

Long Hill Township Committee Meeting Minutes
February 27, 2013

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, **February 27, 2013** at 7:00 PM.

ADEQUATE NOTICE Mayor's Statement re: Adequate Notice of Meeting.

"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 15, 2013; posted on the bulletin board in the Municipal Building on January 15, 2013 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

Committeeman Mazzucco made a motion, seconded by Committeeman Rae to approve Resolution 13-118 and move to closed session. Vote: All Ayes.

**RESOLUTION 13-118
EXECUTIVE SESSION**

BE IT RESOLVED, pursuant to the Open Public Meetings Act, that the Township Committee of Long Hill Township meet in closed session to discuss the following matters:

- Attorney Client Privilege – *None*
- Personnel – Resolution 13-113
- Contract Negotiations – *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.

OPEN REGULAR SESSION: Committeeman Mazzucco made a motion, seconded by Committeeman Rae to return to Open Session.

CALL MEETING TO ORDER: The meeting was called to order at 7:49 PM

PLEDGE OF ALLEGIANCE: All present recited the Pledge of Allegiance

ROLL CALL: Committeeman Mazzucco, Committeeman Rae, Committeeman Roshto, Committeeman Schuler and Mayor Piserchia were present.

Also present: Municipal Attorney, Jack Pidgeon, and Township Administrator, Neil Henry.

MARY THOMS AWARD RECIPIENT - DEBBIE REED

[Presented by Tracey Aroneo, Recreation Advisory Committee Chair]

TOWNSHIP COMMITTEE LIAISON REPORTS:

Committeeman Schuler announced that the DPW Tom Sweeney will be working with the Boy Scouts to clean up Hicks Track.

Mayor Piserchia announced the Ribbon Cutting for Kings Supermarket on Friday, March 22, 2013 at 10:00 AM and the Chamber of Commerce Meet and Greet, Thursday, February 28, 2013, from 5:00 PM – 7:00 PM at the "Desert Ladies"

DISCUSSION / ACTION ITEMS:

- **Morris County Soil Re-Forestation Agreement [Resolution 13-103]**

David Welsh of Morris County Soil Conservation answered questions from the Committee.
Summary:

1. The liability to the Township will not exceed \$4,000.00, (for up to 80 unsold trees)
2. MCSC will make 400 Trees available to residents at an average of \$25.00
3. Type of trees sold will be "bare root" Understory Hardwoods
4. Any one buying a tree will be required to attend a training class on tree care/planting at the Municipal Building. Date and time have not yet been established

- **Wastewater Plant Upgrades**

Committeeman Schuler and Mr. Henry reviewed with the Committee, the Design Memorandum from Tim Bradley [Omni International]. A discussion ensued. Mr. Henry will get clarification on the engineering fees and continue with the Grant Application. Final figures should be available for the March 27th Township Committee meeting.

- **Ordinance 305-13 Millington Station Traffic Amendment** Discussion – Attorney Pidgeon explained the reason for the Ordinance

- **Long Hill Emergency Communication System-** Committeeman Roshto explained the Everbridge Citizens Alert System, offered by the County free of charge, will replace the Global Connect system that the Township is using and paying for currently. Residents will be able to sign up on the Long Hill Township website immediately. The Township will have complete control over the information that is sent to the residents. Committeeman Roshto will be overseeing a PR campaign to make the residents aware of the new system.

Committeeman Roshto made a motion, seconded by Committeeman Mazzucco to approve switching to the Morris County System immediately. Vote: All in favor

Appointments to the Master Plan Citizens Advisory Committee: **Tabled by the Mayor**

MAYOR'S APPOINTMENT OF CITIZENS' ADVISORY COMMITTEE TO ASSIST PLANNING BOARD IN UPDATING OF MASTER PLAN - **Tabled by the Mayor**

RESOLUTION 13-121- SUPPORTING MAYOR'S APPOINTMENT OF A CITIZENS' ADVISORY COMMITTEE TO ASSIST THE PLANNING BOARD IN UPDATING THE MASTER PLAN – **Tabled by the Mayor**

CONSENT AGENDA RESOLUTIONS:

The following items are considered to be routine by the Township Committee and will be acted upon in one motion. There will be no separate discussion of these items unless a Committee member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

MOVED: Committeeman Roshto of the Township Committee of Long Hill Township, that Resolution #13-101 through #13-112 and #13-114 - #13-117 are hereby approved.

