

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, **October 23, 2013** at 7:01 PM.

Mayor Piserchia read the following statement:

STATEMENT OF ADEQUATE NOTICE

"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:

A motion was made by Committeeman Roshto seconded by Committeeman Schuler to approve Resolution 13-330 and move to closed session. Voice Vote: All Ayes

**RESOLUTION 13-330
EXECUTIVE SESSION
October 23 2013**

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:

- Letter from COAH/Lounsberry

Contract Negotiations:

- DPW Contract
- PBA Contract

Property Acquisition:

- Kurz Update
- Eberle 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 PUBLIC SESSION: Mayor Piserchia Opened the Public Session at 7:44 PM.

PLEDGE OF ALLEGIANCE – All present recited the Pledge of Allegiance.

ROLL CALL: Mayor Piserchia, Deputy Mayor Schuler, Committeeman Roshto, Committeeman Rae and Committeeman Meringolo were present. Also present was CFO James Mangin.

COMMITTEE LIAISON REPORTS: There were no reports at this time

DISCUSSION / ACTION ITEMS:

- **Township Committee Appointment:**

Committeeman Rae made a motion seconded by Comm. Roshto to appoint Michael Pudlak to the Zoning Board of Adjustment, as second alternate, his term will expire 12/31/2013. **Voice Vote:** All in favor

- **Long Hill Wastewater Upgrades**

CFO Mangin reviewed the Cost summary prepared for the Committee as well as the Debt Service graph, with the proposed 2013 NJ Environmental Infrastructure Trust Fund Loan. A discussion ensued. Mr. Bradley, from Omni Engineering addressed the Committee as did Mr. Beinfield, bond counsel for the Township. The CFO will have the necessary documentation ready for the November 6th Township Committee meeting.

- **Bulk Pick-up Schedule Change**

Mr. Henry explained his report to the Committee. In summary- the Township has received a request from MIDCO to limit the number of items allowed for once monthly Bulk Pick-up to “4 Bulk Pick-ups per month, 1 bulk item per week.” A discussion ensued and based upon pictures taken it was obvious to the Committee that there are some residents taking advantage of the monthly Bulk Pick-up. As MIDCO contracted to provide the residents with unlimited bulk pick-up, the consensus of the Committee was that the contractor must provide what was contracted to the Township. The Committee would not agree to make any limitations, or decrease the service currently provided to the residents. It was suggested that MIDCO be notified to rectify the situation.

- **Turf Field- Riverside Park**

The Mayor requested that Recreation Director, Lisa Scanlon address the Committee with an update.

- Estimate for the project is \$581,000 for turfing Field 1
- The Athletic Community is in favor of the turfing
- The Recreation Advisory Committee is currently working on the Master Plan in which 2 of the LHT fields will be turfed.

The Mayor recommended that Ms. Scanlon introduce a Resolution at the Nov. 6th meeting to solicit bids for the project.

ORDINANCE INTRODUCTION

MOVED by: Committeeman Rae that Ordinance 321-13 be passed on first reading with the Open Public Hearing scheduled for November 27, 2013. **SECONDED** by: Committeeman Meringolo. **ROLL CALL VOTE:** All in favor

The Clerk was instructed by Atty. Pidgeon to refer the Ordinance to the Planning Board

ORDINANCE # 321-13

AN ORDINANCE EXEMPTING GENERATORS ACCESSORY TO MULTIFAMILY DEVELOPMENT CLUB HOUSES IN CERTAIN INSTANCES AND SUPPLEMENTING AND AMENDING SECTION 160 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “SITE PLAN AND SUBDIVISION REVIEW”

STATEMENT OF PURPOSE: To exempt generators at multifamily development clubhouses from site plan ordinance.

