

TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ TOWNSHIP COMMITTEE REGULAR SESSION AGENDA September 10, 2014 6:30 PM CLOSED SESSION; 7:30 PM OPEN SESSION

A draft of the Township Committee Regular Session Agenda is posted on the Township website at www.longhillnj.us on the Monday preceding the meeting.

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:	by the Township Committee of Long Hill Township, that
	by approved for Executive Session. SECONDED BY:
ROLL CALL VOTE:	
	DECOLUTION 44 00F

RESOLUTION 14-285 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:

- TDR Development Grant
- Sewer ban

Personnel:

Long Hill Fire Dept.

Contract Negotiations:

Property Acquisition:

Kurz Property update

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 MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

PRESENTATIONS:

- Tax Assessor, Presentation: Annual Tax Assessments
- Bill DiBartolo, Morris County Property Surveyor Digital Map Program

COMMITTEE LIAISON REPORTS:

DISCUSSION / ACTION ITEMS:

- Turf for Mathew G. Kantor Park
- Eberle Property- Contract review

Uses: Community Garden, Dog Park, Picnic Area

- Laura Drive Property Uses
- PB 9 members
- Whitebridge Rd. Funding Reserve
- Meeting dates for 2015 see attached list
- Work Sessions for 2015 Budget, possible date 12/3

PROCLAMATION:

CONSTITUTION WEEK

WHEREAS, September 17th begins the national celebration of Constitution Week, the week long commemoration our Constitution; and

WHEREAS, the tradition of celebrating the Constitution was started by the Daughters of the American Revolution in 1955, and the resolution to set aside September 17 through September 23 annually to be dedicated for the observance of Constitution Week was adopted by the U.S. Congress and signed by President Dwight D. Eisenhower on August 2, 1956; and

WHEREAS, the United States of America functions as a Republic under the Constitution, which is the oldest document still in active use that outlines the self-government of the American people; and

WHEREAS, the Constitution stands as an icon of freedom for people all around the world and is the basis for America's great heritage and the foundation of our way of life; and

WHEREAS, the Daughters of the American Revolution has served America for 124 years, and encourages all citizens across the county to take time this week to reflect on our heritage of freedom and come together to Celebrate America; therefore

BE IT PROCLAIMED, by the Township Committee of the Township of Long Hill that September 17 through September 23, 2014 be observed as Constitution Week by all citizens of the Township of Long Hill and the United States.

ORDINANCES:

ORDINANCES DISCUSSION:

ORDINANCE # 336-14

CONCERNING SIDEWALK SALES AND SUPPLEMENTING AND AMENDING CHAPTER III OF THE TOWNSHIP CODE ENTITLED "POLICE REGULATIONS"

RESOLUTION 14-286

APPROVAL OF TAX MAP INTER-LOCAL AGREEMENT

WHEREAS, the Township of Long Hill has received a proposal from the County of Morris for Digital Property Tax Map Preparation and Maintenance; and

WHEREAS, the length of this agreement shall be effective for a period of two (2) calendar years following the completion of Tasks 1 & 2 of the attached agreement, termination on December 31 of the final year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill that the aforesaid agreement with the terms set forth in the attached agreement is accepted and that the Mayor and the Township Clerk are hereby authorized to execute said agreement.

MOVED by:	by the Township Comm	ittee of Long Hill Township, that
Resolution #14-xx is herek	by approved. SECOND by:	ROLL CALL VOTE:
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RESOLUTION 14-240 APPROVAL AND RELEASE OF REVISED 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 July 9, 2014 Township Committee meeting and the August 6, 2014 Special Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the July 9, 2014 Executive Session Meeting Minutes as redacted by the Township Attorney.

MOVED by:	$_{ extstyle}$ by the Township Committee of Long Hill Township, that the
revised Resolution #14-244 is herel	by approved. SECOND by:
ROLL CALL VOTE:	
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RESOLUTION 14-244 CERTIFICATION OF 2013 LOSAP PARTICIPANT LIST

WHEREAS, the Mayor and Township Committee of the Township of Long Hill have authorized a Length of Service Award Program (LOSAP) for the Long Hill Volunteer First Aid Squad, Stirling Volunteer Fire Department and the Millington Volunteer Fire Department; and

WHEREAS, the Long Hill Volunteer First Aid Squad has certified 32 members eligible for a contribution based on their service during the year 2013; and

WHEREAS, the Stirling Volunteer Fire Department has certified 48 members eligible for a contribution based on their service during the year 2013; and

WHEREAS, the Millington Volunteer Fire Department has certified 22 members eligible for a contribution based on their service during the year 2013; and

WHEREAS, eligible members are not required to participate in LOSAP, however if they wish to participate, a participant agreement was requested to be submitted by 7/31/2014 for 2013:

WHEREAS, the maximum contribution for the 2013 service year has been determined to be \$1,265.00.

