



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA *Revised*
June 10, 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 #15-182
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

Personnel

- Audit Comments discussion with Tax Collector – Rice Noticed
- DPW In-Grade Promotion and probationary appointment

Attorney Client

- Land Sale

Contract Negotiation

- Millington Schoolhouse Change Order
- Recreation Field Usage
- COAH Fair Share Analysis

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 #15-182 is hereby approved for Executive Session. **SECONDED** by: _____

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

PRESENTATION of Awards to Essay Winners

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 # 15-145 and #15-183 through #15-196, **and Resolution #15-200** are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 15-145 Amended
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 April 22, 2015 and May 13, 2015, Township Committee Meetings.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the April 22, 2015 and May 13, 2015 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 15-183
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 15-184
Tax refund**

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund to: Pro Cap III, LLC, 1000 Haddonfield Berlin Road, suite 203, Voorhees, NJ 08043 for 2015 2nd quarter duplicate payments totaling \$9,469.11 as follows:

<u>Block</u>	<u>Lot</u>	<u>Tax 2nd qtr.</u>	<u>Interest</u>	<u>Total</u>
12004	39	\$2913.89	\$23.96=	\$2937.85

10701	2403	\$1750.91	\$17.51=	\$1768.42
13004	1.01	\$1994.69	\$19.95=	\$2014.64
13504	16	\$2294.40	\$22.94=	\$2317.34

TOTALS: \$8953.89 \$84.36= \$9038.25

**RESOLUTION 15-185
TAX REFUND**

BE IT RESOLVED: That the Township Committee of the Township of Long Hill upon the advice and recommendation of the Tax Collector does hereby authorize a refund to the following due to overpayment of 2015 taxes in the amount of \$2077.15 and interest of \$11.68 for total of \$2088.83 on Block 11902 Lot 4 to : FWDSL ASSOCIATES, 5Cold Hill Rd, #11, Mendham, NJ 07945.

**RESOLUTION # 15-186
Tax Refund [B.13508, L.6]**

BE IT RESOLVED: That the Township Committee of the Township of Long Hill, upon the advice of the Tax Collector does hereby authorize a refund to: Pro Capital III, LLC, 1000 Haddonfield Berlin Road, Suite 203, Voorhees, NJ 08043 for 2015, 2nd quarter tax duplicate payment of \$1225.41 tax and \$5.45 Interest on Block 13508 Lot 6 for a total of: \$1230.86.

**RESOLUTION 15-187
REAPPOINTING BRETT TROUT AS TAX ASSESSOR (WITH TENURE)**

WHEREAS, Brett Trout holds a tax assessor certificate in accordance with the requirements of *N.J.S.A 54:1-35.25 et seq.*; and

WHEREAS, Brett Trout was initially appointed Tax Assessor in December 2006; and

WHEREAS, Brett Trout shall hereafter "hold his position during good behavior and efficiency and compliance with requirements for continuing education. . . and he shall not be removed therefrom for political reasons but only for good cause shown and after a proper hearing before the director [of the Division of Taxation] or his designee after due notice." (*N.J.S.A . 54:1-35.31*);

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey hereby reappointments Brett Trout as Long Hill Township Assessor for a four-year term expiring June 30, 2019.

**RESOLUTION 15-188
AUTHORIZING CHANGE ORDER NUMBER 004
CONTRACT WITH DEMAIO ELECTRICAL COMPANY, INC.**

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

WHEREAS, it is necessary to adjust the contract an additional \$21,582.02 to supply uniformed police officers for pedestrian and vehicular traffic control devices and flaggers as follow:

Change Order # 004	Description	Amount	Net Amount of Contract
Item 4A	Uniformed Police Officers for Traffic Control	\$21,582.02	2,531,607.09

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

1. Change Order Number 004 as described in the preamble is hereby approved.
2. The New Jersey Environmental Infrastructure Financing Program (NJEIFP) Loan includes a contingency for construction change orders in the amount of 5% of the original as-bid contract cost; a contingency of \$121,000.00. There are sufficient funds available for Change Order #004 charged to Capital Fund 04- 2013- 32213- 0000- 3- 02034