WHEREAS, clubhouses and similar structures at multifamily developments can serve as warming stations and shelters during hurricanes, blizzards and other severe weather conditions; and

WHEREAS, the installation of generators outside such clubhouses will have a *de minimis* impact on the aesthetics of the development and the approved site plan;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that subsection 162.2 of the Township Land Use Ordinance is supplemented and amended by adding the following new paragraph “a3” as follows:

Section 1. Section of the Township Code entitled “SITE PLAN AND SUBDIVISION REVIEW” is amended to read as follows:

162.2 Site Plan Review

a. No construction permit or certificate of occupancy shall be issued for the construction of any new structure; for the addition or alteration to an existing structure; for creation of new parking stalls; or for the addition of driveways or any paving on any property; or for any change in use or occupancy on any property until a major site plan has been reviewed and approved by the Planning Board or Zoning Board of Adjustment, as the case may be, except that:

1. A construction permit for a detached single- or two-family dwelling used solely for residential purposes and its customary accessory structures on one (1) lot shall not require site plan review, except that home offices and family day care homes shall require minor site plan approval.

2. A construction permit for any addition, alteration or modification to an existing conforming nonresidential or multifamily residential building which will result in less than five hundred (500) square feet of additional building coverage and/or require fewer than five (5) additional parking stalls shall require minor site plan approval.

3. A construction permit for a permanent standby generator (generator) accessory to any clubhouse or similar structure in a conforming multifamily residential development, which is operated or maintained by a homeowners’ association, and which is part of the common elements of that development shall

be exempt from any site plan approval, provided that the following conditions are met:

- a. No generator shall be located forward of the front line of the principal building.
 - b. No generator shall be located within five (5) feet of any side or rear lot line.
 - c. The generator shall only be used during electrical power outages and as required by the manufacturer for maintenance purposes.
4. *Resurfacing of existing parking areas or other paved areas shall be exempt from any site plan approval, provided that the resurfacing results in no change to grading, drainage, lighting, the number and orientation of parking stalls, and other design details of the area to be resurfaced.*
5. *Changes in use or occupancy at existing industrial uses in any zone and all properties within the LI-2 zone district² and other uses which fail to meet the checklist submission requirements for an administrative site plan waiver set forth in subsection 163.4 herein below may be permitted to a waiver of normal site plan requirements upon a finding by the Planning Board that the existing site improvements meet the development design standards specified in Section 150 of the Township Land Use Ordinance. Failure to meet said standards shall require the applicant seeking the change in use or occupancy to submit a minor or major site plan, as specified by the Planning Board.*

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,

October 23, 2013, will be considered for final passage and adoption at a public hearing held at a meeting beginning at **3:00 p.m.** on **Wednesday, November 27th, 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
Township Clerk

RESOLUTIONS:

The following Resolution was read aloud in its entirety by Major Piserchia:

**RESOLUTION 13-329
A RESOLUTION RENAMING RIVERSIDE PARK AS
THE “MATTHEW G. KANTOR MEMORIAL PARK”**

WHEREAS, Petty Officer 2nd Class, Matthew G. Kantor a resident of Long Hill Township, and a graduate of Watchung Hills Regional High School, died on November 1, 2012 in Afghanistan, during a firefight with insurgents, while supporting Operation Enduring Freedom; and

WHEREAS, Matt was a member of the elite United States Navy SEALs; and

WHEREAS, in a letter to Matt’s family, members of his SEAL team described Matt’s valor, saying:

“While on patrol, several insurgents mounted a complex machine gun attack on Matt and his team . . . without fear or hesitation, Matt moved to protect his teammates and was mortally wounded by the heavy machine gun fire. His actions were directly responsible for saving the lives of his [team] and protecting the main body of the patrol . . . Matt was true to form in his last moments, a gallant and noble warrior who put his team above himself.” and

WHEREAS, Matt has received some of our nation’s highest military honors, including the Bronze Star with “V”, Purple Heart, Combat Action Ribbon, Navy Commendation Medal, Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, and NATO Medal; and

