

**TOWNSHIP COMMITTEE  
REGULAR SESSION AGENDA [revised]**

**June 19, 2013**

**7:00 PM EXECUTIVE SESSION; 7:30 PM OPEN SESSION**

**STATEMENT OF ADEQUATE NOTICE**

**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."

*Please note: to help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 3 minutes.*

**RESOLUTION 13-227  
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:

- Riverside Fields Memorial

Personnel:

- Police Promotional Procedures

Contract Negotiations:

- Dog Census
- Millington-Stirling Fire

Pending/Prospective Litigation:

Property Acquisition:

- Kurz Property

**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:**

**CALL MEETING TO ORDER** – The meeting will be called to order at \_\_\_\_\_ PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Clerk will call the Roll

**GUEST:** Perry DiPiazza, Field Turf Presentation

**MAYOR APPOINTMENTS:** Romanna Balan, HPAC

**COMMITTEE LIAISON REPORTS:**

**DISCUSSION / ACTION ITEMS:**

- 6 – year Capital Projects Plan
- Pending 2012 Ordinances – from the Planning Board
- COAH Trust Fund

**ORDINANCES**

**ORDINANCE INTRODUCTION:**

**ORDINANCE #314-13                    REVISING DEVELOPMENT FEES AND ESCROW DEPOSITS AND AMENDING SECTION 180 OF THE TOWNSHIP LAND USE ORDINANCE**

**STATEMENT OF PURPOSE:** *To revise land development application fees and escrow deposits.*

**WHEREAS**, the Planning Board in an April 8, 2013 memorandum from Township Planner Kevin O’Brien recommended that certain development application fees and escrow deposits be revised;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that §180 of the Township zoning ordinance entitled “Development Fees, Escrow Deposits, Guarantees and Improvements” is hereby amended as follows:

**Section 1.** The title of Section 180 is changed to “**DEVELOPMENT APPLICATION FEES, ESCROW DEPOSITS, GUARANTEES, DEVELOPMENT FEES AND IMPROVEMENTS.**” Existing Subsection 181.1 entitled “Application Fees” and existing Subsection 182.1 entitled "Escrow Funds Required" are hereby consolidated in a new Subsection 181.1 which shall be entitled "Application Fees; Escrow Deposits". This new subsection 181.1 is attached hereto and incorporated herein by reference.

**Section 2.** The title of Subsection 181 is changed to “**DEVELOPMENT APPLICATION FEES AND ESCROW DEPOSITS.**”

**Section 3.** The title of existing §182 is hereby changed from "Escrow Deposits and Special Meeting Fees" to "Other Fees".

**Section 4.** Section 180 of the Township Code entitled “Application Fees, Escrow Deposits, Guarantees, Development Fees and Improvements” is amended to read as follows:

**SECTION 180 APPLICATION FEES, ESCROW DEPOSITS, GUARANTEES, DEVELOPMENT FEES AND IMPROVEMENTS**

**181 APPLICATION FEES**

181.1 Application Fees and Escrow Deposits

Every applicant before the approving authority shall pay the fees set forth below in addition to the other fees required by Section 182:

**a. Subdivision Approvals:**

<b>Application</b>	<b>Application Fee</b>	<b>Escrow Deposit</b>
1. Concept review	\$ 335.	\$2,500.

2.	Minor subdivision	\$ 2,000.	\$3,000.
3.	Preliminary approval – major subdivision	\$ 2,500 plus \$500 per lot.	<u>Residential</u> 10 or fewer lots or units \$4,000. 11-25 lots or units \$6,000. 26-100 lots or units \$8,000. In excess of 100 lots or units \$10,000.  <u>Nonresidential</u> Less than 10,000 SF of building area \$6,000. 10,000-50,000 SF of building area \$12,000. In excess of 50,000 SF of building area \$16,000.

<b>Application</b>	<b>Application Fee</b>	<b>Escrow Deposit</b>
4.	Final approval – major subdivision	25% of fee for preliminary subdivision approval  <u>Residential</u> 25% of the original escrow fee paid at the time of preliminary. <u>Nonresidential</u> 25% of the original escrow fee paid at the time of preliminary.

**b. Site Plan Approvals:**

<u>Planning Board Fees</u>			
1.	Concept review	\$ 335.	\$2,500.
2.	Waived site plan approvals	\$ 650.	\$2,500.

