



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
May 27, 2015, 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.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 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 #15-180
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:

Potential Litigation

- Copper Springs

Property Acquisition:

- Kurz Property update
- Eberle property
- American Legion

Attorney Client

- COAH

Personnel

- Employment Settlement

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 #15-180 is hereby approved for Executive Session. **SECONDED** by: _____

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

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 #15-167 through #15-176 AND #15-179 are hereby approved. **SECONDED** by: _____.

ROLL CALL VOTE:

**RESOLUTION 15-167
AUTHORIZING THE AWARD OF A CONTRACT FOR ANIMAL CONTROL SERVICES
ASSOCIATED HUMANE SOCIETIES**

WHEREAS, the Township of Long Hill requires professional animal control services which shall include patrol of Long Hill Township; and

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract will not exceed (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is for (7) seven months; and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds from the Animal Trust Fund to pay the maximum amount 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. Professional services contract with the Associated Humane Societies is hereby authorized.
2. The Mayor and Clerk are authorized to sign a contract with the Associated Humane Societies in accordance with the following terms and conditions:
 - A. Term: A period of not to exceed 7 months.
 - B. Rate: Monthly rate of \$1,097.83 as per contract.
 - C. Services: The organization shall provide professional animal control services.
3. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.

- 4. This contract shall be charged to the Animal Trust Fund. The certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Township Clerk.

**RESOLUTION 15-168
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 15-169
Resolution to Cancel Outstanding Checks**

WHEREAS, the following checks issued from the Township of Long Hill bank accounts have been outstanding for more than 9 months and are now stale-dated; and

WHEREAS, it is necessary to formally cancel the outstanding checks:

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Long Hill, the following outstanding checks issued from the Township of Long Hill bank accounts be cancelled:

- Current Fund
- CK#36857 - \$150.00
- CK#38247 - \$144.00
- CK#38413 - \$25.00

- Magistrate Account
- CK#560 - \$22

**RESOLUTION 15-170
CERTIFICATION OF 2014 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 30 members eligible for a contribution based on their service during the year 2014; and

WHEREAS, the Stirling Volunteer Fire Department has certified 42 members eligible for a contribution based on their service during the year 2014; and

WHEREAS, the Millington Volunteer Fire Department has certified 26 members eligible for a contribution based on their service during the year 2014; 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 6/30/2015 for 2014;

WHEREAS, the maximum contribution for the 2014 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 must appeal within 30 days of the posting of the list. 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 \$114,837. Per the attached lists:

**RESOLUTION 15-171
 APPROVING SPECIAL EVENT LICENSE
 [FREEDOM TOUR BIKE RACE]**

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 15-08 for the event to the "Sponsor" Long Hill Township Chamber of Commerce, for their Special Event "25th Freedom Tour Bike Race" to be held 8:00 AM – 5:00 PM on July 26, 2015; and

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the street closures for the Long Hill Township Chamber of Commerce on July 26, 2015 and that the closure has been approved by the Police Department;

BE IT FURTHER RESOLVED that the Police Department has determined that the applicant is exempt for the cost of police coverage required for this event.

**RESOLUTION 15-172
 AUTHORIZING TEMPORARY STREET CLOING
 STIRLING FIRE COMPANY EVENT**

WHEREAS, the Stirling Fire Company has requested to hold a training event, June 13, 2015, beginning at 9:00 a.m. and ending at 3:00 p.m.; and

WHEREAS, this event requires the closing of Somerset Street in Stirling and which has been approved by the Chief of Police for Long Hill Township and the Director of the Dept. of Public Works.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Long Hill, County of Morris, New Jersey hereby authorizes street closure of Somerset Street in Stirling for the training event for the Stirling Fire Company on June 13, 2015.

**RESOLUTION 15-173
ACCEPTING RESIGNATION - Valentine**

BE IT RESOLVED, that the Township Committee hereby accepts the resignation and request of retirement effective May 29, 2015 from Scott Valentine, DPW Equipment Operator/Truck Driver/Laborer who has been employed by the Township since May 1989,

We wish Mr. Valentine the very best, and we thank him for serving our community for the past 26 years.

