

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

Mayor Piserchia read the following statement at 6:33 PM

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 Committeeman Roshto of the Township Committee of Long Hill Township that Resolution #14-298 is hereby approved for Executive Session. **SECONDED** by Deputy Mayor Rae. **ROLL CALL VOTE:** All in favor.

RESOLUTION 14-298
EXECUTIVE SESSION

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

Attorney Client:

- Copper Springs

Personnel:

- Police Policy Process
- 2014 Salary Review
- Master Plan Planner

Contract Negotiations:

- Lounsberry

Potential Litigation

- ~~Meyersville~~ *Removed Per Atty. Pidgeon*

Property Acquisition:

- Kurz Property update
- Eberle

BE IT FURTHER RESOLVED that the 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 7:37 PM:

All present recited the PLEDGE OF ALLEGIANCE

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

PRESENTATION: Carol Prasa, Chairman, Historic Preservation Advisory Committee

CONSENT AGENDA RESOLUTIONS:

The following Resolutions were pulled from the consent agenda:

Resolution 14-313, Minutes for 10-15-2014 need to be revised

Resolution 14- 316 Compensation for 2014, needs to be revised by Mr. Henry

MOVED by Committeeman Schuler of the Township Committee of Long Hill Township, that Resolution #14-312, 14-314 14-315 through #14-322, and #14-325 and #14-326 are hereby approved. **SECONDED** by Committeeman Meringolo. **ROLL CALL VOTE:** All in favor.

**RESOLUTION 14-312
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 14-314
ACCEPTING RESIGNATION - MAURO**

BE IT RESOLVED, that the Township Committee hereby accepts the resignation of Michael Mauro, DPW, Wastewater Division, Class 2/Safety Officer effective October 31, 2014.

**RESOLUTION 14-315
Division Transfer - KRESSBACH**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of the Director of Public Works, Tom Sweeney, does hereby approve the transfer of Mark Kressbach to the Wastewater Division. Mr. Kressbach's new title will be Utility Person Class 2 effective November 3, 2014. His hourly rate will remain the same.

**RESOLUTION 14-317
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.

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Developer's Escrow

James Harris App#14-01Z	\$838.56
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**RESOLUTION 14-318
APPROVE CONFERENCE REQUEST**

WHEREAS, the Township Committee approved Resolution 08-375 which requires Township Committee approval of all overnight conference requests; and

WHEREAS, the Township Committee has received a request by the Tax Collector, to attend the NJLM Conference in November 18-20, 2014; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves their requests of to attend the NJLM Conference as outlined in the Tax Collector's memo.

**RESOLUTION 14-319
AUTHORIZE EMPLOYMENT OF
A TEMPORARY PART-TIME ASSISTANT TO THE CFO**

WHEREAS, there exists the need for a temporary position for a part time assistant to the CFO; and

WHEREAS, a candidate has been identified in the name of Deborah A. Gupta who has the education and experience necessary to fulfill the position requirements; and

WHEREAS, it is the recommendation of the Township Administrator and the CFO that Deborah Gupta be appointed as a temporary part-time assistant to the Chief Financial Officer, and:

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby appoint Deborah Gupta as a temporary, part-time assistant to the CFO, effective October 30, 2014, pending satisfactory completion of a background check; at a rate of \$27.00 per hour, not to exceed 20 hours per week,

BE IT FURTHER RESOLVED that the Chief Finance Officer has certified that sufficient funds are available in the 2014 budget.

**RESOLUTION 14-320
WAIVE PERMIT FEES FOR STIRLING FIRE COMPANY**

WHEREAS, the Stirling Fire Company would like to install an emergency generator for their firehouse, located at 321 Somerset Street, Stirling, New Jersey and

WHEREAS, the installation of this generator requires construction permits for the installation of said generator.

BE IT RESOLVED by the Township Committee of the Township of Long Hill that all permit fees associated with this generator installation be waived.