Site Plan Waiver Subcommittee Fees

	(a) Administrative Waivers	\$200		\$-0-
3.	Minor site plans	\$ 650.		\$3,000.
4.	Preliminary/Major site plans			
(a)	Residential	\$800. and \$260. each unit over three.	10 or fewer lots or units 11-25 lots or units 26-100 lots or units In excess 100 lots or units	\$4,000. \$6,000. \$8,000. \$10,000.
(b)	Nonresidential – the total of the following:			
(1)	\$650. for the first 2,000 SF of improved site area plus \$33. for each additional 1,000 SF or portion thereof.		Less than 10,000 SF of building area  10,000 to 50,000 SF of building area  In excess of 50,000 SF of building area	\$6,000.  \$12,000.  \$16,000.
(2)	\$650. for the first 1,000 SF of altered floor area or portion thereof plus \$.20 for each foot.			
5.	Final site plans:			
	25% of the fee for preliminary site plan approval.		Nonresidential final site plan approval 25% of the original escrow fee paid at the time of preliminary plan application.	

6. Amended site plans:

50% of the fee for preliminary site plan approval.

25% of the original escrow fee paid at the time of the preliminary site plan application.

c. **Development Permits:**

	<b>Application Fee</b>	<b>Escrow Deposit</b>
General Permit Fee	\$ 650.	\$ 500.

This fee shall be reduced to \$300.00 if the development permit application is accompanied by an application for subdivision, conditional use, site plan use variance approval, by the same applicant for the same parcel of land.

Development permit waiver

Board approval	\$ 500.	\$ 500.
Administrative approval	\$ 200.	

d. **Variances:**

1. Bulk variances	\$ 650.	\$4,000.
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Applicants shall be charged one (1) application fee and one (1) escrow deposit for a bulk variance application regardless of how many bulk variances are applied for.

2.

Use variances:

(a) One and two family residential	\$ 650.	\$5,000.
(b) Nonresidential	\$2,500.	\$10,000.

(c) Three and more family and residential	\$2,000	\$10,000
	For the first 1,000 SF of improvements plus \$.13 for each additional SF.	For the first ten (10) units plus \$40. for each additional unit.
	For the first ten (10) units plus \$40. for each additional unit.	For the first ten (10) units plus \$40. for each additional unit.

**e. Other Applications:**

1.	Conditional use	\$ 200.	\$ 500.
2.	Appeals or interpretations	\$ 130.	\$2,500.
3.	Application for unimproved road	\$ 650.	\$ 750.
4.	All other applications	\$ 335.	\$1,000.
5.	Certification of nonconforming use		
	a. Residential	\$ 650.	3,000.
	b. Nonresidential	\$650	\$4,000.
6.	Requests for extension of approval	\$ 100.	\$1,750.

**f. Signs:**

1.	New signs not exceeding ten (10) SF in total area:	\$ 65.
2.	New signs exceeding ten (10) SF in total area but less than or equal to fifty (50) SF in area:	\$ 100.
3.	New signs greater than fifty (50) SF in area:	\$ 130.

**g. Completeness Reviews:**

Notwithstanding the above, every application which is filed shall be accompanied by an initial escrow deposit of six hundred fifty (\$650.) dollars to defray the costs incurred during the completeness review process. This initial deposit shall be credited towards the total escrow deposit required in Section 181.1(a-f) above. However, payment of this initial escrow deposit shall not constitute payment of fees for completeness purposes.

(Ord. No. 50-00 § 1; Ord. No. 66-00 § 1; Ord. No. 77-01 § 1; Ord. No. 104-02 § 2; Ord. No. 149-04 § 4; Ord. No. 230-08 § 12)

**182 OTHER FEES**

182.1 Reserved. (Ord. No. 50-2000 § 2)

182.2 Special Meeting Fees

In addition to all application fees and any required escrow funds, every applicant before the approving authority shall deposit two thousand five hundred (\$2,500.00) dollars for each special meeting. This special meeting fee shall be deposited in advance of each special meeting and shall be used to cover the cost of attendance of the Administrative Officer and the Board professionals (including but not limited to the Board Attorney, the Township Engineer and the Township Planner).

182.3 Request for Rezoning or Rezoning Study

Any party requesting a rezoning or a rezoning study will require an application fee of five hundred (\$500.00) dollars and an escrow deposit of three thousand (\$3,000.00) dollars.

