

TOWNSHIP OF LONG HILL
TOWNSHIP COMMITTEE MEETING MINUTES
January 29, 2014

The meeting was called to order by Mayor Piserchia at 6:03 PM

The Mayor 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 electronically sent to the Courier News and posted in the January 9, 2014 edition. Electronic notice was also sent to the Echoes Sentinel and posted in the January 16, 2014 edition, and posted on the bulletin board in the Municipal Building on January 7, 2014 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

MOVED by: Comm. Roshto of the Township Committee of Long Hill Township that Resolution #14-060 is hereby approved for Executive Session. **Seconded by:** Comm. Meringolo.

ROLL CALL VOTE:

RESOLUTION 14-060
EXECUTIVE SESSION

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

Personnel:

- CFO

Contract Negotiations:

- PBA
- Skyline Drive Pump Station-Review

Property Acquisition:

- Open Space Committee invited to present their recommendations for 2014
- MC Flood Mitigation Properties
- Kurz Property update
- Eberle property
- Central School

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.

Mayor Piserchia opened the **PUBLIC MEETING** at 7:30 PM

All present recited the **PLEDGE OF ALLEGIANCE**

ROLL CALL: Mayor Piserchia, Deputy Mayor Rae, Committeeman Meringolo, Committeeman Roshto and Committeeman Schuler were all present.

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BOARDS/COMMITTEES APPOINTMENTS -Paul Tamburri was appointed to the Shade Tree Commission and John McCarthy was appointed to the Recreation Advisory Committee.

COMMITTEE LIAISON REPORTS: Committeeman Schuler reported that the DPW reported 7 snow events. Stirling Lake was now open for ice skating. There were no other reports at this time.

DISCUSSION / ACTION ITEMS: There were no discussion items at this time

ORDINANCES:

ORDINANCE INTRODUCTION:

ORDINANCE #323-14

AN ORDINANCE CONCERNING SITE PLAN STANDARDS FOR HANDICAPPED PARKING AND AMENDING SECTION 150 OF THE TOWNSHIP LAND USE ORDINANCE ENTITLED “DEVELOPMENT DESIGN STANDARDS”

WHEREAS, Planning Board Engineer Thomas Lemanowicz, in a September 19, 2013 memorandum to the Township Planning Board, recommended amending the site plan handicapped accessible parking space standards to bring them into compliance with the Americans with Disability Act; and

WHEREAS, the Planning Board agrees with Mr. Lemanowicz’s recommendation;

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 151 of the Township land Use Ordinance entitled “Off-Street Parking and Loading” is hereby amended as follows:

Section 1. Paragraph “b” is amended to read as follows:

“151.1 Off-Street Parking

b. Each off-street parking space, excluding those intended for use by drivers with physical disabilities, shall measure nine (9) feet in width and nineteen (19) feet in length (or eighteen (18) feet in length where vehicles overhang a curbed area) and shall be of a usable shape and condition. The above parking space size shall not apply to parallel curb parking spaces which shall measure no less than eight (8)

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feet in width by twenty-three (23) feet in length. Parking spaces and accessible routes for drivers with physical disabilities shall ~~be at least twelve (12) feet wide and otherwise conform to the requirements herein~~ .meet the current regulations of the Americans with Disabilities Act of 1990, as amended.”

Section 2. Paragraph “e” is amended in its entirety to read as follows:

“e. The number of standard automobile and van accessible parking spaces for drivers with physical disability shall be provided and marked in accordance with the current regulations of Americans with Disabilities Act of 1990, as amended.”

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, January 29, 2014, will be considered for final passage and adoption at a public hearing held at a meeting beginning at **7:30 p.m.** on **Wednesday, February 26, 2014** 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
Township Clerk

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MOVED by: Committeeman Roshto that Ordinance 323-14 is passed on first reading with the Open Public Hearing scheduled for February 26, 2014. **SECONDED** by: Committeeman Schuler.

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.

With regard to Resolution 14-069, Comm. Meringolo inquired the procedure for receiving approval for the Towing Companies. The Clerk explained the paperwork that needed to be filed with her office first, along with proof of insurance, and when that was complete any towing company could be added to the list.

With regard to Resolution 14-071, Comm. Schuler asked if this should be discussed further. Mr. Henry noted that the bid was 23% lower than the Omni Estimate, and that the DEP had already approved the award to DeMaio Electrical Company and due to the time constraint, the Resolution need to be approved this evening. Comm. Schuler approved and asked that it be kept in the Consent Agenda but requested a set of the bid plans for his file.

MOVED by: Deputy Mayor Rae by the Township Committee of Long Hill Township, that Resolution #14-061, 14-064 through #14-073 are hereby approved.

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

RESOLUTION 14-061
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 14-064
APPROVAL AND RELEASE OF REGULAR SESSION MINUTES

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the January 6, 2014 Township Committee Re-Organization meeting.

RESOLUTION 14-065
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 December 31, 2013 Special Meeting.