SECOND by: Committeeman Schuler. **ROLL CALL VOTE:** All in Favor

**RESOLUTION 13-101
CERTIFYING ACTIVE MEMBERSHIP WITH MILLINGTON VOLUNTEER FIRE COMPANY FOR
NEW JERSEY STATE FIREMEN'S ASSOCIATION ELIGIBILITY**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that the following are active members of the Millington Volunteer Fire Company and is eligible to be a member of the New Jersey State Firemen's Association:

Daniel P. Salimbene
Nicholas Meininger

**RESOLUTION 13-102
CERTIFYING ACTIVE MEMBERSHIP WITH STIRLING VOLUNTEER FIRE COMPANY FOR
NEW JERSEY STATE FIREMEN'S ASSOCIATION ELIGIBILITY**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that the following are active members of the Stirling Volunteer Fire Company and is eligible to be a member of the New Jersey State Firemen's Association:

Neil Vaish
Daniel Rito

**RESOLUTION 13-103
APPROVING SHARED SERVICES AGREEMENT WITH MORRIS COUNTY SOIL
CONSERVATION DISTRICT FOR RE-FORESTATION PROGRAM**

WHEREAS, the Morris County Soil Conservation District ("MCSCD" or the "District") has offered to provide the necessary services to draft, review, inspect, advise and purchase trees for reforestation of areas of the Township after Hurricane Sandy and to train the residents of the Township of Long Hill on the handling and care of these trees; and

WHEREAS, the Township is agreeing to purchase, for an amount not exceeding \$4,000.00, those trees purchased by the District pursuant to this program that are not sold to residents of the Township by a specified date. The District has agreed, however, to pot, plant and care for those trees for the Township for a period of two years; and

WHEREAS, it is in the best interest of the Township and its residents to participate in this program; and

WHEREAS, the MCSCD and the Township have the legal authority to enter into this agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.;

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

- 1) The Mayor and Clerk are hereby authorized and directed to execute the Inter-local Services Agreement, a copy of which is attached hereto and which is incorporated herein by reference.
- 2) A copy of the contract shall be filed with the Municipal Clerk and shall be opened to public inspection immediately after the introduction of this Resolution.
- 3) The contract shall take effect upon adoption of appropriate resolutions by all the parties thereto as set forth in the contract document.

RESOLUTION 13-104 (Corrected)
APPROVING IN-GRADE ADVANCEMENT [Buerstetta]

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Police Chief Daniel Hedden, does hereby approve the advancement of Sergeant Aaron Buerstetta to Sergeant Grade II, effective March 14, 2013 at an annual salary of \$105,954.00.

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

RESOLUTION 13-105
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 13-106
APPROVING SPECIAL EVENT LICENSE
[LONG HILL TOWNSHIP BASEBALL 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 13-01 for the event to the "Sponsor" Long Hill Township Baseball Association, for their Special Event to be held 10:00 AM on April 6, 2013. Parade starting on Bay Street; and

BE IT FURTHER RESOLVED that the Police Department has determined that police services are required for this event.

RESOLUTION 13-107
AUTHORIZING THE RETURN OF ENGINEERING INSPECTION
ESCROW – Valley Sports

WHEREAS, Valley Sports: Block 11501, Lots: 3 & 4, 1202 Valley Road, has requested that the Engineering Inspection Escrow fees be returned; and

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

WHEREAS, the Chief Financial Officer has determined that \$502.00 remains in the escrow 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 Engineering Review Escrow in the total amount of \$502.00 to Valley Sports, 1202 Valley Road, Gillette, NJ 07933.

