



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA *Revised*
April 8, 2015
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.gov 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 Echoes Sentinel and posted in the January 15, 2015 edition, and electronically sent to the Courier News and posted in the January 9, 2015 edition. The notice was posted on the bulletin board in the Municipal Building on January 6, 2015 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."

No matter shall be commenced or continued after 11:00 PM at any meeting unless a motion is passed by the members present to extend the meeting to a later specified cutoff time.

EXECUTIVE SESSION

**RESOLUTION #15-122
EXECUTIVE SESSION**

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

Property Acquisition:

- Kurz Property update
- Eberle property

Personnel:

- OEM/PD Admin. Asst. Replacement
- Court Appointment

Attorney / Client

- Lien Subordination

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.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #15-122 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

PROCLAMATION Autism Awareness Month – *in process*

APPOINTMENTS: George Armenti to both the Recreational Advisory Committee and the Open Space, Recreation, Farmland Preservation Advisory Committee. Voice Vote:

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: _____ of the Township Committee of Long Hill Township, that Resolution #15-079, and 15-111 through #15-118 and #15-121, #15-123 and #15-125 and #15-126 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 15-079
AUTHORIZING LIQUOR LICENSE TRANSFER
(PERSON TO PERSON TRANSFER)**

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License [License No. 1430-33-005-007], heretofore issued to Barton’s Pub, Inc. for premises located at 37 Plainfield Road, Stirling NJ 07980; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current licensed term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey does hereby approve, effective May 1, 2015 the transfer of the aforesaid Plenary Retail Consumption License to Sabato A. Giordano, d/b/a Bar Cilento, LLC., does hereby direct the Municipal Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Sabato A. Giordano, effective May 1, 2015.

**RESOLUTION 15-111
In Grade Advancement - Naga**

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 Lieutenant Naga to Lieutenant Grade I, effective February 19, 2015 at an annual salary of \$135,316.16.

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

**RESOLUTION 15-112
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 March 25, 2015, Township Committee Re-Organization Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the March 25, 2015 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 15-113
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 15-114
APPROVE CONFERENCE REQUEST
Wastewater Superintendent**

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 DPW, Wastewater Superintendent for 2 employees from the Wastewater Division to attend the New Jersey Environmental Association Conference on May 11 – May 13, 2015; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves the request of the Wastewater Superintendent for Kevin Lynn and Vincent Testa to attend the NJWEA Conference as outlined in his memo.

**RESOLUTION # 15-115
SOCIAL AFFAIR PERMIT [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 May 27 – 30, 2015 to be held at the St. Vincent de Paul Parish, Stirling, New Jersey 07980; and

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 persons allowed to serve alcohol:

John Dec, Monica Dec, Kevin Marshall, Paul Tamburri, Richard Weddle, David Schelhorn, Jennifer Goodbody, Catherin 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 beer garden fenced area as 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 beer garden fenced area.

- 3. No person under the age of 21 shall be served alcoholic beverages. The 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 property of St. Vincent's de Paul Parish.

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

| | |
|-------------------------|--------------|
| Wednesday, May 27, 2015 | 12pm-11:59pm |
| Thursday, May 28, 2015 | 12pm-11:59pm |
| Friday, May 29, 2015 | 12pm-11:59pm |
| Saturday, May 30, 2015 | 12pm-11:59pm |

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 #15-116
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. 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:

| | | |
|----------------------------|------------------------|--------------------|
| 1994 Ford F-700 Dump Truck | VIN# 1FDPK74C5RVA09326 | Odometer : 53,972 |
| 1995 Ford F-350 Dump Truck | VIN# 2FDKF38G8SCA29361 | Odometer : 102,743 |

(2) 1998 Gravely Pro 50" walk behind mowers
- (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.