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RESOLUTION 14-066
ACCEPTING RESIGNATION – JAMES MANGIN, CFO

BE IT RESOLVED, that the Township Committee hereby accepts the resignation of James Mangin as CFO effective February 1, 2014

RESOLUTION 14-067
APPROVING USE OF HICKS TRACT –
BOY SCOUT TROOP 56 AND BOY SCOUT TROOP 59

BE IT RESOLVED that the Township Committee of the Township of Long Hill does hereby grant permission for Boy Scout Pack 59 of Stirling to use the Hicks Tract for camping training on Saturday, February 22, 2014 per a letter dated January 14, 2014, subject to meeting all the requirements of the receipt of a Hold Harmless Agreement, Certificate of Insurance and Fire Permit.

RESOLUTION 14-068
AUTHORIZING PROPERTY LOCATED AT 49 POPULAR DRIVE; KNOWN AS BLOCK
10512, LOT 1 ON THE TOWNSHIP MAPS TO CONNECT TO THE TOWNSHIP
WASTEWATER TREATMENT SYSTEM UPON PAYMENT OF THE CONNECTION FEE SET
FORTH IN TOWNSHIP CODE SECTION 22-3.1

WHEREAS, Goldcon, Inc. the owner of 49 Popular Drive (Block 10512, Lot 1) has requested a connection to the Township wastewater treatment system to replace a previous connection to that property; and

WHEREAS, the previous connection was a four-family residence which was demolished approximately 24 years ago; and

WHEREAS, the daily flow for the four-family residence, using the formula set forth in N.J.A.C. 7:14A-23.3, was 600 gallons per day; and

WHEREAS, the projected flow for Goldcon’s proposed new development, using that same formula, is 374.5 gallons per day; and

WHEREAS, tax lot 1 in block 10512 was in existence when the Township’s voluntary sewer ban was imposed on September 13, 2000; and

WHEREAS, the proposed project does not require a sewer extension; and

WHEREAS, paragraph (a)2 of Township Resolution 08-241 provides that: “If the project will replace a building/facility at the same location, which was in existence prior to the effective date of the sewer connection ban, and was or is currently connected to the treatment works subject to the ban, and the replacement facility will create flow equal to or less than the former facility, calculated in accordance with . . . N.J.A.C. 7:14A-23.3”; and

WHEREAS, paragraph (a)2 of Resolution 08-241 is identical to paragraph (a)2 of N.J.A.C. 7:14A-22.2 which sets forth the exemption criteria for mandatory sewer bans; and **WHEREAS**, neither Resolution 08-241 nor N.J.A.C. 7:14A-22.22 includes an abandonment provision; and

WHEREAS, the subject property is therefore exempt from the Township’s voluntary sewer ban; and

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WHEREAS, Township Code Section 22-3.1 provides that “the connection fee . . . for each connection of any property to the sewage system shall be imposed upon the owner . . . at the property so connected” and goes on to set forth the formula for calculating such connection fee; and

WHEREAS, the subject property is not exempt from the connection fee under Section 22-3.2 because that exemption applies only for single-family residences; and

WHEREAS, the subject property is not exempt from the exemption under Section 22-3.7 because the prior connection was demolished more than 2 years ago and, therefore, is deemed to have been abandoned;

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:

The property located at 49 Popular Drive (Block 10512, Lot 1) owned by Goldcon, Inc. is hereby deemed exempt from the Township voluntary sewer ban because it will replace a building at the same location which was in existence prior to the effective date of the sewer ban and was connected to the treatment works subject to the ban and the replacement facility will create flow equal to or less than the former facility calculated in accordance with the criteria contained in N.J.A.C. 7:14A-23.3.

The property is subject, however, to the connection fee set forth in Township Code Section 22-3.1.

Accordingly, the subject property may be connected to the Township wastewater treatment system upon payment of the connection fee calculated in accordance with Township Code Section 22-3.1.

RESOLUTION 14-069
APPROVAL OF 2014 TOWNSHIP TOW SERVICE OPERATORS

BE IT RESOLVED that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Chief of Police that the following towing contractors be utilized by the Police Department on a rotating basis subject to meeting all the requirements of Township Code 24-2 and receipt of a Hold Harmless Agreement and Certificate of Insurance which shall be submitted to the Township Clerk:

BENHAM'S SERVICE & GARAGE
414 Springfield Avenue, Berkeley Heights, NJ 07922

BERKELEY COLLISION REPAIR, INC.
609 Springfield Ave., Berkeley Heights, NJ 07922

DEFALCO'S INSTANT TOWING
26 Commerce Street, Chatham, NJ 07928

SOMERSET HILLS TOWING
35-B Old Quarry Road, Bernardsville, NJ 07924

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RESOLUTION 14-070
TAX LIEN REDEMPTION

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 check due to the Redemption of Tax Title Lien #1254 for Block 12201 Lot 11 dated 12/06/2011 in the amount of \$42,180.09 and Premium of \$13,200. 00 for a total of \$55,380.09 to: Crestar Capital, LLC, 2 Liberty Place, 50 south16th St, Suite 1950, Philadelphia, PA 19102.