182.4 Additional Fees

Any application involving more than one (1) of the above sections shall deposit cumulative amounts. There will a fee for each type of relief requested with the exception of requests made under Section 181(d)(1).”

182.5 Additional Escrow Funds Required

Before an application requiring the deposit of escrow funds shall be deemed complete by the Administrative Officer, the applicant shall post the required escrow amount with the Administrative Officer in the form of cash, certified check or money order. Additional escrow funds shall be required when the escrow has been depleted to twenty five (25) percent of the original escrow amount. The additional deposit shall be a minimum of half of the original escrow deposit or greater as determined by the Administrative Officer.

The Technical assistant to the Construction Officer shall promptly notify the Administrative Officer when escrow funds have been so depleted. Professional consultants and experts shall inform the Administrative Officer as to the additional anticipated costs. The Technical Assistant will in turn notify the applicant as to the amount of additional escrow funds which must be posted. No action shall be taken on the application until adequate additional funds have been deposited by the applicant with the Administrative Officer or designee,

182.6 Billing Procedures

All bills and vouchers submitted by retained professionals in connection with the processing of such applications shall specify the services performed and the time expended relative thereto. The bill shall also set forth the hourly billing amount and the date the work was performed. The hourly billing amount shall be in accordance with the amount set forth in the contract between the professional and the Township or appropriate Board. All escrow funds not expended shall be refunded to the applicant within thirty (30) days after the satisfaction of conditions of approval. The Township shall also provide the applicant with an accounting of the escrow funds. Application fees are nonrefundable.

182.7 Hearing Fee

In addition to the fees set forth above, every applicant before the approving authority shall pay a fee per hearing date of three hundred seventy-five (\$375.00) dollars for all hearings which end at or before 11:00 p.m. plus one hundred (\$100.00) dollars per hour or portion thereof after 11:00 p.m. The purpose of this fee is to defray the cost of providing a certified shorthand reporter at every hearing of the approving authority. This fee is in addition to the cost of obtaining a transcript of any hearing, which cost is to be

borne by the person obtaining the transcript. (Ord. No. 42-99 § 1; Ord. No. 276-11 § 1)

182.8 Publication Escrow

Every applicant before the approving authority shall pay an additional escrow deposit of one hundred thirty (\$130.) dollars to cover the cost of the publication of any public notices required by this Ordinance. (Ord. No. 228-08 § 1)

182.9 Canceled Meeting Fee

If any application is withdrawn or if any hearing is canceled at the applicant's request after 4:00 p.m. on the Friday preceding the scheduled meeting date, the applicant shall be charged a fee of six hundred fifty (\$650.) dollars.

An applicant for a use variance may be permitted to withdraw or continue their application after the referenced deadline should less than seven Zoning Board of Adjustment board members be available to hear the application and not be subject to the cancelled meeting fee.

182.10 Tax Map Revision Fee

In addition to the application fees set forth above, the following amounts shall be due and payable at the time of application to defray the cost of professional services required to effect revisions to the tax maps necessitated by the development application:

- (a) Minor subdivision plat: \$100. per lot
- (b) Final major subdivision plat: \$65. per lot
- (c) Site plan application creating condominium units (whether residential or commercial units): \$65. per unit

182.11 Annual Review

Each September the Planning Board shall submit a report with recommended changes to the fee and escrow section of the Land Use Ordinance to the Township Committee.

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

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, June 19, 2013, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, July 17, 2013, at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be



given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR, Clerk

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township; that Ordinance 314-13 be passed on first reading with the Open Public Hearing scheduled for **July 17, 2013**. **SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

**ORDINANCE #315-13                    BOND ORDINANCE APPROPRIATING \$1,735,000, AND AUTHORIZING THE ISSUANCE OF \$1,652,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY.**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**Section 1.** The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,735,000 including the aggregate sum of \$83,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also any monies received or expected to be received by the Township as grants-in-aid of financing said improvements or purposes.