**RESOLUTION 15-189
APPROVAL OF TRIBUTE RIBBONS/BOWS
IN THE TOWNSHIP [Ovarian Cancer Awareness]**

WHEREAS, the Township Committee recognizes the intrinsic value of Tribute Bows and Ribbons and the awareness raised by the placing of these bows and ribbons; and

WHEREAS, “Turn the Towns Teal” has requested to place 100-200 teal ribbons/ bows on trees and lamp posts along Long Hill Road; Main Avenue, Stirling, Downtown Millington and the Long Hill Township Municipal Building Parking Lot from August 31, 2015 – September 30, 2015 in order to signify Ovarian Cancer Awareness Month; and

WHEREAS, “Turn the Towns Teal” has completed the Tribute Bows / Ribbons Application which is satisfactory to the Township Administrator and has agreed to abide by the policy outlined in Long Hill Township Resolution 09-075;

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 the “Turn the Towns Teal” Campaign’s request to place 100-200 teal ribbons/bows along Long Hill Road; Main Avenue, Downtown Millington and the Long Hill Township Municipal Building Parking Lot from August 31, 2015 – September 30, 2015.

**RESOLUTION 15-190
APPROVING SPECIAL EVENT LICENSE
[Antique & Classic Car Show]**

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 the license for the event to the “Sponsor” Long Hill Community Center, Inc., for their Special Event; the 9th Annual Fall Fest Antique & Classic Car Show to be held from 10:00 AM – 4:00 PM on October 4, 2015 at the Stirling Hotel, 227 Main Ave., Stirling, New Jersey.

BE IT FURTHER RESOLVED that the Police Department has determined that police services are not required for this event.

**RESOLUTION 15-191
Tax Refund [B.10203, L.6]**

RESOLVED: That the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund for overpayment of taxes on Block 10203 Lot 6, owner: Laufer. Due to duplicate 2nd quarter tax 2015 in the amount Of \$3073.06 to: Allied Title, LLC., 3 Laurel Drive, Flanders, NJ 07836, Attn: Samantha Petrzzi.

**RESOLUTION 15-192 - *revised*
AUTHORIZING CHANGE ORDERS NUMBERS 012 and 013 TO THE
CONTRACT WITH M.B.T. CONTRACTING, INC.**

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

WHEREAS, it was decided to redesign the boiler for placement in the basement to eliminate the noise factor for the surrounding neighbors emanating from the air conditioning units.

Change Order #	Description	Amount	Net Amount of Contract
012	Install new condensing boiler, Ultra 220 from Weil C. Klein, two hydronic coils with piping, valve controls, hydronic balancing and electrical	\$38,560.00	\$487,584.40
013	Credit for line striping of the parking lot	(\$1,800.00)	\$485,784.40

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

1. Change Order Number 012 for the redesign of the boiler, and Change Order 013 as a credit for the striping of the parking lot; as described in the preamble are hereby approved.
2. The change orders shall be charged to Open Space - Historic Preservation Trust. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 15-193 *revised*
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 additional seasonal/ part time employees to the Stirling Lake Staff:

Effective June 10, 2015 and ending September 7, 2015:

Lukas Ihringer	\$9.00 per hour	Substitute Lifeguard
Jake Raimer	\$9.00 per hour	Substitute Lifeguard
Zachery Scanlon	\$9.00 per hour	Substitute Lifeguard
Christopher Karski	\$9.00 per hour	Substitute Lifeguard

Effective 5/29/2015 and ending September 7, 2015

Ryan Lavorerio	\$14.25 per hour	Head Lifeguard
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Amanda Karski	\$12.00 per hour	Head Lifeguard
Carl Bentzlin	\$12.00 per hour	Head Lifeguard

**RESOLUTION 15-194
 APPOINTING PROBATIONARY LABORER
 [Murray]**

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

1. Upon the advice and recommendation of Township Administrator Neil Henry and Director of Public Works Thomas Sweeney, that Patrick Murray be appointed as Probationary Laborer.
2. This appointment shall be effective on June 15, 2015 at an hourly probationary rate of \$14.90. Following the probationary period (not to exceed more than six months) the new position title would be Truck Driver/Laborer Class 4 and the rate shall be \$18.75 per hour.
3. Mr. Murray will be a member of the Long Hill Public Works Association and a copy of the Agreement shall be provided.