**TOWNSHIP OF LONG HILL
RESOLUTION 15-174
AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES –
FERRIERO ENGINEERING, INC.**

WHEREAS, the Township of Long Hill requires professional engineering services which shall include but not limited to design of projects, reviewing plans, planning capital projects, attendance at meetings and providing advice as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Paul Ferriero of Ferriero Engineering, Inc. was first appointed Township Engineer on March 9, 2009;

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract will exceed (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Engineering Firm of Ferriero Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the Engineering Firm of Ferriero Engineering, Inc. 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 Engineering Firm of Ferriero Engineering, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount 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. A professional services contract with Ferriero Engineering, Inc. 180 Main Street, Chester, New Jersey, 07930 is hereby authorized

2. The Mayor and Clerk are authorized to sign a professional service contract with Ferriero Engineering, Inc., in accordance with the following terms and conditions:
 - A. Term: A period of not to exceed 12 months
 - B. Rate: \$125 per hour – Principal [as per proposal dated January 1, 2013].
 - C. Services: The firm shall provide professional engineering services
3. 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 Echoes Sentinel stating the nature, duration, service and amount of this contract.
4. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract shall be charged to General Budget Appropriation - Engineering Service Other Expenses line item. Acct# 01-2015-0020-0193-2-00277. The certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Township. This **certification** is contingent upon sufficient **funds** being provided in the 2015 and 2016 adopted budget.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution

**RESOLUTION 15-175
ACCEPTING DONATION FOR RECREATION PROGRAMS**

WHEREAS, a donation has been offered to the Long Hill Township Recreation Department in the amount of \$830.00 to be used for recreation programs; and

WHEREAS, N.J.S.A. 40A:5-29 provides that any local unit is authorized and empowered to accept gifts made to it;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey authorizes the acceptance of the \$830.00 from Lynn & Bill Combs, of Millington to the Long Hill Township Recreation Department.

**Resolution #15-176
Authorizing Disposal of Junk Title Vehicle**

WHEREAS, the Township of Long Hill Police Department impounded the property described below on 6/21/2014; and

WHEREAS, numerous unsuccessful attempts have been made to contact the owner to obtain title of this vehicle; and

WHEREAS, the vehicle has accumulated storage fees from Benham's Towing and the auction is necessary to offset these storage fees; and

WHEREAS, the Township Committee of the Township of Long Hill are desirous of selling said 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 property to be sold is as follows:

2006 Chrysler Wagon VIN #2A4GP54L86R671081
- (5) The 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 property.
- (6) The Township Committee of the Township of Long Hill reserves the right to accept or reject any bid submitted.

**RESOLUTION 15-179
APPOINT 2015 STIRLING LAKE STAFF**

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the recommendations of the Recreation Director and Lake Director does hereby appoint this additional seasonal/ part time employee to the Stirling Lake Staff effective May 23, 2015 and ending September 1, 2015:

Sal Cerchio \$18.00 per hour Assistant Lake Director

RESOLUTIONS:

**RESOLUTION 15-177
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Long Hill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-177 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 15-178
AUDIT CORRECTIVE ACTION PLAN**

WHEREAS, the Long Hill Township Committee is in receipt of the 2014 Report of Audit for the period ending December 31, 2014; and

WHEREAS, the Mayor and Township Committee formally accepted said audit document on May 27, 2015; and

WHEREAS, it is necessary to develop and obtain Mayor and Township Committee approval of an Audit Corrective Action Plan; and

WHEREAS, said plan must be approved and filed within sixty days of formal notice.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Long Hill that the required Audit Corrective Action Plan, having been prepared and

submitted by the Chief Financial Officer, is hereby approved and further that said plan document be placed on file and made available for public inspection in the Office of the Township Clerk.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-178 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCES:

ORDINANCES INTRODUCTION:

**ORDINANCE # 343 -15
APPROVING UPDATED ZONING MAP AND AMENDING SECTION 121 OF THE
TOWNSHIP LAND USE CODE ENTITLED “ZONE DISTRICTS”**

WHEREAS, the Township has not updated its zoning map since May 1997; and

WHEREAS, Township Engineer, Paul Ferriero, in response to a request from the Township Clerk, has prepared an updated version of the zoning map; and