**Section 2.** For the financing of said improvements or purposes and to meet the part of said \$1,735,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,652,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,652,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**Section 3.** The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of various roads and locations in and by the Township, including, without limitation, Church Road, Circle Drive, Davis Road, Deer Path, Deer Run, Dogwood Terrace, Elm Street, Fenview Road, Forest Drive, High Street, Homestead Road, Indian Run, Long Hill Road, Lupine Way, Magna Drive, Maple Avenue, Meadowview Road, Mercer Street, Nottingham Road, Pleasant Plains Road, Sherwood Lane, Somerset Street, Spring Brook Road	\$1,535,000	\$1,461,600

by the reconstruction, surfacing or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all structures, drainage improvements, catch basins, milling, equipment, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(b) Improvement of the storm water drainage system in and by the Township, including construction of a storm drain in and along Long Hill Road, together with all surveys, designs, easements, structures, site work, equipment, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specification therefore on file or to be filed in the office of the Township Clerk and hereby approved

	<u>200,000</u>	<u>190,400</u>
Totals	\$1,735,000	\$1,652,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 13.45 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,652,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$230,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Township on account of the grants referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in Section 3(a) and Section 3(b) of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied

by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, June 19, 2013, will be considered for final passage and adoption at a public hearing held at a meeting on Wednesday, July 8, 2013, at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR, Clerk

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township; that Ordinance 315-13 be passed on first reading with the Open Public Hearing scheduled for **July 8, 2013**. **SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

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**ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION**

**ORDINANCE #313-13 ACCEPTING A DEVISE OF REAL PROPERTY LOCATED AT 80 WESTERN BOULEVARD, GILLETTE**

**STATEMENT OF PURPOSE:** *To accept a testamentary donation of real property to the Township.*

**WHEREAS,** Estelle K. Wilhelm, formerly of Gillette, died testate in Morris County, New

Jersey, on September 28, 2012; and

**WHEREAS**, Ms. Wilhelm, in her Last Will and Testament dated February 14, 2006, devised her real property located at 80 Western Blvd., Gillette to the Township of Long Hill, without restriction or qualification; and

**WHEREAS**, the Local Lands and Buildings Law, at N.J.S.A. 40A:12-5, provides that “any . . . municipality, by ordinance, may provide for the acquisition of any real property . . . by . . . devise . . . .”; and

**WHEREAS**, the Township Committee wishes to accept Ms. Wilhelm’s generous donation to the Township.

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

**Section 1.** The Township of Long Hill does hereby accept the testamentary devise of 80 Western Blvd., Gillette, subject to the following conditions:

- Title to the premises shall be good and marketable, and insurable by a title insurance company of the Township's choice authorized to do business in the State of New Jersey.
- The results of the Township’s due diligence evaluation of the property, which may include environmental testing, shall be acceptable to the Township.

**Section 2.** The Township Attorney is hereby authorized to conduct due diligence, and, if the results of that due diligence are satisfactory, to accept and record a deed from the Estate of Estelle K. Wilhelm conveying the property to the Township.

**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.

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, May 29, 2013, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, June 19, 2013, at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR, Clerk

**OPEN PUBLIC COMMENT**

**CLOSE PUBLIC COMMENT**

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Ordinance 313-13 be passed on second reading. **SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

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**RESOLUTIONS:**

**RESOLUTION 13-224  
APPROVAL OF REQUEST FOR RETIREMENT  
OF TOWNSHIP EMPLOYEE [HEDDEN]**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby approve Chief Daniel Hedden’s request for retirement from the Long Hill Township Police Department effective June 1, 2013 (with a last day worked of May 3, 2013), as per his letter to the Township Committee on May 15<sup>th</sup>, 2013.

**MOVED** by: \_\_\_\_\_ by the Township Committee of Long Hill Township, that Resolution #13-224 is hereby approved. **SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

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**RESOLUTION 13-225  
APPOINTMENT OF MICHAEL MAZZEO POLICE CHIEF**

**WHEREAS**, Daniel Hedden retired as Chief of Police effective June 1, 2013; and

**WHEREAS**, Lt. Michael Mazzeo is best qualified to serve as Chief of Police based on his length and merit of service, his supervisory and administrative experience in the Police Department and his overall record as a Long Hill Police Officer; and

**WHEREAS**, Lt. Michael Mazzeo has demonstrated his dedication to the Police Department and the Township of Long Hill by serving as a Police Officer since May 21, 1995; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Long Hill, County of Morris, that:

1. Michael Mazzeo is hereby appointed Chief of Police of the Long Hill Police Department effective June 19, 2013.
2. As Chief of Police, Chief Mazzeo shall have all of the powers set forth in N.J.S.A. 40A:14-118 and other applicable statutes, regulations and ordinances.
3. Michael Mazzeo’s starting salary as Chief will be \$138,000.00 annually, prorated for 2013.
4. Benefits and other terms and conditions of Chief Mazzeo’s employment are set forth in his June 6, 2013 offer letter, which is incorporated herein by reference. Chief Mazzeo shall be covered by the Township Personnel Policies and Procedures (as amended) except where they are superseded by State law or the terms of his employment letter.

