount of \$1,826.42 to Patrick and Karen Fischer, 345 Main Avenue, Stirling, NJ 07980.

**RESOLUTION 12-323
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 taxes due to a Morris County Tax Appeal Judgment dated 07/03/2012 in the amount of \$149.25 to Vincent Leone, 445 Driftwood Court, Marco Island, FL 34145.

**RESOLUTION 12-324
APPROVAL OF 2012 SEWER REFUNDS**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill on the recommendation of the Tax Collector does hereby authorize the following refunds:

BLOCK	LOT	REASON	REFUND	NAME/ADDRESS
11602	29	Senior Deduction	\$15.00	Adele Fucci 350 Mercer Street Stirling, NJ 07980
10701	2102	Senior Deduction	\$15.00	Louis J. Ferraro 105 Sunrise Drive Gillette, NJ 07933
11002	10	Senior Deduction	\$15.00	Howard Tung 27 Johnson Avenue Gillette, NJ 07933
12603	5.01	Overpayment	\$10.00	Mary Ann Ricci 18 Basking Ridge Road Millington, NJ 07946
12603	6.03	Overpayment	\$146.76	Michael A. Rieger 3 Dogwood Terrace West Millington, NJ 07946

**RESOLUTION 12-325
AUTHORIZE RELIEF OF TAX COLLECTION**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill relieve the Tax Collector from the collection of the 2012 taxes on Block 13404 Lot 4.01 for 94 Mountain Avenue;

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BE IT FURTHER RESOLVED that this property was granted Tax Exemption for a Charitable Organization for 2012 and should have a exempt classification of a 15d from a Class 2 by the Tax Assessor for 2012;

BE IT FURTHER RESOLVED that the Township Committee does hereby relieve the Tax Collector of the 2012 taxes in the amount of \$16,833.79 on Block 13404 Lot 9.01 owned by New Jersey Kkotongnae, Inc. of 424-426 Menton Place, Orange, NJ 07050.

**RESOLUTION 12-326
AUTHORIZE RELIEF OF TAX COLLECTION**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill relieve the Tax Collector from the collection of the 2012 taxes on Block 13901 Lot 91;

BE IT FURTHER RESOLVED that this property was granted Total Tax Exemption for a Disabled Veteran to Angelo Scilla in 2011 and should have been classified as a Class 15F from a Class 2 by the Tax Assessor for 2012;

BE IT FURTHER RESOLVED that the Township Committee does hereby relieve the Tax Collector of the taxes in the amount of \$11,747.01 on Block 13901 Lot 91 owned by Angelo and Judith Scilla of 491 Meyersville Road, Gillette, New Jersey 07933.

**RESOLUTION 12-327
AUTHORIZE RELIEF OF TAX COLLECTION**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill relieve the Tax Collector from collection of taxes for the year 2012 on Block 12806 Lot 6.02;

BE IT FURTHER RESOLVED that this parcel was granted Farmland Assessment for the year 2012 and a new lot was established as Block 12806 Lot 6.02 Q Farm for 2012 in the name of Ben and Ann Doyle of 66 Carlton Road Millington, NJ 07946;

BE IT FURTHER RESOLVED that the Tax Collector be relived from the collection of taxes totaling \$879.69 for the 1st and 2nd quarter taxes of 2012.

**RESOLUTION 12-328
AUTHORIZE CORRECTION OF TAX COLLECTION**

WHEREAS, on January 1, 2012 this parcel was granted Farmland Assessment and due to a Senior Deduction of the parent lot the Tax Extended Duplicate is in error for Block 14501 Lot 6.05 Q Farm for Gilbert & Rose B. Murray of 1096 Whitebridge Road, Millington, NJ 07946; and

WHEREAS, the 2012 tax should have been for 3rd quarter in the amount of \$35.74 and for the 4th quarter in the amount of \$35.74 and for 2013 1st quarter tax should be \$17.87 and 2nd quarter in the amount of \$17.87;

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Tax Collector that the 2012 tax for Block 14501 Lot 6.05 Q Farm should be a total of \$71.48 and for 2013 should be a total of \$35.74 for the first half of the year.