**RESOLUTION 15-117
APPROVING SPECIAL EVENT LICENSE & FIREWORKS
[ST. VINCENT DE PAUL PARISH]**

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 15-03 for the event to the "Sponsor" St. Vincent de Paul Parish, for their Special Event "Carnival Fundraiser" to be held 3:00 PM – 11:59 PM on May 27 through May 30, 2015; and

BE IT FURTHER RESOLVED, that the Township Committee does hereby approve fireworks conducted by Garden State Fireworks of Millington on the last day of the event, May 30, 2015 and that all necessary permits have been approved;

BE IT FURTHER RESOLVED that the Police Department has determined that the applicant has satisfied the escrow for the cost of police coverage required for this event

**RESOLUTION #15-118
AUTHORIZING SUBORDINATION OF TOWNSHIP SEWER LIEN TO PROPOSED
MILLINGTON SAVINGS BANK MORTGAGE**

WHEREAS, Bryan Moreland ("Moreland") is the owner of property located 1716 Long Hill Road, Millington, and known as block 12604, lot 8.01 on the Township tax maps (the "Property"); and

WHEREAS, Moreland entered into a Developer's Agreement (Sewer Only) in March 2010, in which he agreed that in lieu of expending money for an individual on-site septic system on the property, he would voluntarily donate \$30,000 to the Township to be used for improvements to the Township's wastewater treatment plant so that the Township can eventually lift the temporary sewer connection ban that is currently in place; and

WHEREAS, is taking out a loan, in an amount not to exceed \$280,000, with Millington Savings Bank, that will be secured by a mortgage on the Property; and

WHEREAS, the Township is willing to subordinate its \$30,000 lien to the proposed Millington Saving Bank mortgage;

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 hereby agrees to subordinate its lien as described in the preamble to the proposed Millington Savings Bank mortgage.
2. The Mayor and Township Clerk are hereby authorized to execute a subordination agreement and any other documents necessary to carry out the intent of this Resolution, subject to the approval of the Township Attorney.

**RESOLUTION 15-121
To establish a policy for fingerprinting and conducting background checks for employees and volunteers in all Township-sponsored Recreation Programs or co-sponsored Recreation and Sports Programs.**

WHEREAS, the Township Committee of the Township of Long Hill (the “Township Committee”) wishes to ensure that the Township is providing the safest possible recreation programs for its youth; and

WHEREAS, the Director of Parks and Recreation has recommended that all employees and volunteers of programs sponsored by the Township of Long Hill, or co-sponsored by the Township of Long Hill in connection with the Township of Long Hill Parks and Recreation Department, who have regular, unsupervised access to minors involved in such programs, be required to submit to criminal history background checks; and

WHEREAS, P.L. 1999, Chapter 432 (N.J.S.A. 15A:3A-1 et seq.) authorizes and provides for criminal history record background checks of employees and volunteers of non-profit youth servicing organizations as defined in said statute; and

WHEREAS, N.J.S.A. 15A:3A-1 permits non-profit youth-serving organizations to request the State Police to perform a criminal background check on current and prospective employees or volunteers, in order to check the criminal histories of those employees or volunteers who have direct contact with minors in order to eliminate those with convictions for certain crimes and disqualify prospective employees or volunteers who have been convicted of certain offenses; and,

WHEREAS, the Township of Long Hill would like all youth programs using township facilities, that are funded or supported by the Township, in whole or in part, be required to perform criminal background checks as a condition of using township facilities.

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

The policy of the Township of Long Hill shall be as follows:

“Fingerprinting and Background Checks for the Township’s employees and volunteers in all Township-sponsored Recreation Programs or co-sponsored Recreation and Sports Programs”

1. It is the policy of Long Hill Township that all individuals involved in any Township-sponsored Recreation Program or co-sponsored Recreation and Sports Program involved with children under the age of 18, shall submit to being fingerprinted in accordance with applicable State, federal laws, rules and regulations, and shall further provide that the official or officer is authorized to exchange fingerprint data with and receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation. The Township Administrator is authorized to receive the criminal history record information.
2. The initial fingerprinting and background check will be conducted by Identogo, and it is up to the individual to contact and schedule an appointment to get fingerprinted for the first background check. After complying with the State fingerprinting requirements, the individual’s associated program will perform a background check every three (3) years with an approved on-line background check company. All co-sponsored Recreation and Sports Programs using Township facilities will be required to submit a list of all individuals each year to the Parks and Recreation Director. All costs associated with background checks shall be the responsibility of the associated program. (Note: For sports leagues combining participants on a regional sending district level, approved volunteer lists may be shared between the Recreation Directors of Long Hill, Warren, Watchung, & Green Brook.)
3. For any background checks initiated through the Township of Long Hill, if and when the Township Administrator is notified by the State Bureau of Investigation that any individual has a criminal record with a disqualifying offense, the Township Administrator will send a notice to

the individual advising them they are not permitted to participate within the program as requested.