**MOVED** by: \_\_\_\_\_ by the Township Committee of Long Hill Township, that Resolution #13-225 is hereby approved. **SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

**Oath of Office – Police Chief Mazzeo**

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**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** by: \_\_\_\_\_ by the Township Committee of Long Hill Township, that Resolution #13-209 through #13-223, and Resolutions #13-226 and 13-204A are hereby approved. **SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

**RESOLUTION 13-209  
APPROVAL OF THE 2013 FEE SCHEDULE (AMENDMENT 2)  
FOR STIRLING LAKE**

**BE IT RESOLVED** by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, establish fees for 2013 as follows:

Stirling Lake Badge	
Resident Family Membership	\$299.00
Resident Single Adult (18 or over)	\$125.00
Resident Student (13-17)	\$ 90.00
Resident Child (12 & under)	\$ 70.00
Resident Senior/Handicapped	\$ 50.00
Non-Resident Family Membership	\$525.00
Non-Resident Adult	\$215.00
Non-Resident Student	\$145.00
Non-Resident Child	\$110.00
Non-Resident Senior/Handicap	\$ 80.00
Guest (Daily) Adult (18 or over)	\$ 10.00/ \$5.00 after 4:00 PM
Guest (Daily) Child (12 & Under)	\$ 5.00/ \$2.50 after 4:00 PM
Guest Fee – Family Day Adult	\$ 15.00
Guest Fee – Family Day Child	\$ 10.00
Replacement Badge	\$ 5.00

**BE IT FURTHER RESOLVED** that the foregoing changes be made immediately.

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**RESOLUTION 13-210  
RESOLUTION AUTHORIZING SALE OF DUTY WEAPONS  
TO RETIRING POLICE OFFICER**

**WHEREAS**, Daniel Hedden was hired by the Long Hill Township Police Department on December 2, 1986, and

**WHEREAS**, Daniel Hedden retired from the Police Department on June 1, 2013 as Chief of Police; and

**WHEREAS**, in the past the Police Department has presented retired members with their department firearm for their loyalty and honor to the Police Department,

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Long Hill that it hereby authorizes and directs the Mayor to execute the state permit to purchase the service weapon to Chief Daniel Hedden for a nominal consideration.

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**RESOLUTION 13-211  
AMENDING THE TOWNSHIP'S PERSONNEL POLICES AND  
PROCEDURES MANUAL CONCERNING  
OVERTIME COMPENSATION  
AND COMPENSATORY TIME POLICIES**

**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 on February 27, 2013 to provide that:

*“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.”*

**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 February 27, 2013) in Section 4 of the Township of Long Hill Personnel Policies and Procedures Manual is hereby repealed in its entirety and is replaced by the following language:

*Overtime Compensation Policy (Revised May 2013)*

*Township employees may be required to work overtime if budgeted and approved by the Department Head and Township Administrator. Employees working overtime without prior approval will be subject to disciplinary action.*

*The Fair Labor Standards Act (“FLSA”) entitles non-exempt employees to overtime compensation calculated at a rate of one (1) and one-half (1/2) of the employee’s regular rate of pay, for all hours worked in excess of 40 hours per week.*

*It is the Township’s policy that non-exempt employees will receive straight time compensation at his/her regular rate of pay for working in excess of 35 or 37.5 hours per week, up to 40 hours per week (depending on the specific employee’s standard work week). Non-exempt employees who work over 40 hours per week, will receive overtime compensation at a rate of one (1) and one-half (1/2) of his/her regular rate of pay. Sick, vacation and personal leave are not considered time worked for purposes of determining overtime compensation.*

*Non-exempt employees who work on a paid holiday will receive overtime compensation at a rate of two (2) hours for each hour worked. Additionally, non-exempt employees who are called to return to work because of an emergency or unusual circumstances will be compensated at the greater rate of either (2) hours or the actual number of hours worked, less the overtime received under any other provision of this policy.*