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RESOLUTION 14-321
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 is an active member of the Millington Volunteer Fire Company and is eligible to be a member of the New Jersey State Firemen's Association:

Daniel S. Roth

RESOLUTION 14-322
AUTHORIZING CHANGE ORDER NUMBER 001 TO
CONTRACT WITH DEMAIO ELECTRICAL COMPANY, INC.

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company, Inc. under a locally bid contract for the Wastewater System Improvements Project and

WHEREAS, it is necessary to adjust the contract to reflect raising the screen platform; changing the screenings conveyor location; add screenings conveyor control panel; and add UV disconnect switches.

Change Order #	Description	Amount	Net Amount of Contract
001			
Item 1A	Raise Screen Platform	\$8,896.00	\$2,428,896.00
Item 1B	Change Screenings Conveyor Location	\$5,549.00	\$2,434,445.00
Item 1C	Add Screenings Conveyor Control Panel	\$11,424.00	\$2,445,869.00
Item 1D	Add UV Disconnect Switches	\$1,922.00	\$2,447,791.00

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 001 as described in the preamble is hereby approved.
2. The New Jersey Environmental Infrastructure Financing Program (NJEIFP) loan includes a contingency for construction change orders in the amount of 5% of the original as-bid contract cost; a contingency of \$121,000. There are sufficient funds available for Change Order #001 charged to Capital Fund 04- 2013- 32213- 0000- 3- 02034

RESOLUTION 14-325
APPROVING SPECIAL PERMIT FOR SOCIAL AFFAIR
St. Vincent de Paul

WHEREAS, the St. Vincent de Paul Church has submitted an Alcoholic Beverage Control Application for a Special Permit for a Social Affair to be held on November 22, 2014 to be held at the St. Vincent de Paul Parish, Stirling, New Jersey 07980; and

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WHEREAS, the Chief of Police has reviewed the application and has no objection to the granting of a special permit to be issued to the applicant to sell alcoholic beverages at the affair to be held on the date and premises noted, subject to, however, the following conditions:

1. The following individuals will be the only person allowed to serve alcohol:

John Dec, Monica Dec, Kevin Marshall, Paul Tamburri, Richard Weddle, David Schelhorn, Jennifer Goodbody, Catherine Bury, Kenneth McGoldrick, Nicole Mistichelli, Craig Tuma, Daniel Gildea, Kevin Dempsey, Albert Pepe, and Kevin Phillips (Address's on file at Police Department)

2. The consumption of alcoholic beverages shall be restricted to the area designated in the application on the property of St. Vincent's de Paul Parish. No alcoholic beverages are to be carried or consumed outside of the area.

3. No person under the age of 21 shall be served alcoholic beverages. St. Vincent's de Paul Parish personnel or it's designee shall be responsible for verifying the ages of those patrons who wish to consume alcoholic beverages, by issuing colored wrist bands to identify those patrons of legal age.

4. No person assumed to be under the influence of alcohol shall be served, permitted to walk, or allowed to drive from the St. Vincent's de Paul Parish property.

5. Alcoholic beverages shall only be served and/or consumed on the following days and hours:

November 22, 2014, 5:00 PM – 11:59 PM

6. Only the persons listed on this summary will be permitted to serve alcoholic beverages.

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 Township Committee, the licensing authority of the municipality, has no objection to the granting of a special permit and consents thereto with the special conditions as outlined by the Chief of Police.
2. The Township Clerk is hereby authorized to sign the municipal certification on the application and forward it to the applicant.

RESOLUTION #14-326
Authorizing Disposal of Surplus Property

WHEREAS, the Township of Long Hill is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee of the Township of Long Hill are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill, as follow;

- (1) The sale shall be conducted through "GovDeals" pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract.

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The terms and conditions of the agreement entered into with “GovDeals” is available online at govdeals.com and also available at the Long Hill Township Administrator’s Office.

- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

1996 Ford F-250 Pickup Truck	VIN #2FTHF26H9TCA66795	Odometer: 180,000
1999 Dodge Ram 3500 Dump Truck	VIN 3B6MF3659XM591980	Odometer: 74,472
1989 Brush Bandit Model 100		Hours: 22,189

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Township Committee of the Township of Long Hill reserves the right to accept or reject any bid submitted.

ORDINANCES:

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

**TOWNSHIP OF LONG HILL
ORDINANCE #339-14
AMENDING THE FEES IN CHAPTER XVII OF THE TOWNSHIP CODE ENTITLED “FIRE
PREVENTION”**

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris and State of New Jersey that Chapter XVII of the Township Code entitled “Fire Prevention” , subsection 17-1.4A entitled “Non-Life Hazard Uses” is hereby amended as follows:

“17-1.4A Non Life Hazard Uses.

In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and pay an annual fee. The fee is not to be used for life hazard uses as defined in the Uniform Fire Code.

A.	<u>Assembly.</u>	
A-1	Eating establishment under 50	\$25 \$50.00
A-2	Take-out food service (no seating)	\$25 \$50.00
A-3	Church or synagogue	\$25

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A-4	Recreation centers, multi-purpose rooms, etc. fewer than 400 50	\$50
A-5	Courtrooms, libraries, fraternal organizations, condominium centers fewer than 400 50	\$50
A-6	Senior citizen centers fewer than 200 50	\$50
B. <u>Business/Professional.</u>		
B-1	Professional use 1 & 2 story less than 5,000 sq. ft. per floor	\$25 <u>\$50.00</u>
B-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$50
B-3	1 & 2 story more than 10,000 sq. ft.	\$75
B-4	3 to 5 story less than 5,000 sq. ft. per floor	\$100
B-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$150
B-6	3 to 5 story over 10,000 sq. ft. per floor	\$200
C. <u>Retail (mercantile)</u>		
M-1	1 & 2 story less than 5,000 sq. ft. per floor	\$125
M-2	1 & 2 story more than 5,000 sq. ft. less than 10,000	\$150
M-3	1 & 2 story more than 10,000 sq. ft. per floor	\$175
M-4	3 to 5 story less than 5,000 sq. ft. per floor	\$200
M-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$225
M-6	3 to 5 story over 10,000 sq. ft.	\$250
M with the exception of hardware store 3,000 sq. ft., retail store over 12,000 sq. ft. are life hazard uses.		
D. <u>Manufacturing (factory)</u>		
F-1	1 & 2 story less than 5,000 sq. ft. per floor	\$75
F-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$100
F-3	1 & 2 story more than 10,000 sq. ft.	\$150
F-4	3 to 5 story less than 5,000 sq. ft. per floor	\$175
F-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$200
F-6	3 to 5 story over 10,000 sq. ft.	\$250

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F exception life hazard uses.

E.	<u>Storage S-1 (moderate hazard S-1, low hazard S-2)</u>	
S-1	1 & 2 story less than 5,000 sq. ft. per floor	\$50
S-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$100
S-3	1 & 2 story more than 10,000 sq. ft.	\$150
S-4	3 to 5 story less than 5,000 sq. ft. per floor	\$175
S-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$200
S-6	3 to 5 story over 10,000 sq. ft.	\$250

S exception life hazard uses.

F.	<u>Residential (LEA listed with multi-family BHF)BHI</u>	
	Fee is for each building	
Res-1	R-1 1 to 6 units	\$25
Res-2	R-2 7 to 12 units	\$50
Res-3	R-3 13 to 20 units	\$75
Res-4	R-4 21 to 50 units	\$100
Res-5	R-5 for each additional unit	\$2" \$2.00

Section 2. 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 3. 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 4. This ordinance shall take effect on January 1, 2015 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, September 24, 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, October 29, 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.

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Cathy Reese, RMC, CMR
Township Clerk

Mayor Piserchia OPENED the PUBLIC HEARING on Ordinance 339-14, as there was no comment, Mayor Piserchia CLOSED the PUBLIC HEARING and asked for motion to adopt.

