



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
April 13, 2016
7:30 PM OPEN SESSION, Closed Session 6:45 PM**

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 14, 2016 edition, and electronically sent to the Courier News and posted in the January 12, 2016 edition. The notice was posted on the bulletin board in the Municipal Building on January 5, 2016 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk."

EXECUTIVE SESSION

**RESOLUTION #16-144
EXECUTIVE SESSION**

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

Property Acquisition:

- Eberle
- Land Diversion
- Passaic River Coalition Properties

Potential Litigation

- Re-Assessment Discussion with Tax Assessor and Appraisal Systems

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 #16-144 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

PROCLAMATION – AUTISM AWARENESS

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 #16-136 through #16-141 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 16-136
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 16-137
2016 BUDGET TO BE READ BY TITLE ONLY AT PUBLIC HEARING**

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

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY that the budget shall be read by title only.

**RESOLUTION 16-138
APPROVAL AND RELEASE OF MINUTES**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the March 23, 2016 Township Committee Meeting and the March 31, 2016 Special Joint Meeting with the Planning Board.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the March 23, 2016 and the March 31, 2016 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 16-139
APPROVE CONFERENCE REQUEST
Wastewater Department**

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

WHEREAS, the Township Committee has received a request by the DPW, Wastewater Superintendent for 2 employees from the Wastewater Division to attend the New Jersey Environmental Association Conference on May 16 – May 18, 2015; and

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

**RESOLUTION 16-140
AUTHORIZING THE TOWNSHIP TO APPLY FOR GRANT FUNDS TO THE STATE OF NEW JERSEY MUNICIPAL RECYCLING TONNAGE GRANT PROGRAM**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be available to municipalities to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the asset of Long Hill Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, wishes to file an application and endorses such application with the State of New Jersey Department of Environmental Protection and designates Thomas Sweeney, Recycling Coordinator, to ensure that the application is properly filed;

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be use solely for the purposes of recycling.

Social Affair – Millington – need info from PD Resolution #16-141

ORDINANCES

ORDINANCE INTRODUCTION:

**ORDINANCE #383-16
CONCERNING TEMPORARY SIGNS PERMITTED WITHOUT A PERMIT AND
SUPPLEMENTING AND AMENDING CHAPTER III OF THE TOWNSHIP CODE ENTITLED**

“POLICE REGULATIONS”

Statement of purpose: to amend the temporary sign ordinance to allow emergency service organizations to place special event signs on their vehicles parked off premises without a permit.

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter III of the Township Code entitled “Police Regulations” is hereby supplemented and amended as follows:

Section 1. Subsection 3-12.3-4 entitled “Temporary Signs Permitted Without a Permit” in section 3-12 entitled “Temporary Signs” is hereby supplemented and amended to read as follows:

“ 3-12.3-4 Temporary Signs Permitted Without a Permit.

The following temporary signs are permitted in all areas, on the subject private lot only.

“i. Signs announcing any educational, charitable, civic, and religious or like special event to be held in the Township shall be permitted in all zones. Such signs, however, shall not be permitted for a period exceeding fourteen (14) days per special event in any one (1) calendar year; shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours of the conclusion of the event. Emergency Service organizations may place such signs or banners on their vehicles parked off-premise, without limit on the size of the sign or banner.”

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, April 13, 2016 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, May 11, 2016 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 Long Hill Township, that Ordinance 383-16 is hereby approved on first reading. The Public Hearing and final adoption is scheduled for May 11, 2016. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

**ORDINANCE 379-16
CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Township Committee of the Township of Long Hill in the County of Morris finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$396,648.77 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Long Hill, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Long Hill shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$396,648.77, and that the CY 2016 municipal budget for the Township of Long Hill be approved and adopted in accordance with this ordinance; and,

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

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

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

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, March 9, 2016, will be considered for final passage and adoption at a **public hearing** held at a meeting beginning at 7:30 p.m. on **Wednesday, April 13, 2016** 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 Meeting
Close Public Meeting

MOVED by: _____ of the Township Committee of Long Hill Township, that Ordinance 379-16 is hereby adopted on final hearing. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE #380-16