*Exempt employees are not entitled to overtime compensation. Any hours worked by exempt employees in excess of 40 hours per week are not compensable; rather all hours worked by exempt employees are included in their regular rate of pay.*

*Exempt and Non-Exempt Employees are defined by the following tables:*

**Exempt Employees**

Township Administrator  
Township Clerk/Registrar  
Chief Financial Officer  
Chief of Police  
Director of Public Works  
Superintendent/Wastewater  
Municipal Judge  
Court Administrator  
Tax Assessor  
Recreation Director  
OEM/Police Department Administrator

**Non Exempt Employees**

Administrative Assistant  
Receptionist  
Tax Collector  
Construction Code Official  
Technical Assistant  
Planning and Zoning Administrator  
Code Enforcement Officer  
Accounts Payable Supervisor  
Payroll Supervisor

*Compensatory Time Policy (Revised May 2013)*

*If provided for in a collective bargaining agreement, employment contract or Township Policy, the Township may provide compensatory time in lieu of overtime compensation to non-exempt employees. Non-exempt employees will accumulate one (1) hour of compensatory time for every hour worked in excess of 35 or 35.7 hours per week, up to 40 hours per week. After working in excess of 40 hours per week, non-exempt employees will accumulate one (1) and one-half (1/2) hours of compensatory time for every hour worked. Sick, vacation and personal leave are not considered time worked for purposes of accumulating compensatory time.*

*Non-exempt employees who work on a paid holiday will receive compensatory time at a rate of two (2) hours for each hour worked. Additionally, non-exempt employees who are called to return to work because of emergency or unusual circumstances will receive compensatory time at the greater rate of either two (2) hours or the actual number of hours worked, less the hours received under any other provision of this policy.*

*The Township will permit non-exempt employees to accumulate compensatory time off in his/her compensatory bank, for up to a total of 50 hours at any given time. Once an employee's compensatory time bank has 50 hours, any hours worked in excess of 40 hours per week shall be paid to the employee as overtime compensation.*

*Before a non-exempt employee may utilize his/her accrued compensatory time, she/he must submit a request to his/her supervisor at least two days prior to the requested time off. The non-exempt employee's supervisor may approve the request if the absence does not cause undue hardship to the department.*

*Similar to the overtime policy, exempt employees are not entitled to compensatory time.*

2. The GENERAL PERSONNEL POLICY(revised February 27, 2013) of the Township of Long Hill Personnel Policies and Procedures Manual is hereby repealed in its entirety and is replaced by the following language:

**GENERAL PERSONNEL POLICY:**

It is the policy of the Township of Long Hill to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies



and procedures of the Township of Long Hill shall apply to all employees, volunteers, elected or appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services agreement, or Federal or State law including but not limited to, the Attorney General's guidelines with respect to Police Department personnel matters, the collective bargaining agreement, personnel services agreement, or Federal or State law including but not limited to, the Attorney General's guidelines shall prevail]. In all other cases, these policies and procedures shall prevail.

3. This Resolution shall take effect immediately. Copies of this amendment shall be distributed to all Township Employees to update their Township Personnel Policies and Procedures Manuals.

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**RESOLUTION 13-212  
AUTHORIZING RENEWING OF LIQUOR LICENSES FOR 2013-2014**

**BE IT RESOLVED** that all applications being in good order and the required \$2,500.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Plenary Retail Consumption Licenses for the year beginning July 1, 2013 and ending June 30, 2014:

CRI Long Hill Inc.  
d/b/a Chimney Rock Inn  
342 Valley Road  
Gillette, NJ 07933  
License No. 1430-33-008-005

Bartons Pub Inc.  
d/b/a Barton's Pub  
37 Plainfield Road  
Stirling, NJ 07980  
License No. 1430-33-005-007

**BE IT FURTHER RESOLVED** that all applicants being in good order and the required \$63.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Limited Retail Distribution License for the year beginning July 1, 2013 and ending June 30, 2014:

Dorsis Deli & Pharmacy, Inc.  
184 Central Ave  
Stirling, NJ 07980

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**RESOLUTION 13-213  
AUTHORIZATION OF TAX REDEMPTION [B.10104, L.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, the Redemption of Tax Title Lien # 1255 for Block 10104, Lot 6, dated 11/24/12 in the amount of \$2,440.21 to Rainbow Associates, LLC; P.O. Box 17, Morris Plains, NJ 07950