RESOLUTION 14- 071
AWARDING CONTRACT FOR WASTEWATER SYSTEM
IMPROVEMENTS PROJECT

WHEREAS, bids were received for the Township Wastewater System Improvements Project on January 22, 2014; and

WHEREAS, a total of 8 bids were received; and

WHEREAS, in a January 23, 2014 letter to the Township Administrator, the Township's consultant Timothy D. Bradley, P.E., Vice President of Kleinfelder-Omni Environmental, recommended awarding the contract to the low bidder, DeMaio Electrical Company, Inc.; and

WHEREAS, a certification of availability of adequate funds has been filed by the Chief Financial Officer, in accordance with the requirements of N.J.S.C. 5:30-14.5;

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 contract for the Wastewater System Improvements Project is hereby awarded to the low bidder DeMaio Electrical Company, Inc., in accordance with its low bid dated January 22, 2014, for a lump sum total of \$2,420,000.00.

2. The Mayor and Clerk are hereby authorized to execute a contract with DeMaio Electrical Company, Inc. upon receipt from DeMaio Electrical Company, Inc. of all other documentation required pursuant to the bid specifications and the Local Public Contracts Law.

3. This contract shall be charged to budget line item C-04-55-322-000-200. The certification of available funds by the Township Chief Financial Officer shall be attached to the original of this resolution and shall be maintained in the files of the Township Clerk.

RESOLUTION 14-072
APPROVING BANNER
[Watchung Hills Junior Warriors Football Association]

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey that by recommendation of the Township Administrator, based on the approval of the Long Hill Township Police Chief that the Township Committee does hereby approve a banner to be hung across Valley Road, County Route 512 for 30 days, starting February 15, 2014 for Watchung Hills Junior Warrior Football Association.

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RESOLUTION 14-073
EXTENDING CONTRACT FOR SOLID WASTE AND RECYCLING MATERIALS COLLECTION
SERVICE THROUGH 2015

WHEREAS, by Resolution 11-101, adopted, February 23, 2011, Republic Services of NJ, LLC d/b/a MIDCO Waste, 5 Industrial Drive, New Brunswick, NJ 08901, was awarded a three (3) year contract effective February 11, 2011, with contingencies for the years 2014 and 2015 , for garbage, bulk and recycling collections , in accordance with its December 16, 2010 bid

WHEREAS, appropriations have been made in the 2014 budget to continue said contract for 2014; and

WHEREAS, a certification of availability of adequate funds has been filed by the Chief Financial Officer, in accordance with the requirements of N.J.S.C. 5:30-14.5;

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, that the contract with Republic Services of NJ be continued for 2014 and 2015 for the bid amounts of \$329,368 for 2014 and \$339,250 for 2015.

BE IT FURTHER RESOLVED that this contract shall be charged to budget line item 4-01-26-305-306-201. The certification of available funds by the Township Chief Financial Officer shall be attached to the original of this resolution and shall be maintained in the files of the Township Clerk.

BE IT FURTHER RESOLVED, in accordance with the requirements of N.J.S.A. 40A:11-15 the 2015 extension is contingent upon appropriations being made in the 2015 budgets. If funds sufficient to pay the 2015 charges are not appropriated in that year's budget, this Contract shall be voidable by the Township upon seventy-two (72) hours written notice to the Contractor. In addition, if the contractual amount is included in the 2015 annual budget but if such budget exceeds the limitation imposed by N.J.S.A. 40A:4-45.2 (the CAP law) and said budget is rejected by the voters in a referendum as provided for in N.J.S.A. 40A:45-3a, the contract shall be voidable by the Township upon seventy-two (72) hours written notice to Contractor.

OLD BUSINESS: There was no old business to discuss.

NEW BUSINESS:

Committeeman Meringolo discussed the auction procedure for the 80 Western Blvd., Gillette property.

Announcements/Correspondence:

- Dog License renewals received after January 31, 2013 will be subject to a \$10.00 late fee.
- PBA Sponsored Pro Wrestling at the Community Center February 1
- Stirling Fire Company Annual Venison Dinner February 1
- Central School Fund Raiser February at Rolf's Restaurant

MEETING OPEN TO THE PUBLIC: Remarks and Statements Pertaining to Any Matter
Mr. Sandow asked when the Walgreens would open. The Mayor responded that he believed the opening date was February 6th.

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Ms. Padeker, a student at Watchung Hills Regional High School announced that the school will have their "White Out Against Bullying" the first week of March and requested the Township Committee's support. The Mayor instructed the Clerk to prepare a proclamation for one of the February Township Committee Meetings to support the effort as was done by the Committee last year.

ADJOURNMENT

As there were no further public comments, Committeeman Meringolo made a motion, seconded by Committeeman Roshto to adjourn: Voice Vote: All in Favor.

The meeting adjourned at 7:55 PM.

Respectfully submitted,

Cathy Reese, RMC
Township Clerk

Approved by the Township Committee on February 12, 2014

DRAFT