WHEREAS, this new map makes no substantive changes to the zone boundaries or zone districts, but rather incorporates the changes made by ordinance narrative since the adoption of the previous map;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Section 121 of The Township Land Use Code entitled “Zone Districts” is amended as follows:

Section 1. Subsection 121.3 entitled “Zoning Map” is amended in its entirety to read as follows:

121.3 Zoning Map

The Zoning Map delineating the above districts entitled "Zoning Map, Township of Long Hill" prepared by the Township Engineer, Paul Ferriero, of Ferriero Engineering, and dated October 2014 is incorporated herein by reference. Where the district boundary lines do not coincide with lot lines or the center lines of the street or rights-of-way as they existed at the time of this Ordinance, they shall be as designated on the Zoning Map by figures or dimensions.¹

¹ Please note that subparagraphs a, b, c and d have been eliminated as a result of this amendment.

Section 2. The Township Clerk is instructed to post the updated zoning map on the Township website, and send copies to the Township Zoning Officer, the Board of Adjustment, the Planning Board, and the County of Morris, and to submit a copy to Coded Systems for inclusion in the Township Code.

Section 3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, May 26, 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, June 24, 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 #343-15, be approved on first reading, with the public hearing scheduled on June 24, 2015. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE # 357 -15
AN ORDINANCE ADOPTING AMENDMENTS TO THE TOWNSHIP LAND USE
ORDINANCE AS RECOMMENDED BY THE PLANNING BOARD

STATEMENT OF PURPOSE: *To clarify the Township Land Use Ordinance, make the Land Use*

Ordinance more consistent, remove outdated passages and add items left out of prior ordinance revisions.

WHEREAS, the Planning Board has recommended certain changes to the Township Land Use Ordinance as outlined in an April 7, 2015 memorandum from Planning Board Planner, Kevin O'Brien, which will clarify the Township Land Use Ordinance, make the Land Use Ordinance more consistent, remove outdated passages and add items left out of prior ordinance revisions;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that various sections of the Township Land Use Ordinance are hereby supplemented and amended and a new Chapter XIV entitled "Lot Grading" is hereby added to the Township Code as follows²:

Section 1. The definition of "Lot Coverage" in Section 111 entitled "General Terms" in Section 110 entitled "Definitions" is amended to read as follows:

Lot, coverage — that percentage of the lot area which is devoted to improvements such as, but not limited to, buildings, structures, paved or gravel parking areas, loading areas, paved or gravel driveways and walks, pools or ponds and patios and all other paved or impervious surface areas. Gravel areas not subject to compaction (such as decorative stone used in planting beds) shall not be considered as lot coverage.

Section 2. Section 146 entitled "Stormwater Management" is amended in its entirety to read as follows:

146 STORMWATER MANAGEMENT

146.1 Applicability

A. Stormwater management review shall be required as follows:

- (1)** To disturb more than more than five percent (5%) of the lot area, or 1,000 square feet, whichever is lesser.
- (2)** To create a net increase of more than 400 square feet of impervious cover.
- (3)** No permit will be required for disturbances under 400 square feet

B. The following actions are exempt from this Chapter:

- (1)** Any activity protected from municipal regulation by the Right-to-Farm Act, provided that the activity is being performed in accordance with a "Farm Conservation Plan".
- (2)** The planting and harvesting of crops, plants, flowers or shrubs in areas devoted to single family use on the subject property.
- (3)** The removal and replacement of an existing impervious driveway where no change in grade or footprint occurs.
- (4)** Rehabilitation of existing vegetated areas where there is no material change in grade, surface type, or storm water runoff patterns.

²Additions in text indicated by underline; deletions by strikeouts.

(5) Maintenance work performed by the Township through the Department of Public Works or through a municipal contract with an outside entity.

(6) Projects exempted by State law from the requirements of this ordinance.

146.2 Design Standards.

Whenever the NJDEP Stormwater Regulations set forth in NJAC 7:8-1.1 et seq., are stricter than the regulations set forth in this Section, the NJDEP regulations shall control.

The design of stormwater management facilities shall, to the greatest extent possible, be designed in accordance with the NJ Stormwater Best Management Practices Manual, unless otherwise noted herein.