MOVED by: Deputy Mayor Rae of the Township Committee of the Township of Long Hill that Ordinance #339-14 be approved for final adoption. **SECOND** by: Committeeman Meringolo. **ROLL CALL VOTE:** All in favor

**ORDINANCE 340-14
TOWNSHIP OF LONG HILL,
COUNTY OF MORRIS, STATE OF NEW JERSEY,
INCREASING THE NUMBER OF MEMBERS ON THE TOWNSHIP PLANNING BOARD AND AMENDING
SECTION 171 OF THE TOWNSHIP LAND USE CODE ENTITLED "PLANNING BOARD"**

STATEMENT OF PURPOSE: *to increase the number of regular members of the Planning Board to 9 with no alternates.*

WHEREAS, the Municipal Land Use Law ("MLUL") provides that:

"The governing body may, by ordinance, create a planning board of seven or nine members" (N.J.S.A. 40:55D-23);

WHEREAS, the MLUL goes on to provide that:

"The members of Class IV shall hold no other municipal office, position or employment, except that in the case of nine-member boards, one such member may be a member of the zoning board of adjustment or historic preservation commission. No member of the board of education may be a Class IV member of the planning board, except that in the case of a nine-member board, one Class IV member may be a member of the board of education. If there be a municipal environmental commission, the member of the environmental commission who is also a member of the planning board, as required by section 1 of P.L.1968, c.245 (C.40:56A-1), shall be a Class IV planning board member, unless there be among the Class IV or alternate members of the planning board both a member of the zoning board of adjustment or historic preservation commission and a member of the board of education, in which case the member common to the planning board and municipal environmental commission shall be deemed a Class II member of the planning board. . . ." (N.J.S.A. 40:55D-23); and

WHEREAS, although N.J.S.A. 40:56A-1 requires that if there is an environmental commission, one member of it shall be a member of the planning board, William Cox points out in his treatise on *New Jersey Zoning & Land Use Administration* that:

"Although both N.J.S. 40:56A-1 and N.J.S. 45:55D-23 on their face make environmental commissioner membership on the planning board mandatory, the court held those statutes permissive in this regard, requiring only that if a member of the environmental commission was appointed to the planning board, it would be as a Class IV member, with certain exceptions."; and

WHEREAS, the MLUL permits, but does not require, the appointment of alternate members of the Planning Board (N.J.S.A. 40:55D-23.1); and

WHEREAS, the Township Committee feels that the Planning Board will function more efficiently with nine regular members and no alternates;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Section 170 of the Township Land Use Code is hereby amended as

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follows:

Section 1. Subsection 171.1 entitled "Establishment and Composition [of Planning Board] is hereby amended to read as follows:

171.1 Establishment and Composition

There is hereby established pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., in the Township of Long Hill, a Planning Board of nine (9) members consisting of the following four (4) classes:

- a. Class I. The Mayor or the Mayor's designee in the absence of the Mayor.
- b. Class II. One (1) of the officials of the municipality other than a member of the Township Committee to be appointed by the Mayor, provided that if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be deemed to be the Class II Planning Board member if there are both a member of the Board of Adjustment and a member of the Board of Education among the Class IV members.
- c. Class III. A member of the Township Committee to be appointed by it.
- d. Class IV. Six (6) other citizens of the municipality to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, position or employment, except that in the case of nine-member boards, one such member may be a member of the zoning board of adjustment or historic preservation commission. No member of the board of education may be a Class IV member of the planning board, except that in the case of a nine-member board, one Class IV member may be a member of the board of education. If there be a municipal environmental commission, the member of the environmental commission who is also a member of the planning board, as required by section 1 of P.L.1968, c. 245 (C.40:56A-1), shall be a Class IV planning board member, unless there be among the Class IV or alternate members of the planning board both a member of the zoning board of adjustment or historic preservation commission and a member of the board of education, in which case the member common to the planning board and municipal environmental commission shall be deemed a Class II member of the planning board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.
- e. ~~Alternate Members. Alternate members shall be appointed by the Mayor and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No. 1" and "Alternate No. 2." The terms of the alternate members shall be for two (2) years, except that the terms of the alternate members shall be such that the term of not more than one (1) alternate member shall expire in any one (1) year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.~~
~~— An alternate member may, after public hearing if the member requests one, be removed by the Township Committee for cause.~~
~~— Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.~~