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

- 1. The attached certified lists from each participating emergency service organization are hereby approved.
- 2. The approved list of active certified volunteer members shall be returned to each emergency service organization and posted for at least 30 days for review by the membership.
- 3. An active volunteer member whose name does not appear on the approved certification list or who is denied credit for prior service may appeal within 30 days of the posting of the list or within 30 days of denial of past service credit. The appeal must be in writing and mailed to the Township Clerk. The Township Committee will then investigate the appeal, which is subject to judicial review. Once the 30 days have elapsed, and subject to holding any members being appealed, payment shall be made to the individual members' accounts in the deferred income program administered by Lincoln Financial, the LOSAP Trustee, up to the sum of \$122,733.00. Per the attached lists:

MOVED by: Resolution #14-244 is hereby appr		ttee of Long Hill Township, that ROLL CALL VOTE:
CONSENT AGENDA RESOLU The following items are considered to one motion. There will be no separate requests. In this event, the item will be sequence of the Agenda.	be routine by the Township C e discussion of these items ur	
MOVED by: Resolution #14-268 through #14-2 CALL VOTE:		

RESOLUTION 14-268 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 14-269 In Grade Advancement - Roberts

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey upon the advice and recommendation of Police Chief Michael Mazzeo, does hereby approve the grade advancement of Officer Roberts to Officer Grade V, effective September 25, 2014 at an annual salary of \$65,610.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the current PBA 322 Collective Bargaining Agreement.

RESOLUTION 14-270 In Grade Advancement - Buerstetta

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey upon the advice and recommendation of Police Chief Michael Mazzeo, does hereby approve the grade advancement of Sergeant Buerstetta to Sergeant Grade I, effective September 15, 2014 at an annual salary of \$113,032.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the current PBA 322 Collective Bargaining Agreement.

RESOLUTION 14-271 APPROVAL AND RELEASE OF 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 August 20, 2014 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the August 20, 2014 Executive Session Meeting Minutes as redacted by the Township Attorney.

RESOLUTION 14-272

Refund Tax Overpayment

RESOLVED: That the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund for overpayment of 2014, 3rd Qtr. Taxes on Block 10411, Lot 1 in the amount of \$7783.31 to: 1221 Valley road, LLC., 1221 Valley Road, Stirling, N.J. 07980

RESOLUTION #14-273 Relieving Tax Collector of Partial Collection

WHEREAS: These parcels had been granted a Stipulation of Settlement for 2014 by Appeal of 2013 per the Tax Assessor's records.

NOW BE IT RESOLVED: That the Township Committee of the Township of Long Hill does hereby relieve the Tax Collector from the collection partial of taxes for the year 2014 as follows:

Block 11203, Lot 9	Marafone International LLC 275 Morristown Rd	3 rd quarter 4 th quarter	\$737.08 \$737.08
Block 11514, Lot 8	Engineered Plastics Products, Inc. 269 Mercer Street	3 rd quarter 4 th quarter	\$1121.39 \$1121.39
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RESOLUTION 14-274 SEWER REFUND

BE IT RESOLVED: That the Township Committee of the Township of Long Hill upon the advice and recommendation of the Tax Collector, does hereby authorize a **refund** of 2014 Sewer Use Charge due to over payment to:

BLOCK 10701	LOT 313	NAME Hinchey, David B. Jr. 29 Sunrise Dr. Gillette, NJ 074933	AMOUNT \$45.55
12101	3.20	Xu ,Xiao-ou % Chun Jin Li P.O. Box 30305 Las Vegas, NV 89173	\$348.30
13003	7	Timothy P. Brennan & M. Mc Carthy 416 Elm Street Stirling, NJ 07980	\$ 36.57
13102	54	Quatrone, Joshua D. 263 High Street Stirling, NJ 07980	\$24.98
13302	1.01	Shuesler, Charles J. & Catanio, L. 1 Schindler Terr. Gillette, NJ 07933	\$15.00
13903	4	Pfluger, Richard G. 129 Hickory Tavern Rd Gillette, NJ 07933	\$15.00
13903	8	Alice Britt 94 Longview Terr. Gillette, NJ 07933	\$15.00