Specific design criteria are as follows:

A. All "Major Developments" as that term is defined in NJAC 7:8-1.2 shall meet the stormwater management design and construction criteria set forth in the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21) for major Developments. These standards shall apply to all projects, residential and nonresidential.

B. Developments not meeting the definition of Major Development shall be designed to include the following stormwater management measures where applicable:

(1) Seepage pits or other infiltration measures shall be provided with a capacity of four (4") inches of runoff for each square foot of new impervious area.

(2) When the approving agency finds that the existing conditions are not conducive to infiltration, the applicant may provide other stormwater management facilities as to result in a Zero Net Runoff as calculated by the Modified Rational Method.

(3) When the ground surface is changed in character such that an increase in runoff results, but the new surface is not impervious, seepage pits or other stormwater management facilities shall be provided to result in a Zero Net Runoff Rate as calculated by the Modified Rational Method.

C Drywell Design: Stone used in the infiltration devices shall be two and one-half (2 ½") inches clean stone and design void ratio of thirty-three (33%) percent shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices. The infiltration of water during the rainfall event shall not be counted as a "credit" toward the storage requirement.

D Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.

E. For the purposes of this chapter, gravel areas that are subject to compaction (such as driveways, parking areas and walking paths) shall be considered impervious. Gravel areas not subject to compaction (such as decorative stone used in planting beds) shall be considered pervious.

F. All roof gutters shall be protected from the accumulation of leaves and litter by the

installation of a gutter cap leaf separation device within the project area. Gutter screens or louvers are not acceptable

146.4 Waivers and Exceptions.

A. Standards for Relief. Relief from this section shall be as set forth in N.J.S.A. 40:55D-70c.

B. Approving Authority. All applications subject to the review of a Land Use Board shall be reviewed by the Board concurrently with subdivision, site plan, or variance review. Where an application is reviewed by a Land Use Board, a separate review by the Engineering Department is not required

C. Appeals. The appeal of the determination of the Township Engineer shall be made in accordance with N.J.S.A. 40:55D-70a. Appeals to the determination of a Land Use Board shall be in accordance with Chapter 174 of this Ordinance.

Section 3. Section 182 entitled "Schedule of Fee and Escrow Deposits" (as previously amended by Ordinance 330-14 is supplemented and amended by adding the following category:

					Fee	Escrow
<u>34</u>	<u>Unimproved Road</u>	<u>%</u>	<u>%</u>	<u>Unimproved Road Application</u>	<u>\$500</u>	<u>\$750</u>

Section 4. Section 167 entitled "Land Use Application Checklist" is supplemented and amended by adding the following signature lines to the end of the checklist which is attached to Section 167 as Exhibit "A".

(a) To be signed before submission:

I CONSENT TO THE FILING OF THIS SITE PLAN/SUBDIVISION WITH THE PLANNING BOARD/ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LONG HILL:

Owner: _____ Date: _____

Address: _____

(b) To be completed before submission:

SITE PLAN/SUBDIVISION OF:

Lot: _____ Block: _____ Tax Map Number: _____

Date _____ Scale: _____

Applicant: _____

Address: _____

(c) To be signed before submission:

I HEREBY CERTIFY THAT I HAVE PREPARED THIS SITE PLAN / SUBDIVISION AND THAT ALL DIMENSIONS AND INFORMATION ARE CORRECT.

Name: _____
Title _____

(d) To be signed before issuance of a building permit:

APPROVED BY THE PLANNING BOARD/ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LONG HILL:

Date: _____ Secretary: _____

Date: _____ Board Chair: _____

I HAVE REVIEWED THIS SITE PLAN/SUBDIVISION AND CERTIFY THAT IT MEETS ALL CODES AND ORDINANCES UNDER MY JURISDICTION:

Date: _____ Township Engineer: _____

(e) To be signed before the issuance of a building permit (where applicable):

ON THE RECOMMENDATION OF THE TOWNSHIP ENGINEER, I HEREBY CERTIFY THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THAT A PERFORMANCE GUARANTY HAS BEEN POSTED IN ACCORDANCE WITH APPLICABLE CODES AND ORDINANCES:

Date: _____ Township Clerk: _____

Section 5. There is hereby created a new Chapter XIV in the Township Code entitled "Lot Grading" which reads as follows:

CHAPTER XIV - LOT GRADING

14-1 Permit Required.