Section 2. The initial terms of the two new Class IV members first appointed under this ordinance shall

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be so determined that to the greatest practicable extent the expiration of the six Class IV members shall be distributed evenly over the next four years. Thereafter, the Class IV term of each such member shall be four years.

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 January 1, 2015.

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, September 24, 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, October 29, 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

Mayor Piserchia OPENED the PUBLIC HEARING on Ordinance 340-14, as there was no comment, Mayor Piserchia CLOSED the PUBLIC HEARING and asked for motion to adopt.

MOVED by: Deputy Mayor Rae of the Township Committee of the Township of Long Hill that Ordinance #340-14 be approved for final adoption. **SECONDED** by: Committeeman Meringolo. **ROLL CALL VOTE:** Committeeman Meringolo, yes; Committeeman Roshto; abstain; Committeeman Schuler, no; Deputy Mayor Rae, yes and Mayor Piserchia, yes. **Ordinance 340-14 is adopted by majority vote.**

ORDINANCES INTRODUCTION

ORDINANCE #344-14

AN ORDINANCE PROHIBITING THE OBSTRUCTION OF SIDEWALKS AND SUPPLEMENTING AND AMENDING SECTION 20-3 OF THE TOWNSHIP CODE ENTITLED “DUMPING AND STREET OBSTRUCTIONS”

STATEMENT OF PURPOSE: *To expand the Township Code to prohibit the obstruction of sidewalks, to require the removal of any obstructions that constitute a safety hazard, and to specify the penalties for violation of this section.*

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 title of Section 20-3 of the Township Code is hereby changed from “Dumping and Street Obstructions” to “Dumping, Street and Sidewalk Obstructions” and that section as re titled is supplemented and amended to read as follows:

20-3 DUMPING, STREET AND SIDEWALK OBSTRUCTIONS

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20-3.1 Depositing or Dumping.

No person shall deposit, throw, spill or dump dirt, mud, gravel, sand, stone, cement, trees, stumps, brush, grass, leaves, wood, metal, iron, plastic, manure, fertilizer, ashes, coal, cinders, refuse, garbage or other material upon any street or sidewalk or portion thereof within the limits of the Township; nor shall any person throw, deposit, spill or dump the same upon any public or private land within the limits of the Township without the permission of the owner thereof; nor shall any person cause or permit the same to be done.

20-3.2 Street and Sidewalk Obstructions.

No person shall obstruct the traveled portion of any street or sidewalk within the limits of the Township ~~by placing, erecting or constructing any vehicle, structure or object whatsoever in, upon or over the traveled portion of any street or sidewalk as aforesaid, or permit the same to be done, without the permission or consent of the Police Department.~~ Moreover, the owner of any property containing a fence, hedge, wall, gate, landscaping, shrub, bush, tree, boulders or other obstructions which encroach upon any sidewalk, street or right-of-way and which constitute a safety hazard in the opinion of the Chief of Police or his designee, or the Township Code Enforcement Officer, shall remove the same within ten (10) days after written notice signed by the Chief of Police or his designee.

20-3.3 Violations; Penalties; Remedies.

Any person who violates any section of this ordinance shall be liable to penalties set forth in Chapter I, Section 1-5 of this Code. In addition, if a property owner fails to remove an obstruction within the time required under subsection 20-2.2 above, such obstruction may be removed by or under the direction of the Township Department of Public Works at the expense of the owner. The cost of such work shall be a lien upon the whole lot or premises on or in front of which such obstruction existed, and shall be certified to the Township Tax Collector, and collected in the same manner as the taxes next to be levied thereon.