RESOLUTION 14-275 Relieving Tax Collector of Collection

BE IT RESOLVED: That the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize the relieving of collection of 2014 taxes for the following Block and Lots as per Deed of Declaration of Taking, recorded 10/13/2013, in the Morris County Clerk's Office. As parcels will be classified as 15C for 2015:

<u>LOT</u>	<u>TAX AMOUNT 2014</u>
1	\$36,435.07
2	\$25,166.70
3	<u>\$47,149.02</u>
	\$108,750.79
	1 2

RESOLUTION 14-276
AUTHORIZATION TO CONDUCT BLOCK PARTY

AUTHORIZATION TO CONDUCT BLOCK PARTY Lakawanna Blvd./ Summit Ave

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, authorize the residents of Lakawana Blvd. and Summit Ave to hold a block party on Saturday, September 20, 2014 from 12:00 Noon until 11:59 PM (Rain date Sept. 21, 2014) in accordance with request letter dated August 18, 2014.

RESOLUTION 14-277 APPROVAL OF 2015 TRAIN STATION PARKING FEES

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the following are the fees for the 2015 Train Station Parking Permits of the Township of Long Hill:

Millington Train Station	Yearly \$230.00	After July 1 st \$115.00
Stirling Train Station	Yearly \$280.00	After July 1 st \$140.00
Gillette Train Station	Yearly \$330.00	After July 1 st \$165.00

Daily (Millington Only) \$ 5.00

BE IT FURTHER RESOLVED, that the Township shall sell 160 parking permits for Millington Train Station, 65 parking permits for Stirling Train Station and 130 parking permits for the Gillette Train Station. Sale date is scheduled for Monday. December 8, 2014.

RESOLUTION # 14-278

RELATING TO CONTINUING DISCLOSURE MATTERS APPLICABLE TO BONDS AND NOTES OF THE TOWNSHIP AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.

WHEREAS, the Township of Long Hill, in the County of Morris, New Jersey (the "<u>Township</u>") has previously issued its bonds, bond anticipation notes and/or other debt obligations (the "Bonds") and

WHEREAS, in connection with the issuance of certain of the Bonds and for purposes of assisting underwriters to comply with Rule 15c-12 under the Securities Exchange Act of 1934, the Township has covenanted and/or entered into one or more undertakings or agreements to provide continuing disclosure (the "Continuing Disclosure Obligation") to the public marketplace; and

WHEREAS, in general the Continuing Disclosure Obligation requires the Township to file certain financial information and notice of certain events in specified places and at specified times; and

WHEREAS, in connection with the sale of certain of the Bonds, the Township issued one or more official statements that, among other things, described the Township's Continuing Disclosure Obligation and whether or not the Township had previously complied with its Continuing Disclosure Obligation in all material respects; and

WHEREAS, the Division of Enforcement (the "<u>Enforcement Division</u>") of the U.S. Securities and Exchange Commission (the "<u>SEC</u>") announced its Municipalities Continuing Disclosure Cooperation Initiative (the "<u>Initiative</u>") to address potentially materially inaccurate descriptions in official statements (made innocently, inadvertently or otherwise) of prior compliance with continuing disclosure obligations; and

WHEREAS, pursuant to the terms of the Initiative, the Enforcement Division will recommend "favorable settlement terms" for issuers and underwriters that self-report by 12:00 a.m., eastern standard time, on December 1, 2014, possible materially inaccurate statements in official statements in the last five years relating to prior compliance with continuing disclosure obligations by submitting a specified questionnaire (the "Questionnaire") to the Enforcement Division; and

WHEREAS, the Township has been provided with a copy of the Initiative, a copy of an advisory prepared by bond counsel to the Township describing the Initiative and a copy of the Questionnaire released by the Enforcement Division; and