4. Any individual advised of a disqualifying event in their background check, shall have the right to appeal the determination within five (5) days of the receipt of the formal notification. This appeal shall be made to the Township Committee for review of the determination made by the Township Administrator. The individual shall be entitled to speak to the Township Committee on his or her own behalf, and shall be entitled to provide information stating why the event in the individual's criminal record should not be considered a disqualifying event.

Once an appeal is made, the Township Committee shall review the entire file, the circumstances surrounding the criminal record and any statement or information provided by the individual, and shall make a final determination within thirty (30) days as to whether an event on the criminal record constitutes a disqualifying event. The Township Committee may affirm or reverse the decision of the Township Administrator and shall set forth their final determination in writing. All proceedings conducted pursuant to this paragraph shall be held in executive session unless all the individual volunteers whose rights could be adversely affected requests in writing that the matter or matters be discussed at a public meeting.

If the individual does not appeal the initial determination of the Township Administrator, the individual shall be barred from their position or intended position immediately following the five (5) day period after the receipt of notification. If and when an appeal is made, the individual shall be removed from his or her position or intended position, until a determination from the appeal is made. If the determination of the Township Committee affirms the initial decision of the Township Administrator deeming there to be a disqualifying event(s), the individual shall be permanently removed from this and all future Township employment or volunteer positions associated with the Township of Long Hill Parks and Recreation Department involved with children under the age of 18.

5. Conditions under which person is disqualified from service (15A:3A-3):
 3. A person may be disqualified from serving as an employee or volunteer of a nonprofit youth serving organization if that person's criminal history record background check reveals a record of conviction of any of the following crimes and offenses:
 - a. In New Jersey, any crime or disorderly persons offense:
 - (1) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:11-1 et seq., N.J.S.2C:12-1 et seq., N.J.S.2C:13-1 et seq., N.J.S.2C:14-1 et seq. or N.J.S.2C:15-1 et seq.;
 - (2) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:24-1 et seq.;
 - (3) involving theft as set forth in chapter 20 of Title 2C of the New Jersey Statutes;
 - (4) involving any controlled dangerous substance or controlled substance analog as set forth in chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S.2C:35-10.
(Exceptions include possession of 50 grams or less of marijuana or five grams or less of hashish.)
 - b. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in subsection a. of this section.
6. The criminal history record background check and fingerprinting procedure set forth in this policy will be conducted, to the extent possible, in a manner intended to preserve the privacy of all parties. To the extent possible, privacy and confidentiality will be

maintained.

**RESOLUTION 15-123
2015 BUDGET TO BE READ BY TITLE ONLY AT PUBLIC HEARING**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

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 the budget shall be read by title only.

**RESOLUTION 15-125
APPROVING BANNER
[St. Vincent de Paul Carnival]**

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 14 days, starting May 11, 2015 through May 24, 2015 for advertising the St. Vincent de Paul Carnival to be held May 27 through May 30, 2015.

**RESOLUTION 15-126
2015 FEE SCHEDULE **Amendment 3****

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 fees for 2015 for licenses and permits for the Township of Long Hill are hereby amended:

| | | | |
|--------------------------|--------------------------|----------------------|----------|
| Summer Recreation | Long Hill Twp. Resident | \$ 290.00 | \$257.00 |
| | Activity Fee Res/Non Res | \$ 15.00 | |
| | Non-Resident | \$ 584.00 | \$502.00 |

Withdrawal Fee for ALL Recreation Programs (when Permitted) \$ 10.00

ORDINANCES:

ORDINANCES INTRODUCTION:

ORDINANCE 352-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION BY PURCHASE OF PROPERTIES LOCATED IN THE TOWNSHIP AND APPROPRIATING FUNDS FROM THE TOWNSHIP OPEN SPACE TRUST FUND, A NJ GREEN ACRES GRANT, AND A COUNTY FLOOD MITIGATION PROGRAM GRANT

STATEMENT OF PURPOSE: to authorize the purchase of the flood prone properties using Open Space Trust Fund money, a NJ Green Acres grant, and the proceeds of a County Flood Mitigation Program grant.