RESOLUTION 12-329

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**AUTHORIZING THE RETURN OF
PROFESSIONAL REVIEW ESCROW – KAUFMAN**

WHEREAS, William Kaufman of Block: 14701, Lot: 27, in regards to Application No. 11-05Z, has requested that the Professional Review Escrow fees be returned; and

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

WHEREAS, the Chief Financial Officer has determined that \$600.00 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow in the total amount of \$600.00 to William Kaufman – c/o Restore Meyersville, LLC P.O. Box 253, Millington, NJ 07946.

**RESOLUTION 12-330
AUTHORIZING RECREATION REFUND [SANTIAGO]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Recreation Director, does hereby authorize a Girls' Field Hockey program refund of \$60.00 to the following:

Denise Santiago
109 St. Joseph Drive
Stirling, NJ 07980

**RESOLUTION 12-331
AUTHORIZATION TO CONDUCT BLOCK PARTY-
FOREST DRIVE**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, authorize the residents of Forest Drive (Forest Drive from Lupine Way to where Forest Drive curves down toward Sherwood) to hold a block party on Saturday, September 29, 2012 (rain date – September 30, 2012) from 12:00 P.M. until 8:30 P.M. in accordance with request letter dated September 10, 2012.

**RESOLUTION 12-332
AUTHORIZING THE TOWNSHIP CLERK TO FILE CERTIFICATION OF TOWNSHIP
COMMITTEE REVIEW OF 2012 BEST PRACTICES INVENTORY**

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey the inventory has been completed by the Chief Finance Officer on September 18, 2012 and the Township Clerk is hereby authorized to file the necessary certification to the Division of Local Government Services.

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**RESOLUTION 12-333
AUTHORIZING CANCELLATION OF GRANT BALANCES**

WHEREAS, the Fiscal 2011 Audit contained a recommendation to review various balances existing in Grant Reserves and Receivables from prior years to determine those grants which could be collected and disbursed and those grants which should be cancelled; and

WHEREAS, during 2011 many Grant Receivables were identified, submitted for payment and later collected; and

WHEREAS, a review of the remaining Grant Receivables and Reserves was conducted during 2012; and

WHEREAS, the Chief Financial Officer of the Township of Long Hill is desirous of canceling the balances of said Grant Receivables and Grant Reserves;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the following Grant Receivable and Grant Reserve balances be cancelled in accordance with the Township 2011 Audit Corrective Action Plan:

Grant	Receivable Balance	Reserve Balance
1997 Municipal Road Aid	\$ 4,413.72	
1998 Municipal Road Aid	\$11,991.10	
2002 Municipal Road Aid	\$23,189.51	
2003 Municipal Road Aid	\$21,358.66	
2007 Municipal Road Aid	\$99,000.00	\$90,881.10
2008 Municipal Road Aid	\$16,074.37	\$18,128.72
Recycling Tonnage	\$ 61.72	
 Reserve for Uncollected Grants		 \$67,079.26
 Total	 \$176,089.08	 \$176,089.08

BE IT FURTHER RESOLVED, that the above action is a recommendation from the Township Auditor.

**RESOLUTION 12-334
AUTHORIZING CANCELLATION OF WEDDING DONATION TRUST**

WHEREAS, the Fiscal 2011 Audit contained a recommendation to review various Trust Funds without an approved Dedication by Rider to determine if those Trust Funds could receive State approval or be cancelled; and

WHEREAS, previously the Township of Long Hill sought State approval for a dedication by rider for the Wedding Donation Trust; and

WHEREAS, in discussions the Chief Financial Officer had with the Division of Local Government Services, it appears that such approval is not forthcoming;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the Wedding Donation Trust Fund be cancelled in accordance with the Township 2011 Audit Corrective Action Plan; and

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BE IT FURTHER RESOLVED, that any remaining balance in the Wedding Donation Trust be returned to the Current Fund as Miscellaneous Revenue Not Anticipated.