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**RESOLUTION 13-214  
AUTHORIZATION OF TAX REDEMPTION [B.11602, L.8]**

**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 # 1243 for Block 11602 Lot 8 dated 12/06/11 in the amount of \$1814.15 to: FNA Jersey BIO, LLC., P.O. Box 1030, Brick, NJ 08723

**RESOLUTION 13-215  
ACCEPTING GIFT FROM THE WELLISH FAMILY**

**WHEREAS**, a Park Bench has been offered by the family in memory of Michael R. Wellish, a former resident of Long Hill Township, to the Long Hill Township Recreation Department in the amount of \$505.86.; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides that any local unit is authorized and empowered to accept gifts made to it;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey authorizes the acceptance of the \$505.86 Memorial Park Bench donation from the Wellish Family to the Long Hill Township Recreation Department.

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**RESOLUTION 13-216  
APPROVING SPECIAL EVENT LICENSE  
[RIDE TO FIGHT HUNGER]**

**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 13-08 for the event to the "Sponsor" Stirling Shop Rite, for their Special Event "Ride to Fight Hunger" to be held 9:00 AM – 11:00 AM on September 21, 2013; and

**BE IT FURTHER RESOLVED** that the Police Department has determined that the applicant is exempt for the cost of police coverage required for this event.

\*\*\*\*\*

**RESOLUTION 13-217  
AMENDING PROFESSIONAL SERVICES CONTRACT  
TO KLEINFELDER EAST, INC.**

**WHEREAS**, the Township of Long Hill requires the services of a professional engineer in connection with an Anti-degradation study of the Long Hill Township Wastewater Treatment system; and

**WHEREAS**, Kleinfelder East, Inc. has submitted a bill of \$4,000.00 for these additional services which was not part of the contract awarded on May 8, 2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of the Township of Long Hill in the County of Morris, State of New Jersey approves the expenditure for this additional service as follows:

1. This expenditure shall be charged to the budget for the "Reserve for Sewer Contributions". The certification of available funds by the Financial Officer shall be attached to the original of this resolution and shall be maintained in the files of the Township Clerk.

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**RESOLUTION1 13-218  
APPOINTING DPW SEASONAL PERSONNEL – JOSEPH BARTOLOTTA**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill upon the advice and recommendation of Neil Henry, Township Administrator and Tom Sweeney, Director of Public Works, does hereby appoint Joseph Bartolotta to provide Long Hill Township with temporary help effective on or about June 26, 2013 at a rate of \$11.50 per hour at a total amount not to

exceed \$3,000.00; funded in the 2013 Municipal Operating Budget "Clean Communities" account #3-01-41-770-001-105.

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**RESOLUTION 13-219  
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year (*insert fiscal year*) has been filed by a Registered Municipal Accountant with the (*insert "Clerk of the Board of Freeholders" or "Municipal Clerk"*) pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Township Committee of the Township of Long Hill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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**RESOLUTION 13-220  
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 May 29, 2013 Regular Meeting and the June 6, 2013 Special Meeting.

**BE IT FURTHER RESOLVED** that the Township Committee hereby approves the May 29, 2013 Executive Session Meeting Minutes as redacted by the Township Attorney.

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**RESOLUTION 13-221  
AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT (SEWER ONLY) WITH  
OWNER OF BLOCK 13402 LOT 10 [Paslowsky]**

**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 Township Clerk are hereby authorized to execute the Developers' Agreement (sewer only) for block 13402, lot 10 which shall be kept on file in the Township Clerk's office.
2. Upon compliance with the terms of the Developers' Agreement, the property owners shall be entitled to connect to the Township wastewater treatment system.

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**RESOLUTION 13-222  
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.