WHEREAS, Matt’s Commanding Officer, Captain Robert Smith, Commander of Naval Special Warfare Group, TWO described Matt as “a son, a brother, a friend, a teammate and a

true American Patriot, U.S. Navy SEAL Matthew Kantor; and

WHEREAS, New Jersey Governor Christie ordered the United States flag and the New Jersey flag to be flown at half-staff at all state offices and buildings on November 9, 2012, “in recognition and mourning of a brave and loyal American hero, United States Navy Petty Officer 2nd Class, Matthew G. Kantor”; and

WHEREAS, Watchung Hills Regional High School honored Matt by inducting him into the High School’s Hall of Fame on May 10, 2013; and

WHEREAS, the Township Committee wishes to recognize and honor Matt’s heroism and valor on behalf of all the residents of his proud hometown by renaming Riverside Park; and therefore;

BE IT RESOLVED by the Township Committee, of the Township of Long Hill, in the County of Morris, State of New Jersey, on this 23rd day of October 2013 that Riverside Park shall from this day forward be known as:

MATTHEW G. KANTOR MEMORIAL PARK”

BE IT FURTHER RESOLVED, that the dedication of the Matthew G. Kantor Memorial Park shall be held on Veterans Day, November 11, 2013 at 1:00 p.m. with services open to the public.

MOVED by: Committeeman Rae by the Township Committee of Long Hill Township, that Resolution #13-329 is hereby approved. **SECOND** by: Committeeman Roshto.

ROLL CALL VOTE: All in favor

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: Committeeman Rae by the Township Committee of Long Hill Township, that Resolution #13-320 through #13-328 and #13-331 are hereby approved. **SECOND** by: Committeeman Roshto. **ROLL CALL VOTE:** All in favor

**RESOLUTION 13-320
APPOINTING MUNICIPAL HOUSING LIAISON**

WHEREAS, the Governing Body of Township of Long Hill petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan, and

WHEREAS, Township of Long Hill's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH'S Third Round Substantive Rules (N.J.A.C. 5:96-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:96-17.1 and N.J.A.C. 5:80-26.1 et. seq., Township of Long Hill is required to appoint a Municipal Housing Liaison for the administration of Township of Long Hill's affordable housing program to enforce the requirements of N.J.A.C. 5:96 and N.J.A.C. 5:80-26.1 et. seq.; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of Township of Long Hill in the County of Morris, and the State of New Jersey that Neil Henry, Township Administrator is hereby appointed by the Governing Body of Township of Long Hill as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Sections 2-21.2 of Township of Long Hill's Code.

**RESOLUTION 13-321
AUTHORIZING THE RETURN OF
PROFESSIONAL REVIEW ESCROW – Heinkel**

WHEREAS, Robert & Martha Heinkel of Block: 12402, Lot: 3, in regards to Application No. 09-09Z, 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 \$104.70 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 \$104.70 to Robert & Martha Heinkel, 204 Oaks Rd., Millington, NJ

**RESOLUTION 13-323
AUTHORIZING THE RETURN OF
PROFESSIONAL REVIEW ESCROW – Oveissi**

WHEREAS, Hamid & Marie Oveissi of Block: 14007, Lot: 1.05, in regards to Application No. 11-03Z, 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 \$48.74 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 \$48.74 to Hamid & Marie Oveissi, 712 Long Hill Rd., Gillette, NJ

**RESOLUTION 13-324
INSERTION OF SPECIAL ITEM OF REVENUE
COMMUNITY FORESTRY SERVICES 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 has received a \$3,000 grant from the New Jersey Department of Environmental Protection State Forestry Services;

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 2013 in the sum of \$3,000.00 which is now available as a Revenue from the New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED by the like sum of \$3,000 is hereby appropriated under the caption title NJ DEP Grant – Community Forestry Services; and

BE IT FURTHER RESOLVED, that the above is a result of funds from an award letter received from the New Jersey Department of Environmental Protection in the amount of \$3,000; 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 13-325
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 13-326
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 October 9, 2013 Regular Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the October 9, 2013 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION # 13 - 327
APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO
N.J.S.A. 40A:2-7, 40A:2-26(e) AND 58:11B-9(a)**

WHEREAS, the Township of Long Hill desires to make application to the Local Finance Board for its review and/or approval of a proposed nonconforming maturity schedule in connection with a sanitary sewerage system project to be financed through the New Jersey Environmental Infrastructure Trust financing program.