**RESOLUTION 12-335
AUTHORIZING CANCELLATION OF COMMUNITY DAY BANK ACCOUNT**

WHEREAS, in 2008 the Township opened a bank account to collect and disburse funds related to Community Day; and

WHEREAS, no funds have been deposited or disbursed from said bank account since March 2011;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the Community Day bank account be closed; and

BE IT FURTHER RESOLVED, that any remaining balance in the Community Day bank account be returned to the Current Fund as Miscellaneous Revenue Not Anticipated.

**RESOLUTION 12-336
AUTHORIZING CANCELLATION OF REFUNDING BOND BANK ACCOUNT**

WHEREAS, in 2007 the Township opened a bank account to collect and disburse funds related to the repayment of 2007 General Obligation Bonds; and

WHEREAS, no funds have been deposited or disbursed from said bank account since 2007; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the Refunding Bond bank account be closed;

BE IT FURTHER RESOLVED, that any remaining balance in the Refunding Bond bank account be returned to the General Capital Fund as a Reserve for Debt Service.

**RESOLUTION 12-337
AUTHORIZING CANCELLATION PUBLIC ASSISTANCE TRUST FUND**

WHEREAS, receipts and expenditures related to Public Assistance were turned over to the County some time ago; and

WHEREAS, since that time the Township has continued to maintain a Public Assistance Trust Fund; and

WHEREAS, since that time no funds have been deposited or disbursed from said Public Assistance Trust Fund;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the Public Assistance Trust Fund be cancelled;

BE IT FURTHER RESOLVED, that any remaining balance in the Public Assistance Trust Fund be returned to the Current Fund as Miscellaneous Revenue Not Anticipated.

**RESOLUTION 12-338
AUTHORIZING CANCELLATION CAPITAL FUND PRELIMINARY EXPENSES**

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WHEREAS, in 1999 the Township established a Reserve for Preliminary Expenses in the General Capital; and

WHEREAS, no funds have been deposited or disbursed from said Reserve since 2000; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the Reserve for Preliminary Expenses in the General Capital Fund be cancelled;

BE IT FURTHER RESOLVED, that any remaining balance in the Reserve for Preliminary Expenses be returned to the Capital Improvement Fund of the General Capital Fund.

**RESOLUTION 12-339
AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS**

WHEREAS, there are outstanding checks which were drawn on the Current Fund Account, Payroll Account and Developer’s Escrow Account; and

WHEREAS, said checks have been outstanding for more than twelve (12) months; and

WHEREAS, the Chief Financial Officer is desirous of voiding said checks;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the following outstanding checks be cancelled and the Chief Financial Officer is authorized and directed to void said checks:

<u>Account</u>	<u>Check Number</u>	<u>Date Issued</u>	<u>Amount</u>
Current	29091	10-28-09	\$15.00
	29180	12-02-09	\$35.00
	29184	12-02-09	\$50.00
	29187	12-02-09	\$10.00
	29207	12-02-09	\$10.00
	29213	12-02-09	\$65.00
	29244	12-02-09	\$15.00
	29283	12-02-09	\$45.00
	29297	12-02-09	\$40.00
	29665	02-10-10	\$195.90
	29710	02-24-10	\$120.00
	29937	04-14-10	\$500.00
	30137	05-26-10	\$300.00
	30200	06-09-10	\$50.00
	30205	06-09-10	\$2,471.67
	32825	12-15-10	\$1,735.53
	32837	12-15-10	\$40.00
	32840	12-15-10	\$70.00
	32870	12-15-10	\$15.00
	32879	12-15-10	\$115.00
	32904	12-15-10	\$120.00
	32927	12-15-10	\$5.00
	33029	01-12-11	\$112.00
33171	02-09-11	\$113.26	
33585	05-11-11	\$90.00	