FINAL 4-8-2015

WHEREAS, pursuant to NJSA 40A:12-5, the Township of Long Hill (“Township”) has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, the Township has executed a grant agreement with the state of New Jersey, Department of Environmental Protection, NJ Green Acres Grant, formerly known as the Passaic River Basin Property Acquisition Project (Project # 1430-12-009); and

WHEREAS, the Township has received preliminary approval for grant funding through the Morris County Flood Mitigation Program to supplement the funding provided through the NJ Green Acres Grant; and

WHEREAS, properties to be acquired under the NJ Green Acres Grant and the Morris County Flood Mitigation Program include:

| <u>BLOCK</u> | <u>LOT</u> | <u>ADDRESS</u> |
|--------------|------------|----------------------------------|
| 12807 | 8 | 168 Bungalow Terrace, Millington |
| 10906 | 33 | 85 Riverview Avenue, Gillette |
| 10503 | 8 | 126 Laurel Avenue, Stirling |
| 10504 | 8 | 134 Cedar Avenue, Stirling |
| 11601 | 10 | 329 Mercer Street, Stirling |
| 11601 | 9 | 335 Mercer Street, Stirling |
| 11601 | 8 | 339 Mercer Street, Stirling |
| 11602 | 28 | 334 Mercer Street, Stirling |
| 10401 | 1 | 1297 Valley Road, Stirling |
| 11204 | 26 | 95 Madison Street, Gillette |

WHEREAS, the owners of the properties and the Township have agreed to the purchase prices set forth on the attached spreadsheet, which is incorporated herein by reference, payable as indicated:

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey that;

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of a fee simple interest in the Properties as described herein above is hereby authorized.
3. The Township Attorney and the Township Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiated purchase.
4. The Mayor, Township Administrator and the Township Clerk are hereby authorized to execute and witness respectively any documents necessary to effectuate the purchase of the Property subject to the above terms.
5. There is hereby appropriated a total of **\$3,240,353.00** as follows: **\$162,018.00** from the Township Open Space Trust Fund, and **\$2,430,265.00** from the Morris County Flood Mitigation Program Grant, and **\$291,632.00** from the NJ Green Acres Grant, formerly known as the Passaic River Basin Property Acquisition Project (Project # 1430-12-009); and the properties’ current homeowners will commit **\$356,439.00** for purchasing said property.

BE IT FURTHER ORDAINED that if any section, paragraph, subsection, clause or provision of the Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of conflict only; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law

NOTICE

The Ordinance # 352-15 having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on April 8, 2015 and then considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **May 13, 2015** at the Municipal Building, 915 Valley Road, Gillette, New Jersey, when and where or at any 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

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance #352-15 be approved on first reading, with the public hearing scheduled for May 13, 2015. **SECONDED** by: _____. **ROLL CALL VOTE:**

**ORDINANCE #350-15
EXTENDING FROM TWO TO FIVE YEARS THE MORATORIUM ON OPENING ANY
TOWNSHIP ROAD AFTER REPAVING AND AMENDING SECTION 20-2 OF THE TOWNSHIP
CODE ENTITLED "STREET OPENINGS AND EXCAVATIONS"**

STATEMENT OF PURPOSE: *To extend from two to five years the moratorium on opening any Township road after repaving.*

WHEREAS, Township Public Works Manager, Tom Sweeney has recommended that the moratorium on opening a Township road after repaving be extended from two to five years; and

WHEREAS, the Township Committee agrees with Mr. Sweeney's recommendation;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that Section 20-2 of the Township Code entitled "Street Openings and Excavations" is hereby amended as follows:

Section 1. Subsection 20-2.1 entitled "Permit Required" is amended to read as follows:

"It shall be unlawful for any person to tunnel under or to make any opening or excavation un any street or other public place in the Township, other than a County road over which the County of Morris has exclusive jurisdiction, without having obtained a permit as is herein required or without complying with the provisions of this section or in violation of or variance from the terms of any such permit. No permit shall be issued to open any Township road for ~~two (2)~~ five (5) years after the road was paved."