**RESOLUTION 15-195
 GRADE ADVANCEMENT [Arpaia]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Tom Sweeney, Director of Public Works, does hereby approve the advancement of John Arpaia to Truck Driver/Laborer Class 3, effective June 10, 2015 at an hourly rate of \$22.35

BE IT FURTHER RESOLVED, that this advancement is consistent with the Public Works Association Collective Bargaining Agreement.

**RESOLUTION 15-196
 APPROVING SPECIAL EVENT LICENSE
 [REVOLUTIONARY RAMBLE]**

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 the license for the event to the "Sponsor" Morris Area Freewheelers' Foundation, for their Special Event; the Revolutionary Ramble to be held from 7:00 AM – 4:00 PM on June 13, 2015 at the intersections of Long Hill Rd., Mountain Ave and Meyersville Road.

BE IT FURTHER RESOLVED that the Police Department has determined that police services are required for this event and sponsor has paid the necessary escrow fees.

**RESOLUTION 15-200
 2015 FEE SCHEDULE **Amendment 5****

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 to add:

Little Explorers Extended Care \$20/week

RESOLUTIONS:

RESOLUTION 15-197

A RESOLUTION AUTHORIZING EXECUTION OF DEED OF HISTORIC PRESERVATION EASEMENT DEED FOR MILLINGTON SCHOOLHOUSE

WHEREAS, the Township has received several grants from the Morris County Historic Preservation Trust Fund for the restoration of the Millington School House, including \$162,712 grant in 2010 for exterior renovations and a \$241,038 grant in 2013 for interior work; and

WHEREAS, the Morris County Historic Preservation Trust Fund Rules and Regulations provide in Section 5.15 that the Township, as a condition for having received these grants, must execute a Deed of Historic Preservation Easement with the County for a thirty-year term;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that:

1. The Mayor and Clerk are hereby authorized to execute a Deed of Historic Preservation Easement with the County for a thirty-year term.
2. The Township Committee hereby confirms the “protected features” of the property, as described in Schedule “B” of the deed.
3. The Township Clerk is hereby authorized and directed to submit the executed deed to the County for recording, along with an executed Seller’s Residency Certification/Exemption and an executed Affidavit of Consideration.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-197 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

RESOLUTION # 15-198

Municipal Shared Services Defense Agreement

WHEREAS, TOWNSHIP OF LONG HILL has filed or anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey, MORRIS County in furtherance of the Supreme Court’s March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”); and

WHEREAS, Fair Share Housing Center (“FSHC”), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the “FSHC Numbers”) for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality’s affordable housing obligation pursuant to the Supreme Court Decision; and

WHEREAS, the TOWNSHIP OF LONG HILL desires to participate in the preparation of a statewide fair share analysis to be undertaken by Rutgers, The State University of New Jersey (“Rutgers”), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology (the “Burchell Fair Share Analysis”) for determination of a municipality’s obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region’s affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”) and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

WHEREAS, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author has agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality’s fair share obligation; and

WHEREAS, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000; and

WHEREAS, it is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000; and

WHEREAS, it is anticipated that if each municipality contributes \$2,000, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare A Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

WHEREAS, a Municipal Shared Services Defense Agreement (hereinafter MSSDA”), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers (hereinafter “the Rutgers Agreement”) and so that Burchell, along with various other experts from Rutgers, can perform the tasks described above and (b) so that the rights and responsibilities of each municipality that wishes to sign the agreement to retain Rutgers are defined; and

WHEREAS, the MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC (“Surenian”) will serve as the administrative entity to sign the Rutgers agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000 fee; and

WHEREAS, it is imperative given the time constraints for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000 fee so that Burchell can conduct the necessary analysis; and

WHEREAS, notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers agreement following execution of the MSSDA and the payment of the \$2,000 fee; and

WHEREAS, in such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000 payment as more specifically set forth in the MSSDA.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the TOWNSHIP OF LONG HILL, as follows:

1. The terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000 is hereby authorized to be expended by the TOWNSHIP of LONG HILL for Rutgers through Dr. Robert Burchell, Principal Investigator to prepare the Burchell Fair Share Analysis.
3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the TOWNSHIP of LONG HILL and is appended hereto.
4. The Mayor is hereby authorized to execute the aforesaid MSSDA to memorialize the participation of the TOWNSHIP of LONG HILL in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The TOWNSHIP COMMITTEE of the TOWNSHIP OF LONG HILL hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the TOWNSHIP of LONG HILL the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.
6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Surenian of the changes, the TOWNSHIP of LONG HILL will inform Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2000 it paid.
7. This Resolution shall take effect immediately.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-198 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

RESOLUTION 15-199

Authorize Membership in the Keystone Purchasing Network

WHEREAS, the Township of Long Hill has approved replacing the grass field at Field 1 at Mathew G. Kantor Memorial Park with artificial turf; and

WHEREAS, the Keystone Purchasing Network has conducted the steps of bidding and awarding contracts for athletic turf fields and associated improvements to vendors who are required to offer their best agency discounted prices and most responsible services to Keystone Purchasing Networks members, and

WHEREAS, the Keystone Purchasing Network is a buying co-op that provides predetermined preferential pricing by approved vendors; and

WHEREAS, these contracts have already been bid at the national level, allowing individual schools and municipalities not to have to duplicate the formal bid process.

BE IT RESOLVED BY the Township Committee of the Township of Long Hill at the advice and recommendation of the Township Administrator does hereby authorize application for

membership into the Keystone Purchasing Network in order to allow for the most cost efficient pricing for the turf field at Matthew G. Kantor Memorial Park, Field #1.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #15-199 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCES:

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

ORDINANCE #331-14 (AMENDMENT 1)

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$858,347 THEREFOR FROM VARIOUS FUNDS OF THE TOWNSHIP.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, that Section 1 of ordinance 331-14 be amended as follows due to an addition error:

Section 1. 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 therefore the sum of \$858,347, to the extent of \$302,924, from moneys available in the Capital Fund Balance of the Township and, **to the extent of ~~\$555,423~~, 519,423.00** from moneys available in the Capital Improvement Fund of the Township.

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 13, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on **Wednesday, June 10, 2014** at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC
Township Clerk

Open Public Hearing

Close Public Hearing

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance #331-15, Amendment 1 be adopted on final hearing. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE #356-15

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF MATTHEW KANTOR PARK IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF

\$600,000 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 1. For the financing of said improvement or purpose and to meet the part of said \$1,220,000 appropriation not provided for by application hereunder of said down payment and Open Space, Recreation and Farmland Trust Fund, negotiable bonds, to be payable out of Open Space, Recreation and Farmland Trust Fund of the Township, are hereby authorized to be issued in the principal amount of \$600,000 pursuant to 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 \$600,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 2. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of Matthew Kantor Park in and by the Township by the installation of turf fields, together with all landscaping equipment, 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 \$600,000.

(c) The estimated cost of said purpose is \$1,220,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$220,000 down payment for said purpose and the amount of the said \$400,000 from the Open Space, Recreation and Farmland Trust Fund.

Section 3. 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.

(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 fifteen (15) 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 \$600,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 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.

Section 4. 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 5. 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 6. 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 7. 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 Hearing

Close Public Hearing

MOVED by: _____ of the Township Committee of the Township of Long Hill that Ordinance #356-15 be adopted on final hearing. **SECONDED** by: _____. **ROLL CALL VOTE:** _____

**ORDINANCE #355-15
AN ORDINANCE CONCERNING SEWER USER RATES AND
AMENDING CHAPTER XXII OF THE TOWNSHIP CODE ENTITLED "SEWERS"**

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter XXII of the Township Code entitled "Sewers" is hereby amended as follows:

Section 1. Section 22-23 entitled "User Rates" & Section 22-24 entitled "Miscellaneous Provisions" are hereby amended to read as follows:

22-23 USER RATES

The following sewer service and usage fees are hereby established effective January 1, 2015, and shall remain in full force and effect until revised by ordinance duly adopted by the Township Committee:

- a. All sewer users shall be charged a service fee of **\$75** per year per unit.
- b. Sewer users that are metered shall be charged a sewer usage fee at the rate of \$14.91 per thousand gallons.
 - 1. The gallons used shall be the total water metered for the six (6) winter months preceding the billing year. By example, in the billing year of 2015, the gallons are determined from the six months January through April 2014 and November through December 2014. The months excluded are: May through October 2014.
 - 2. Water consumption figures for each user will be obtained from the water company servicing the premises or by the Township Sewer department if the meter is not serviced by the water company.
 - 3. If the meter is not read or incorrectly read for one or more months of the usage period as determined by the Sewer Utility Collector, the amount charged for those months shall be equal to the approximate average monthly usage among other billable months during the same

period.

c. Sewer Users that are not metered shall be charged a usage fee as follows:

1. Residential units: **\$400.00** per unit
2. Commercial or Industrial units: **\$525.00** per unit

d. If a user has multiple water sources, the usage fee shall be the combined total of each source as specified in 22-23b if metered and 22-23c if unmetered. Only one service fee shall be applied.

e. The Township Committee may require a water meter to be installed by any sewer user utilizing a well or other private water system at the property owner's expense.

f. Each user who is a resident of this Township and who was sixty-five (65) years of age or older during the prior calendar year shall be entitled annually, upon submission of a claim on proper forms, to a deduction of fifteen (**\$15.00**) dollars from his or her sewer use charge as established hereinabove.

22-24 MISCELLANEOUS PROVISIONS

22-24.1 Multiple Unit Properties.

In the case of a building in single ownership having several stores, offices or residential units or a combination of stores, offices and residential units except for "accessory apartments," served by a common water meter, the annual charges paid shall be a service charge (subsection 22-23) for each individual store, office and residential unit plus the per thousand gallon charge (subsection 22-23) for the water use recorded by the common meter. (1967 Code § 76-6; Ord. No. 182-05 § 1; Ord. No. 279-11 § 4)

22-24.2 Payment of Charges.

The sewer service charge established and fixed herein shall be an annual charge for each calendar year. The charge for each residential unit and the basic charge for each nonresidential unit shall be payable in one (1) payment before the due date as specified in section 22-24.4 (1967 Code § 76-7; Ord. No. 182-05 § 1; Ord. No. 303-12)

22-24.3 Proration.

In the case of any unit, residential or business, or any other type of unit which is not connected to the sanitary sewer system during the entire year, the charge shall be prorated on a calendar year basis, and the unit shall be charged a sewer use charge for the entire month during which the connection is made. For the purpose of construing this article, the date of issuance of an occupancy permit on new construction of buildings shall be considered as the date of connection. (1967 Code § 76-8; Ord. No. 182-05 § 1)

22-24.4 Billing and Collection.

a. The Sewer Utility Collector shall bill the owners of sewered property for the sewer service charge annually. Sewer use charges shall be due 30 days after sewer bills are mailed. In the event that the annual sewer charges are not paid as provided herein, the following provision of this article shall apply.

b. The charges hereby imposed shall be payable to the Sewer Utility Collector and shall draw the same interest from the time they become due as taxes upon real estate and shall

be a lien upon the premises connected to the sanitary sewer until paid, and the Township shall have the same remedies for collection thereof, with interest, costs and penalties, as it has by law for the collection of taxes on real estate.
(1967 Code § 76-9; Ord. No. 26-94 § 5; Ord. No. 182-05 § 1; Ord. No. 303-12)

22-24.5 Exemptions.

There shall be no sewer service charge levied or collected from the Board of Education, volunteer fire companies, first aid squads. (1967 Code § 76-10; Ord. No. 182-05 § 1)

22-24.6 Matters Not Affected.

Nothing herein shall preclude the Township from requiring developers of property to install sewer lines at their own expense or from providing for construction of sewer lines by local improvement assessments. (1967 Code § 76-11; Ord. No. 182-05 § 1)

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, May 13, 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 10, 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 #355-15 be adopted on final hearing. **SECONDED** by: _____.

COMMITTEE LIAISON REPORTS

DISCUSSION / ACTION ITEMS:

- Use of Millington Schoolhouse

OLD BUSINESS:

NEW BUSINESS:

Announcements/Correspondence:

- 2015 Sewer bills will be going out late this year due to the implementation of a new billing system
- LOGO Contest entries are due June 19th

MEETING OPEN TO THE PUBLIC:

Remarks and Statements Pertaining to Any Matter

ADJOURNMENT – *Possible Exec. Session*