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34031	09-07-11	\$210.00
34282	10-26-11	\$24.33

<u>Account</u>	<u>Check Number</u>	<u>Date Issued</u>	<u>Amount</u>
Payroll	2476	10-09	\$736.00
	2579	12-09	\$966.80
	2711	12-10	\$2,165.34
	2712	12-10	259.65
	2713	12-10	\$261.95
	2879	11-11	\$494.00
	2896	01-12	\$112.76
	25028	01-10	\$64.43
	25038	01-10	\$48.93
	25063	01-10	\$110.91
	25862	08-10	\$173.00
	25893	09-10	\$16.83
	26058	11-10	\$432.91
	26116	12-10	\$150.00
	26120	12-10	\$1,295.40
	26326	02-11	\$276.17
	26490	04-11	\$74.69
26987	09-11	\$28.94	
27203	12-11	\$141.91	
27247	12-11	\$7.35	

Developer's Escrow

3093	03-11-09	\$14.00
3139	07-08-09	\$120.00

**RESOLUTION 12-340
INSERTION OF SPECIAL ITEM OF REVENUE - COMCAST GRANT**

WHEREAS, N.J.S.A. 40 A:4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the Township received a \$30,000 grant from Comcast for “[public] access [channel] related needs”; and

WHEREAS, that \$30,000 grant was negotiated with Comcast based on a list of equipment prepared by the Township Communications Advisory Committee (“CAC”) that the Township needs to continue providing first rate service to its residents on the public access channel; and

WHEREAS, before spending any of the grant money the Township Committee will consult with the CAC to ascertain what equipment should be purchased;

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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 hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$30,000.00 which is now available as a Revenue from Comcast;

BE IT FURTHER RESOLVED by the like sum of \$30,000 is hereby appropriated under the caption title Comcast Grant – Communication Equipment; and

BE IT FURTHER RESOLVED, that this equipment shall be used to purchase public access equipment in consultation with the CAC; and

BE IT FURTHER RESOLVED, that the above is a result of funds from the Comcast Grant in the amount of \$30,000; and

BE IT FURTHER RESOLVED, that two certified copies of this Resolution be filed with the Director of the Division of Local Government Services.

**RESOLUTION 12-341
AUTHORIZE WATCHUNG HILLS REGIONAL
MUNICIPAL ALLIANCE TO SUBMIT GRANT APPLICATION FOR 2013 - AMENDMENT**

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 2013 in the amount of \$24,839.00 and agree to a local match of \$1,500.

**RESOLUTION 12-342
AUTHORIZE EMPLOYMENT OF
TEMPORARY PART-TIME CLERK IN THE CONSTRUCTION OFFICE**

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice of the Construction Official does hereby authorize the temporary appointment of Melissa Marszalek as Construction Office Assistant for a total maximum of 25 hours per week at a rate of \$15.00 per hour for temporary support for the office until a permanent hire is made or the position is terminated by the Township Committee.

Old Business:

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Mr. Aroneo asked if Green Acres Grant had been covered. Long Hill got the \$325,000.00 from the Green Acres Money to purchase the 14 flood prone properties. It is a matching grant. I would like to talk about that as we have to make a plan as to what we want to do with it. Do we want to pursue accepting the grant? The property will have to be demolished. Probably the Flood Mitigation or Flood Committee will meet and discuss that as will LAPC. This Committee, I think, should think about this as well. We do have to match the money and I believe it can be done with Open Space money. I am not sure of the time limit.

New Business: There was no new business

Meeting Open To The Public: There was no public comment

Adjournment

Mayor Mazzucco pointed out that the Committee will be going back into executive session and commented that they do not expect to come back into open session for action. There being no further business, Mr. Piserchia made a motion, seconded by Mr. Roshto to adjourn the public meeting and return to Executive Session. Vote: All in favor. The meeting adjourned at 9:05 pm.

Respectfully submitted,

Christine A. Gatti/mf
Township Clerk

Approved: March 13, 2013