14-1.1 A Grading Permit shall be required as follows:

- A. To disturb more than five percent (5%) of the lot area, or 1,000 square feet, whichever is lesser.
- B. To create a net increase of more than 400 square feet of impervious cover.
- C. No permit will be required for disturbances under 400 square feet.

14-1.2 The following actions are exempt from this Chapter:

- A. Any activity protected from municipal regulation by the Right-to-Farm Act, provided that the activity is being performed in accordance with a "Farm Conservation Plan".
- B. The planting and harvesting of crops, plants, flowers or shrubs in areas devoted to single family use on the subject property.
- C. The removal and replacement of an existing impervious driveway where no change in grade or footprint occurs.
- D. Rehabilitation of existing vegetated areas where there is no material change in grade, surface type, or storm water runoff patterns.

E. Maintenance work performed by the Township through the Department of Public Works or through a municipal contract with an outside entity.

F. Projects exempted by State law from the requirements of this ordinance.

G. Projects that are subject to review by the Planning Board or Zoning Board of Adjustment, with the exception that individual lots within subdivisions approved by the Boards shall be subject to these standards at the time of a building permit is issued for each lot.

14-2 Applications.

A Applicants are encouraged to request a pre-application review with the Engineering Department prior to the submission.

B Applications for a Grading Permit shall be made to the Township Construction Official, in triplicate, and on forms available in the Construction Department.

C Application for a Lot Grading Permit shall include the following, unless waived by the approving authority:

- (1) Lot, block and street address of subject property
- (2) Name and address of property owner.
- (3) Name and address of applicant.
- (4) Name and address of the person(s) who is to perform the work.
- (5) Dates when the work is to be commenced and completed.
- (6) Scaled drawing of property showing extent of proposed work
- (7) Such other information as the approving authority may consider pertinent.

14-3 Design Standards

A. Grading Permit applications shall meet the design standards of the following chapters of the Land Use Ordinance:

- (1) Chapter 141: Conservation Easements
- (2) Chapter 142: Critical Area Requirements
- (3) Chapter 143: Flood Damage Protection
- (4) Chapter 146: Stormwater Management

B. The following additional design standards shall apply:

- (1) Final vegetated slopes shall be no more than 1 vertical on 3 horizontal unless specifically permitted by the approving authority.
- (2) The area of disturbance shall be delineated by silt fencing installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey unless specifically waived by the approving authority.

(3) Tree protection and a tracking pad shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey unless specifically waived by the approving authority.

(4) Any other appropriate measures as may be determined by the approving authority._____

14-4 Fee.

The fee for a Grading permit shall be as set forth in Section 183.9 of this Ordinance.

14-5 Life of Permit.

Any permit issued pursuant to the provisions of this section shall be valid for a period not exceeding one hundred twenty (120) days and all work contemplated shall be completed within that time except on approval from the Township Engineer for an extension.

14-6 Violations and Penalties.

A person who shall violate any provision of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. Each day of violation shall be considered as a separate offense.

Section 6. 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 7. 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 8. 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, May 27, 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, June 24, 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 #357-15, be approved on first reading, with the public hearing scheduled on June 24, 2015. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE #358-15
AFFIRMING THE CREATION OF THE HISTORIC PRESERVATION ADVISORY COMMITTEE AND SUPPLEMENTING AND AMENDING THE TOWNSHIP CODE

***STATEMENT OF PURPOSE:** To make the Historic Preservation Advisory Committee a permanent committee by including it in the Township Code and also restructuring the committee to include nine regular members and no alternates.*

WHEREAS, the Township Historic Preservation Advisory Committee (“HPAC”) was created in 1999 by the adoption of Resolution 96-#299; and

WHEREAS, HPAC has proved an invaluable asset to the Township and has taken the lead on a number of projects including the restoration of the Old Millington Schoolhouse; and

WHEREAS, the Township Committee wishes to make HPAC a permanent committee and to include it in the Township Code; and

WHEREAS, the members of HPAC have asked that the structure of the Committee be changed so that there are nine regular members rather than seven regular members and two alternate members;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that Article VI entitle “Sports, Committees, Commissions” in Chapter II entitled “Administration” is hereby supplemented and amended as follows:

Section 1. There is hereby created a new Section 2-35 entitled “Historic Preservation Advisory Committee” which reads as follows:

2-35.1. Creation.