Section 5. 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 6. 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 7. 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 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, **November 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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A discussion ensued with regards to adding the **Township Code Enforcement Zoning Officer** or Chief of Police to paragraph 20-3.2. Attorney Pidgeon will make the change prior to publication.

MOVED by: Committeeman Schuler of the Township Committee of the Township of Long Hill that Ordinance #344-14 be approved *as amended* above, on first reading with the public hearing and final adoption scheduled for November 26, 2014. **SECOND** by: Deputy Mayor Rae. **ROLL CALL VOTE:** All in favor

RESOLUTIONS:

RESOLUTION 14-324

Approval for DOT Grant Application for Northfield/Main Street/Central Ave
Curb and Ramp Improvement

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as 2015-Long Hill -0012 to the New Jersey Department of Transportation on behalf of the Township of Long Hill.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Long Hill and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

MOVED by: Committeeman Roshto of the Township Committee of the Township of Long Hill that Resolution #14-324 be approved. **SECONDED** by: Committeeman Schuler. **ROLL CALL VOTE:** All in favor.

COMMITTEE LIAISON REPORTS:

Committeeman Meringolo announced that on November 20, the Board of Education will have the first of 3 planning meetings regarding the challenges for 2015 and the action plans to meet those challenges.

Committeeman Schuler read the Department of Public Works report and noted that the Recreation Advisory Committee needs new members.

Committeeman Roshto reported that the Master Plan Committee is progressing in re-writing the Master Plan. Currently they are working on the Valley Road Business District to present to the Planning Board on November 25th.

Mayor Piserchia announced that the fire hydrant markers have been installed. He asked the residents to please obey the stop sign in the Town Hall parking lot. He also noted that construction material should *not* be included in bulk pick up. Construction material should be brought to the Department of Public Works.

DISCUSSION / ACTION ITEMS:

- 2014 Goals Review – There was a brief discussion. The updated spreadsheet was included in the Agenda packets for the Committees’ review.
- Open Space Advisory Committee’s acquisition recommendations for B. 13512/L.19 (2010 List of Property to Acquire). After a brief discussion, the Township Committee requested the Open Space Advisory Committee’s to present a reasoning for purchasing this particular property as part of a larger plan, and present that plan to the Committee.

OLD BUSINESS:

Mr. Henry reported that the cost for the LOI (Letter of Interpretation) for the Kurz property, requested at the last Township Committee meeting will cost \$17,500.

**TOWNSHIP OF LONG HILL
TOWNSHIP COMMITTEE MEETING MINUTES**

October 29, 2014

Committeeman Schuler requested that CFO Ho be scheduled for the next meeting to discuss the Debt Service spreadsheets he prepared at the Committee's request.

Committeeman Roshto commented on the Master Plan Committee's budget, the Planner's estimate for the 2015 year would be \$13,500 plus \$5,000 for miscellaneous in order to complete the project. We be listed on the budget worksheets for the December 3rd Budget Meeting.

NEW BUSINESS: There was no new business to discuss

Announcements/Correspondence:

- Halloween Safety Concerns
- Early voting at the County Clerk's office
- Election Day is Nov. 4
- Bernards Health Dept, is offering Radon Test kits for \$10
- Daylight Savings Time Saturday, fall back

MEETING OPEN TO THE PUBLIC: Remarks and Statements Pertaining to Any Matter

Mr. Sandow thanked the Public Works Dept. for the crack sealing on Main Ave in Stirling

ADJOURNMENT

Committeeman Meringolo made a motion, seconded by Committeeman Schuler to return to executive session with the possibility of returning to Open Public session for formal action. Voice Vote: All in favor. The meeting adjourned at 8:55 PM. The Committee adjourned to Executive Session, and since there was no additional formal action needed they did not return to the Open Session.

Respectfully submitted,

Cathy Reese, RMC, CMR
Township Clerk

Approved November 26, 2014