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**RESOLUTION 13-223  
CONTRACT FOR  
COMPUTER CONSULTING SERVICES [ATON COMPUTING]**

**WHEREAS**, the Township of Long Hill awards a contract to ATON Computing in Somerville, NJ on June 19, 2013 for Computer Consulting Services at the base bid amount of \$118/hr; and

**WHEREAS**, the Township Committee hereby wishes to award the contract for a two year term, there will be no increase in the second year, beginning July 1, 2013 through June 30, 2015; and

**WHEREAS**, ATON Computing has agreed to adhere to the same terms, conditions and amount of \$118/hr as indicated in the contact as per letter proposal of June 3, 2013; and

**WHEREAS**, the Chief Financial Officer has filed a certification of availability of funds in the MIS Systems /Computer Maintenance budget line item; 3-01-20-140-140-201, as required by the Local Budget Law;

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

1. The computer consulting services contract is hereby awarded for a two year term, ATON Computing, One East High Street, Somerville, NJ 08876 with the contract expiring June 30, 2015
2. The contract is estimated to be in the amount of \$50,000.00

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**RESOLUTION 13-204 A  
AUTHORIZING CHANGE ORDER NO. 19 TO THE  
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

**WHEREAS**, the contract amount on Resolution 13-204 was incorrect; and

**WHEREAS**, it is necessary to rescind Resolution 13-204 and replace with Resolution 13-204A which adjusts the contract amount to reflect the correct amount per the Chief Financial Officer and the Township Engineer as follows;

Change Order #	Description	Amount	Net Amount of Contract
19	Install modifications directed by pump manufacturer's engineers in an effort to solve the pump vibration issues. Installed 2 vane impellers and new wear ring. Installed 2 devices to reduce "pre-swirl" in the system.	\$7,620.00	<del>\$1,040,125.76</del> <b>\$1,055,551.09</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey to make the aforementioned correction.

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**RESOLUTION #13-226 APPOINTING 2013 SUMMER RECREATION PLAYGROUND PERSONNEL**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill upon the recommendations of the Recreation Director and Summer Camp Director Kelly Wells, that the following be appointed to the 2013 Summer Recreation Playground Personnel effective June 28, 2013:

Summer Rec. Camp 2013		
<b>NAME</b>	<b>Position</b>	<b>Hourly Wage</b>
Kelly Wells	Camp Director	\$29.00
Shane Porter	Site Supervisor – Central	19.00
Stephanie DeAngelo	Ass't Site Supervisor--Central	15.00
Jasmine Lettieri	Arts & Crafts Supervisor-Central	10.00
Luke Smith	Counselor	8.00
William Vorrius	Counselor	7.50
Eric Langenauer	Counselor	7.75
Connor Ragsdale	Counselor	8.00
Kim Massa	Counselor	7.75
Emily Garno	Counselor	7.50
Briana Londono	Counselor	7.50
Abigail Kesselmeier	Counselor	7.50
Rebecca Kinsella	Counselor	7.75
Allie Skuraton	Counselor	7.50
Andrew Couch	Site Supervisor – Millington	18.50
Jessica Zigarelli	Ass't Site Supervisor – Millington	15.50
Jamie Heydt	Ass't Site Supervisor -- Millington	15.00
Erica Spinelli	Arts & Crafts Supervisor--Millington	10.25
Conor Murphy	Counselor	7.75
Jacky Mentone	Counselor	7.75
Elizabeth Skrobacz	Counselor	7.75
Mia Ruggiero	Counselor	7.75
Caroline Serqueira	Counselor	7.50
Emily Meltzer	Counselor	7.50
JC Rizzi	Counselor	8.00
Tyler Dunster	Counselor	8.00
Steve Klawitter	Counselor	8.00
David Dassinger	Counselor	8.00
Kayla Hobbs	CIT (Counselor in Training)	Volunteer
Aidan Vigliotti	CIT	Volunteer
Samantha Mazzucco	CIT	Volunteer
Sarah Hull	CIT	Volunteer
Ryan McHugh	CIT	Volunteer
James Dassinger	CIT	Volunteer
Jared Heller	CIT	Volunteer
Kevin Sylvestri	CIT	Volunteer
Julia Skrobacz	CIT	Volunteer
Tina Zoppi	CIT	Volunteer

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**OLD BUSINESS:**

**NEW BUSINESS:**

**ANNOUNCEMENTS/CORRESPONDENCE:**

- Special Primary Election is August 13, 2013
- Morris County needs Poll Workers
- Morris County Youth Police Academy July 29-August 2
- LHT Board of Ed. Meeting time change to 6/24/2013 at 6:00 PM

**MEETING OPEN TO THE PUBLIC:**

Remarks and Statements Pertaining to Any Matter

**ADJOURNMENT**