There is hereby established a Historic Preservation Advisory Committee consisting of ~~seven (7)~~ nine (9) regular members ~~and two (2) alternate members.~~³

a. The Historic Preservation Advisory Committee shall consist of at least one member of each of the following classes of members:

Class A - a person who is knowledgeable in building design and construction or architectural

³ Additions to Resolution 96-299 are shown by underlining and deletions by strikeout.

history and who may reside outside the Township,

Class B - a person who is knowledgeable or with a demonstrated interest in local history and who may reside outside the Township.

Class C - Class C shall be those members who are not designated as Class A or Class B citizens of the municipality who shall hold no other municipal office, position or employment except for membership on the Planning Board or Board of Adjustment.

b. The Mayor shall appoint all members of the Committee and shall designate at the time of appointment the regular members by class ~~and the alternate members as "alternate no. 1" and "alternate no. 2".~~ The terms of the members first appointed under this ~~Resolution ordinance shall expire on December 31, 1996, except that these first appointees shall serve until their successors are appointed. The terms of the members appointed in 1997 shall be so determined that to the greatest practicable extent, the expiration of the terms shall be distributed in the case of regular members, evenly over the first four years after their appointment, and in the case of alternate members, evenly over the first two years after their appointment; provided that the initial term of no regular term shall exceed four years and that the initial term of no alternate member shall exceed two years. Thereafter, the term of regular member shall be four years, and the term of an alternate member shall be two years.~~ A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.

c. ~~(Reserved) Alternate members shall meet the qualifications of Class C members. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. 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.~~

d. The Historic Preservation Advisory Committee shall elect a Chair and select a secretary, who shall be a member of the Historic Preservation Advisory Committee. The Committee shall obtain its legal counsel from the Township Attorney.

e. No member of the Historic Preservation Advisory Committee shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest

f. A member of the Historic Preservation Advisory Committee may, after public hearing if he requests it, be removed by the Township Committee for cause.

2-35. 2. Responsibilities

The Historic Preservation Advisory Committee shall have the responsibility to:

a. Prepare a survey of historic sites in the Township;

b. Make recommendations to the Planning Board on the historic preservation plan element of the master plan and on the implications for preservation of historic sites of any other master plan elements;

c. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program;

d. Advise the Planning Board and Board of Adjustment on applications for development pursuant to Section 3 of this Resolution;

f. (sic) Carry out such other advisory, educational and informational functions as will promote historic preservation in the Township.

2-35. 3. Referral of Board Applications.

The Planning Board and Board of Adjustment shall refer to the Historic Preservation Advisory Committee every application for development submitted to either Board for development in historic preservation districts or on historic sites identified in any component element of the master plan. This referral shall be made when the application for development is deemed complete or is scheduled for a hearing, whichever occurs sooner. Failure to refer the application as required shall not invalidate any hearing or proceeding. The Historic Preservation Advisory Committee may provide its advice, which shall be conveyed through its delegation of one (1) of its members or staff to testify orally at the hearing on the application and to explain any written report which may have been submitted.

2-35. 4. Referral of Permit Applications.

All applications for issuance of permits pertaining to historic sites shall be referred to the Historic Preservation Advisory Committee for an advisory report concerning historic preservation to any of those aspects of the change proposed, which aspects were not determined by approval of any application for development by a municipal agency pursuant to the MLUL. The Historic Preservation Advisory Committee shall submit its advisory report to the Construction Official.

When time does not allow the submission of a permit application to the full Committee, the chair of the Historic Preservation Advisory Committee may act in the place of the full Committee for purposes of this Section.

2-35. 5. Standards.