WHEREAS, if an issuer takes advantage of the Initiative by self-reporting possible materially inaccurate statements and if any of such statements are determined to be materially inaccurate by the Enforcement Division, the Enforcement Division will recommend to the SEC a settlement in which (i) the issuer consents to a cease-and-desist order, (ii) the issuer neither admits nor denies the findings of the SEC and (iii) there is no payment of any civil penalty by the issuer; and

WHEREAS, any such settlement will require the issuer (i) to establish appropriate policies and procedures and training regarding continuing disclosure obligations within 180 days, (ii) comply with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days, (iii) cooperate with any subsequent investigation by the Enforcement Division regarding the false statement(s), including the roles of individuals and/or other parties involved, (iv) disclose in a clear and conspicuous fashion the settlement terms in any final official statement for an offering by the issuer for five years and (v) provide the SEC staff with a compliance certification regarding the applicable undertakings by the issuer in one year; and

WHEREAS, the Initiative cautions that if an issuer does not take advantage of the Initiative by submitting a Questionnaire identifying any possible materially inaccurate statement with respect to prior compliance with a continuing disclosure obligation and the Enforcement Division later determines that such a materially inaccurate statement was made, then the Enforcement Division will likely recommend and seek financial sanctions against the issuer; and

WHEREAS, the New Jersey Division of Local Government Services issued Local Finance Notice 2014-9, dated July 23, 2014 (the "<u>LFN</u>"), which among other things strongly recommends that local government officials proactively take steps to self-identify their own levels of compliance with continuing disclosure obligations in order to determine if it is advisable to participate in the Initiative; and

WHEREAS, the LFN advises that the failure to live up to continuing disclosure requirements, in addition to having potential consequences under federal law, could have consequences for various State of New Jersey matters including, in particular, (i) the denial or deferral of applications made to the Local Finance Board and (ii) decreased scores on future "Best Practices Questionnaires" that could trigger a withholding of a portion of State aid; and

WHEREAS, in light of the foregoing, the Township is desirous of retaining a professional firm that specializes in continuing disclosure matters to examine the Township's Continuing Disclosure Obligation and previous continuing disclosure filings and to report to the Township any noncompliance with its Continuing Disclosure Obligation; and

WHEREAS, upon receipt of such report from the continuing disclosure specialist, the Township will review such report with its professionals, including particularly its bond counsel, its auditor, its general counsel and its other finance professionals (the "Township Professionals"); and

WHEREAS, as a result of such review, it may be desirable for the Township to take advantage of the Initiative by submitting one or more Questionnaires to the Enforcement Division identifying a statement with respect to prior compliance with its Continuing Disclosure Obligation that is potentially materially inaccurate; and

WHEREAS, the Township is desirous of authorizing the submission of one or more Questionnaires to the Enforcement Division if deemed advisable by the Township Administrator or the Township Chief Financial Officer (the "<u>Township Officials</u>") after consultation with the Township Professionals:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

- **Section 1.** Authorization to Retain a Continuing Disclosure Specialist. The Township Officials are each hereby authorized and directed to retain a firm that specializes in continuing disclosure matters (a) to examine the Township's Continuing Disclosure Obligation and previous continuing disclosure filings, (b) to report to the Township any noncompliance with its Continuing Disclosure Obligation and (c) to otherwise assist the Township and the Township Professionals with respect to the Initiative, the Questionnaire and the provision of continuing disclosure materials to the public marketplace.
- **Section 2.** <u>Authorization to Submit Questionnaire</u>. The Township Officials are each hereby authorized, after examining the report of the continuing disclosure specialist and consulting with the Township Professionals, to take advantage of the Initiative by submitting one or more Questionnaires to the Enforcement Division by the December 1, 2014, deadline established by the Initiative.
- **Section 3.** <u>Various Incidental Actions</u>. The Township Officials are hereby authorized to execute and deliver all documents and instruments and to do all matters and things as may be necessary, useful, convenient or desirable in connection with the foregoing.
- **Section 4.** Prior Action. All action heretofore taken by the Township Officials and the Township Professionals relating to the foregoing is hereby ratified, confirmed, adopted and approved, including without limitation soliciting and/or engaging a professional firm that specializes in continuing disclosure matters to undertake the continuing disclosure review described in this resolution.
- **Section 5.** <u>Capitalized Terms.</u> All capitalized words and terms used by not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in this resolution.