**RESOLUTION 13- 108
CONCERNING COMPENSATORY TIME FOR EXEMPT EMPLOYEES AND AMENDING THE
TOWNSHIP'S PERSONNEL POLICIES
AND PROCEDURES MANUAL**

WHEREAS, the Fair Labor Standards Act ("FLSA") provides that "any employee employed in a bona fide executive, administrative, or professional capacity" (as those terms are defined in 29 CFR §541.100 and §541.200) shall be exempt from the overtime and compensable time requirements of the Act (29 USC 213 (a)(1)); and

WHEREAS, the Township's personnel, policies and procedures were amended in 2011 to provide that:

"In accordance with the Fair Labor Standards Act . . . , the Township . . . has a policy of granting exempt (or administrative) employees compensatory time off in lieu of monetary compensation for hours worked in excess of 40 hours per week"; and

WHEREAS, the Fair Labor Standards Act does not require the payment of either overtime or compensatory time to "exempt" employees as defined in the Act and United States Department of Regulations;

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

1. The overtime compensation policy (revised April 20, 2011) in Section 4of the Township of Long Hill Personnel, Policies and Procedures manual is hereby repealed in its entirety and is replaced by the following language which was in the Personnel Policies and Procedures manual prior to April 20, 2011:

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Administrative Assistant to the Township Administrator shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation or accumulate compensatory time and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Township Administrator's prior approval and at the sole discretion of the Township Administrator.

2. This Resolution shall take effect immediately.

**RESOLUTION 13-109
CERTIFYING JUNIOR MEMBERSHIPS WITH MILLINGTON
VOLUNTEER FIRE COMPANY [STARR]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that Conner Starr is a Junior Members of the Millington Volunteer Fire Company.

**RESOLUTION 13-110
Refund of Taxes B. 13803/L.17**

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 of 2013 1st quarter

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taxes in the amount of \$2037.04 due to overpayment for Block 13803 Lot 17 to: Mathew S. Corson, 106 Preston Drive, Gillette, NJ 07933

RESOLUTION 13-111
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 February 13, 2013 Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the February 13, 2013 Executive Session Meeting Minutes as redacted by the Township Attorney.

RESOLUTION 13-112
Refund of RAFFLE Application Payment

BE IT RESOLVED: That the Township Committee of the Township of Long Hill upon the advice and recommendation of the Municipal Clerk, does hereby authorize a refund in the amount of \$20.00 due to cancellation of a Raffle Application for December 1, 2012 for the Long Hill Township Baseball Association, 99 Popular Drive, Stirling, NJ 07980

RESOLUTION 13-114
TAX REFUND B. 12901/L. 55 [Sepe]

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 of 2013 1st quarter taxes in the amount of \$2,830.41 for Block 12901 Lot 55, due to duplicate payment by First Financial Services, Inc. to: David and Linda Sepe, 681 Chestnut St. Stirling, NJ 07980.

RESOLUTION 13-115
AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES

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

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

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

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

<u>Account</u>	<u>From</u>	<u>To</u>
2-01-26-295-295-020 Fleet Maint. – O.E.	\$8,000	
2-01-26-310-310-200 Buildings & Grounds O.E.	\$4,000	
2-01-31-445-455-100 Sewer System – S&W	<u>\$3,000</u>	
Total	\$15,000	
2-01-26-285-285-101 Municipal Services Act – O.E.		<u>\$15,000</u>
Total		\$15,000

**RESOLUTION 13-116
 AMENDMENT TO THE 2013 TEMPORARY BUDGET
 (Amendment 3)**

WHEREAS, 40A:4-19 Local Budget Act provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations in the 2012 budget, less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General - Total General Appropriation	\$	12,493,489
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WHEREAS, 26.25% of the total appropriations in the 2012 Budget less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General -	\$	3,279,540
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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the temporary appropriations be amended and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

GENERAL GOVERNMENT	Temp Budget	New Budget
Communication Advisory Committee	\$ 0	\$ 2,000
Environmental Comm. – Other Expenses	\$ 250	\$ 300
Heating Oil	\$10,000	\$18,000
Municipal Services Act	\$20,000	\$32,000

**RESOLUTION 13-117
 APPROVING IN-GRADE ADVANCEMENT [Scala]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Police Chief Daniel Hedden, does hereby approve the advancement of Officer Jeffrey Scala to Officer Grade I, effective February 15 2013 at an annual salary of \$96,422.00.

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

OLD BUSINESS: Attorney Pidgeon will write the letter for the Committee to JCP&L addressing their performance during Hurricane Sandy

NEW BUSINESS: There was no new business

MEETING OPEN TO THE PUBLIC: There were no comments from the Public

ADJOURNMENT: Committeeman Rae made a motion, seconded by Committeeman Roshto to adjourn. The meeting adjourned at 8:55 PM.

Respectfully submitted,

Cathy Reese, RMC

Approved: March 13, 2013