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 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, April 8, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **Wednesday, May 13, 2015** 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

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance #350-15 be approved on first reading, with the public hearing scheduled for May 13, 2015. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

**ORDINANCE #351-15
CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Long Hill in the County of Morris finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$219,367.44. in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Long Hill, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Long Hill shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$383,893.02, and that the CY 2015 municipal budget for the Township of Long Hill be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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, March 11, 2015, will be considered for final passage and adoption at a **public hearing** held at a meeting beginning at 7:30 p.m. on **Wednesday, April 8, 2015** 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

Open Public Hearing

Close Public Hearing

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance #351-15 be approved for final adoption. **SECONDED** by: _____.

ROLL CALL VOTE:

COMMITTEE LIAISON REPORTS:

DISCUSSION / ACTION ITEMS:

- 2015 Capital Plan

BUDGET ADOPTION:

**RESOLUTION 15-124
ADOPTION OF 2015 BUDGET**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, County of Morris that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$15,836,105.15 for municipal purposes.

BE IT RESOLVED that the summary of revenues and appropriations are approved as attached.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-124 for the 2015 Budget is hereby approved and adopted. **SECONDED** by: _____.

ROLL CALL VOTE: *Majority of the full governing body needed*

RESOLUTIONS:

**RESOLUTION 15-119
AWARDING CONTRACT FOR GILLETTE SCHOOL WALKWAY
TO HARRINGTON CONSTRUCTION**

WHEREAS, four bids were received by the Township Administrator on March 12, 2015 for the construction of the Long Hill Path Project (Gillette School Sidewalk Project); and

WHEREAS, the low bidder was Harrington Construction, 50 Parker Road, Chester, New Jersey 07930, who bid \$121,389.25; and

WHEREAS, Harrington Construction Co., Inc.'s bid included several minor deficiencies, including failure to list the status of contracts on hand, all of which were cured and none of which adversely affected competitive bidding by placing the Harrington Construction in a position of advantage over other bidders; and

WHEREAS, Township Engineer Paul Ferriero and Township Public Works Manager Tom Sweeney have both recommended that the contract be awarded to Harrington Construction as the lowest responsible bidder; and

WHEREAS, the governing body has reviewed the recommendations made by the Township Engineer and the Township Public Works Manager; and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:30-5, has certified that sufficient funds are available to cover the full cost of the contract;

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 construction of the Long Hill Path Project (Gillette School Sidewalk Project) is hereby awarded to Harrington Construction Co., Inc., 50 Parker Road, Chester, New Jersey 07930 for a lump sum of \$121,389.25, in accordance with the bid specifications and its bid dated March 12, 2015.
2. The Mayor and Clerk are hereby authorized and directed to execute the contract for the construction of the new Long Hill Path Project (Gillette School Sidewalk Project) in accordance with the bid documents.
3. The Township Clerk is hereby authorized and directed to return the bid bonds or certified checks of the following unsuccessful bidders:
 - a. V&K Construction
 - b. Diamond Construction
 - c. Reivax Contracting
4. The Township Clerk is also authorized and directed to return the bid bond or certified check of Harrington Construction Co., Inc., upon receipt of a fully executed contract and all other required documents.
5. This contract will be properly charged to the following line item appropriation of the official Township budget 01-2015-0045-0902-2-00201.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-119 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION #15-120
AUTHORIZING PROFESSIONAL SERVICES CONTRACT
WITH HAWKINS, DELAFIELD & WOOD IN CONNECTION WITH
POSSIBLE SALE OF SEWER PLANT**

WHEREAS, the Township of Long Hill requires the services of special counsel to explore its options in connection with the possible sale of the Township wastewater treatment plant and to represent the Township in connection with the sale of the plant and needs to acquire these services via a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A - 20.4 or 20.5 as appropriate; and