The Historic Preservation Advisory Committee shall be guided by the following design standards in reviewing applications:

- (1) Every reasonable effort should be made to provide a compatible use for structures which will require minimum alteration to the building.*
- (2) Rehabilitation should not destroy the distinguishing qualities or character of the structure. The removal or alteration of any historic material or architectural features should be held to a minimum, consistent with the proposed use.*
- (3) Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of original features.*
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize older structures and which often predate the mass production of building material should be retained wherever possible.*
- (5) All structures should be recognized as products of their own time. Authorization to create an appearance inconsistent with the original character of the structure should be discouraged.*
- (6) Contemporary design for new structures in historic districts and additions to existing structures or landscaping should not be discouraged if such design is compatible with the size, scale, color, material and character of the historic district, building or environment.*
- (7) Consideration shall be given to detrimental impact and the financial hardship on the applicant affected by the application of historic preservation standards, and promoting less expensive alternatives when undertaking an alteration, improvement, rehabilitation or restoration of a structure.*

(8) Most properties change over time; those changes that have acquired historic significance in their own right should be preserved.

(9) The Committee shall be guided for further details by the "Secretary of Interior Standards for Historic Preservation Projects", prepared by the Office of Archeology in Historic Preservation, United States Department of the Interior, Washington, D.C., as amended and supplemented.

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, May 27, 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, June 24, 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 #358-15, be approved on first reading, with the public hearing scheduled on June 24, 2015. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

ORDINANCE #353-15

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$839,000 THEREFOR FROM VARIOUS FUNDS OF THE TOWNSHIP.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

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(a) The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said improvements or purposes stated in said Section 2, there is hereby appropriated therefor the sum of \$839,000, to the extent of \$297,000, from moneys available in the Capital Surplus of the Township and, to the extent of \$542,000, from moneys available in the Capital Improvement Fund of the Township.

(b) The improvements hereby authorized and the several purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are as follows: (a) the acquisition by purchase of computer equipment and radio equipment for use by a Police Department of the Township, turnout gear, communications equipment, rescue equipment, self-contained breathing apparatus, a generator and fire hoses for use by the Fire Companies of the Township, chairs for use by the Recreation Department of the Township, chairs and a bronze plaque for use by the Administration Department of the Township, an excavator/backhoe, riding mower and a storm water inspection camera for use by the Department of Public Works of the Borough; (b) the improvement of Meyersville field and tennis courts, and the upgrade of the little league baseball field; (c) the improvement of various roads and sidewalks in and by the Township by the resurfacing thereof and improvements to the drainage system, milling, paving and storm water upgrades thereof, and (d) the improvement of the sanitary sewerage system of the Township, including by the upgrade of the seal water system, the upgrade of existing and installation of new pumps, the installation of a new oxidation system and the upgrade of the equipment thereof, including, for all of the foregoing, all site work, appurtenant equipment, accessories, attachments, work and materials, and all engineering, legal, advertising and other costs associated therewith, and all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

(c) The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and

the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services are on file with the Township Clerk and are available for public inspection.

(d) This ordinance shall take effect after publication after final adoption, as provided by law.

Open Public Meeting
Close Public Meeting

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance # 353-15 be approved for final adoption. **SECONDED** by: _____.

ROLL CALL VOTE:

ORDINANCE #354-15

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$263,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$249,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 2. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$263,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$14,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 3. For the financing of said improvement or purpose and to meet the part of said \$263,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$249,000 pursuant to

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the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$249,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 4. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of various roads in and by the Township by the surfacing or resurfacing thereof to provide a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including all storm water drainage facilities, inlets, manholes, curb and sidewalk reconstruction, signage, milling, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$249,000.

(c) The estimated cost of said purpose is \$263,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$14,000 down payment for said purpose.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

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(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$249,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 6. An aggregate amount not exceeding \$25,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended

capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Open Public Meeting
Close Public Meeting

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance # 354-15 be approved for final adoption. **SECONDED** by:_____.

ROLL CALL VOTE:

COMMITTEE LIAISON REPORTS:

DISCUSSION / ACTION ITEMS:

- 2014 Audit- Ray Sarinelli
- Millington School House HVAC Noise

OLD BUSINESS:

NEW BUSINESS:

Announcements/Correspondence:

MEETING OPEN TO THE PUBLIC:

Remarks and Statements Pertaining to Any Matter

ADJOURNMENT – Possible Exec. Session