Section 6. Effective Date. This resolution shall take effect immediately.

RESOLUTION 14-279 AUTHORIZING CHANGE ORDER NUMBERS 006, and 007 TO THE CONTRACT WITH M.B.T. CONTRACTING, INC.

WHEREAS, a purchase order was prepared in the name of M.B.T. Contracting, Inc. under a locally bid contract for the Interior Restoration of the Millington Schoolhouse and

WHEREAS, it was decided to eliminate Change Order #6 and it is necessary to adjust the contract to install blown insulation in the exterior walls of the schoolhouse.

Change	Description	Amount	Net Amount of
Order #			Contract
800	Void CO #6 for installation of hinged viewing panel	(\$1,387.68)	\$408,624.40
009	Installation of Blown Insulation in Exterior walls	\$3,500.00	\$412,124.40

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. Change Order Number 008 to void Change Order 006 and Change Order Number 009 as described in the preamble is hereby approved.
- 2. The change orders shall be charged to 05-9999-0602-00006-0000. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

RESOLUTION 14-280 APPROVAL AND RELEASE OF 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 November 6th and November 27, 2013 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the November 6th and the November 27, 2013 Executive Session Meeting Minutes as redacted by the Township Attorney.

RESOLUTION #14-281

AUTHORIZING THE ACCEPTANCE OF CREDIT CARD PAYMENTS FOR THE CLERK'S OFFICE AND THE RECREATION DEPARTMENT IN ACCORDANCE WITH THE PROVISIONS OF NJAC5:30-9-1 ET.SEQ.

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services has promulgated regulations, NJAC 5:30-9.1 et. seq. authorizing municipalities to accept credit card payments in accordance with the provisions of the Administrative Code; and

WHEREAS, in order for a municipality to accept credit card payments a resolution must be adopted by the governing body authorizing the same and stating the type of obligations which can be paid by electronic receipt and the types of electronic receipt that will be permitted.

NOW BE IT RESOLVED, based upon a recommendation from the Chief Financial Officer, the Township Committee of the Township of Long Hill hereby authorizes the collection of fees for the Clerk's office and the Recreation Dept. by means of electronic funds transfer in the form of a credit card; and

BE IT RESOLVED that the Township of Long Hill may process Visa and Mastercard credit cards as types of electronic receipts that shall be permitted when the credit card is presented in person; and

BE IT FURTHER RESOLVED that this resolution is intended to comply with N.J.S.A. 40A:5-45 et seq. and N.J.A.C. 5:30-9.3 et seq.

RESOLUTION # 14-282 AUTHORIZING RELEASE OF ESCROWS

WHEREAS, the Planning & Zoning Administrator, Board Engineer, Board Attorney, Township Planner have certified that there are no outstanding invoices and have approved the release of the following escrows.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that appropriate municipal officials be and are hereby authorized to release the following escrows as per N.J.S.A. 40:55D-53.1.

Developer's Escrow

Anthony & Robyn Lake - App#09-07Z	\$526.23
Phil Feinberg – App#13-06Z	\$55.35

RESOLUTION 14-283

CERTIFYING ACTIVE MEMBERSHIP WITH MILLINGTON VOLUNTEER FIRE COMPANY FOR NEW JERSEY STATE FIREMEN'S ASSOCIATION ELIGIBILITY

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

Isabella G. Santore Adam M. Clark

RESOLUTION # 14-284

Tax Overpayment Refund

RESOLVED: That the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund for overpayment of taxes on Block 12002 Lot 48 due to Closing duplicate payment posted to 4th quarter for \$1936.96 and 2015 1st quarter \$.01 for total of \$1936.97 to: Jeffrey Jr. & Kristy Neihart, 302 Northfield Road, Millington, NJ 07946

OLD BUSINESS:

NEW BUSINESS:

Announcements/Correspondence:

- September is Ovarian Cancer Awareness Month Teal Ribbons
- Partners in Caring and Shoprite Ride for Hunger Sept 20, 9:00 AM
- Stirling Street Fair, Sunday Sept. 21, 9AM 5PM
- FREE Tree Planting Seminar Sept 26, Wayne NJ

MEETING OPEN TO THE PUBLIC:

Remarks and Statements Pertaining to Any Matter

ADJOURNMENT - Possible Exec. Session