WHEREAS, the Finance Officer has determined and certified in writing that the value of the acquisition will exceed \$21,000; and

WHEREAS, contracts for professional services may be awarded without public bidding pursuant to *N.J.S.A. 40A:11-5(1)(a)(I)*; and

WHEREAS, the Chief Financial Officer has certified in writing to the Board the availability of adequate funds to pay the maximum amount of this contract; and

WHEREAS, the contractor has submitted a proposal as outlined in its February 23, 2015 outline of presentation, which was made to the Township Committee on February 25, 2015, which is incorporated herein by reference; and

WHEREAS, the contractor has completed and submitted a Business Entity Disclosure Certification which certifies that the business entity has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the contractor named herein from making any reportable contributions through the term of the contract, as well as a Township pay-to-play certification.

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

1. A professional services contract is hereby awarded to Hawkins, Delafield & Wood, in accordance with its proposal, at a blended hourly rate of \$375/hour for all attorneys, for a total amount not to exceed \$30,000.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution, and that notice of these awards be advertised one in the *Long Hill News*.
3. The Contractor shall secure and maintain insurance with the following minimum limits:

| | |
|------------------------------------|----------------|
| Professional Liability/Malpractice | \$1,000,000.00 |
| Comprehensive General Liability | \$1,000,000.00 |
| Comprehensive Automobile Liability | \$1,000,000.00 |
| Workmen’s Compensation | Statutory |
4. The certificates of insurance shall be acceptable to the Township Risk Manager and the Township Attorney.
5. The Township Clerk in accordance with the provisions of *N.J.S.A. 40A:11-5(1)(a)(I)*, is directed to publish a notice once in the official newspaper stating the nature, duration, service and amount of these contracts.

BE IT FURTHER RESOLVED, THE Township Committee hereby authorizes to appropriate \$30,000 as “Reserve for Preliminary Cost-Sewer Plant Sale” from the Capital Improvement Fund.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-120 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

ORDINANCE 348-15
Special Emergency Appropriation of \$150,000 to Conduct a
Property Reassessment Program

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses to be incurred by the Township Property Reassessment Program,

WHEREAS, N.J.S.A 40A: 4-53 permits a local unit to authorize a Special Emergency Appropriation for the preparation and execution of a complete program of reassessment of real property when such is ordered by the county board of taxation,

WHEREAS, the Township Tax Assessor has estimated the total cost of the program is not to exceed \$150,000,

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

Section 1. Pursuant to N.J.S.A. 40A:4-55, a Special Emergency Appropriation is hereby made for the Property Reassessment Program in the total amount of \$150,000.

Section 2. That the Special Emergency Appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$30,000 (one-fifth of the total amount).

Section 3. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services.

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, March 11, 2015, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, April 8, 2015 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

Open Public Hearing

Close Public Hearing

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance #348-15 be approved for final adoption. **SECONDED** by: _____.

ROLL CALL VOTE:

OLD BUSINESS:

NEW BUSINESS:

Announcements/Correspondence:

- FREE Tree Seedlings – April 18 at DPW yard 9:00 AM
- CERT Training classes start Saturday April 11th and continue for 3 more Saturdays until May 2nd
- Long Hill Community Shredding Day –April 25, 9:00 AM – Noon, DPW yard
- Long Hill officials are working with a regional cooperative energy program to reduce the supply portion of the electric bills for residents. Under the program, an auction will be held for all participating towns. The purpose of the auction is to obtain a lower rate for residents than they would normally pay to the utility company. To learn more about the program, a public open house meeting is scheduled for May 6, 2015. Please join us between 5 and 7 PM at the municipal complex located at 915 Valley Rd. The Senior Center is inviting all Seniors from Long Hill to join them at the Senior Center located at 769 Valley Road for a presentation on May 6, 2015 at 11:30am. If you are unable to

FINAL 4-8-2015

attend please visit Long Hill Township website and you can watch a video that explains the program.

MEETING OPEN TO THE PUBLIC:

Remarks and Statements Pertaining to Any Matter

ADJOURNMENT – *Possible Exec. Session*