WHEREAS, the Township of Long Hill believes:

- (a) It is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Administrator, Chief Financial Officer, Auditor, Engineer, Bond Counsel and financial advisor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the proposed bond ordinance and nonconforming maturity schedule with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

**RESOLUTION 13-328
AUTHORIZING SALE OF ABANDONED JUNK VEHICLE**

WHEREAS, the Township Police Department obtained junk title to an abandoned 1999 White Ford Pick Up Truck motor vehicle (VIN 1FTZF 1728XNC148 16) pursuant to *N.J.S.A. 39:10A-3*; and

WHEREAS, *N.J.S.A. 39:10A-1b* provides that when any municipality shall have taken possession of a motor vehicle found abandoned and when such motor vehicle which has been

ascertained not to be stolen and to be one which can be certified for junk title certificate shall have remained unclaimed by the owner for a period of fifteen (15) business days the same may be sold at auction in a public place; and

WHEREAS, subparagraph d of *N.J.S.A. 39:10A-1* provides that the public agency shall give notice of a sale conducted pursuant to § b by certified mail, to the owner, if his name and address be known and to the holder of any security interest filed with the Director, and by publication in a form to be prescribed by the Director by one (1) insertion, at least five (5) days before the date of the sale, in one or more newspapers published in this state and circulating in the municipality in which such motor vehicle is held; and

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

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

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

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

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

1. The sale of the 1999 White Ford Pick Up Truck motor vehicle (VIN 1FTZF1728XNC14816) is hereby authorized.
2. The public sale shall be conducted in accordance with the requirements of *N.J.S.A. 39:10A-1b* and d.
3. The minimum bid that will be accepted is \$6,232.75.
4. If the towing contractor is the only bidder on the subject vehicle, the junk title to that vehicle may be assigned to the towing contractor to cover the towing and storage charges.
5. If the vehicle is sold to a third party, the proceeds shall be used to pay the towing and storage charges and the transaction shall be handled for budgetary purposes as an appropriation and a refund of appropriation.
6. The vehicle, the sale of which is authorized by this resolution, may be used only for parts or scrap and may not be subsequently titled or registered in the State of New Jersey.

**RESOLUTION 13-331
APPROVING SPECIAL EVENT LICENSE – STIRLING ELKS**

Long Hill Township Committee Minutes
October 23, 2013 Regular Meeting

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 14-01 contingent upon receiving the applicable hold harmless agreement and certificate of insurance for the "Miracle Run" to the

"Sponsor" Stirling Elks Lodge #2392, for their Special Event to be held on July 27, 2014 at Stirling Elks Lodge on 1138 Valley Road in Stirling; and

BE IT FURTHER RESOLVED that Stirling Elks Lodge #2392 is responsible for the cost of police services for this event if applicable and this approval is contingent upon the submission of

an escrow deposit in the amount acceptable by the Police Chief and Township Clerk as per Township Code 4-6.5A.

OLD BUSINESS: There was none at this time

NEW BUSINESS: There was none at this time.

ANNOUNCEMENTS/CORRESPONDENCE:

- The Mayor congratulated the Library on a successful event.
- Blood Drive: Wed., Nov. 13. Bernards Township Health Dept.
- 2- speakers for Township Seniors at the Senior Center
- The Yale Spizzwinks 10/24, 7:30 at the Senior Center

MEETING OPEN TO THE PUBLIC: There were no Remarks or Statements made

ADJOURNMENT: Committeeman Rae made a motion, seconded by Committeeman Meringolo to adjourn. **Voice Vote:** All in favor. The meeting was adjourned at 9:07 PM

Respectfully submitted,
Cathy Reese, RMC
Township Clerk