AUTHORIZING THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT THE TOWNSHIP LITTLE LEAGUE FIELD AND APPROPRIATING \$22,000 THEREFOR FROM THE OPEN SPACE TRUST FUND

***Statement of purpose:** to authorize the purchase and installation of playground equipment at the Little League Field using Open Space, Recreation, Farmland Preservation and Historic Trust Funds.*

WHEREAS, the Township has a duly adopted "Municipal Open Space, Recreation and Farmland Preservation and Historic Trust Fund" to be used for the purposes of acquiring, developing and maintaining lands for recreation and conservation purposes and acquiring farmland for farmland preservation purposes; and

WHEREAS, the Township Little League Field, which is located off Poplar Drive (blocks 10506, 10507, 10508, 10509, 10510 and 10511 on the Township tax maps), is owned by the Township and leased to the Long Hill Township Little League; and

WHEREAS, the Little League is one of the busiest recreation areas in the Township;

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

Section 1. The purchase and installation of playground equipment at the Township Little League Field is hereby authorized.

Section 2. There is hereby appropriated \$22,000 from the Township Open Space, Recreation and Farmland and Historic Trust Fund to cover the cost thereof.

Section 3. 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, March 9, 2016 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, April 13, 2016 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 Meeting
Close Public Meeting

MOVED by: _____ of the Township Committee of Long Hill Township, that Ordinance 380-16 is hereby adopted on final hearing. **SECONDED** by: _____. **ROLL CALL VOTE:**

ORDINANCE #381-16

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LANDS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$952,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

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. 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 \$1,000,000, said sum, except as described below, being inclusive of all appropriations heretofore made therefor and including the sum of \$48,000 as the down payment for said improvement or purpose required by law and now available therefor in the Open Space Trust Fund of the Township and being exclusive of the sum of \$2,343,700 received or expected to be received therefor from the County of Morris and the sum of \$956,300 available therefor in other funds of the Township.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$1,000,000 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 \$952,000 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 \$952,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition of lands and buildings, if any, thereon in and by the Township for public purposes, including recreation and open space purposes, said lands consisting of approximately 71.35 acres and located at the intersection of Valley Road and Morristown Road and identified as Lots 1, 2 and 3 in Block 11301 on the Official Tax Map of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$952,000.

(c) The estimated cost of said purpose is \$4,300,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$48,000 down payment for said purpose, the amount of \$2,343,700 received or expected to be received therefor from the County of Morris and the amount of \$956,300 available therefor in other funds of the Township.

Section 4. 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 forty (40) 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 \$952,000, 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 \$50,000 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 5. 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 6. 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, unless paid from the Open Space Trust Fund of the Township, 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 7. 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 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond 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, March 9, 2016 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, April 13, 2016 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 Meeting
Close Public Meeting

MOVED by: _____ of the Township Committee of Long Hill Township, that Ordinance 381-16 is hereby adopted on final hearing. **SECONDED** by: _____. **ROLL CALL VOTE:** *[Needs 4 to approve]*

ORDINANCE #382-16
REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF \$4,250,000
REFUNDING BONDS OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS,
NEW JERSEY

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 purposes stated in Section 2 of this refunding bond ordinance, negotiable bonds of The Township of Long Hill, in the County of Morris, New Jersey (the “Township”), each to be known as “Refunding Bond” (with such other words incorporated in the title as may hereafter be determined), are hereby authorized to be issued, in one or more series, in the aggregate principal amount of \$4,250,000 pursuant to Section 40A:2-51 et seq., of the Local Bond Law of the State of New Jersey (the “Local Bond Law”).

Section 2. The purposes for which said bonds are authorized are as follows:

(a) To pay, fund or refund (i) \$3,925,000 aggregate principal amount of General Bonds of 2007 of the Township, dated February 15, 2007, and maturing on February 15 in each of the years 2018 to 2027, inclusive, and such other bonds of such issue as may be desirable, (ii) interest payable on said bonds to be refunded, if any, until the date or dates said bonds to be refunded mature or are to be redeemed and (iii) redemption premium, if any, payable on said bonds to be refunded.

(b) To pay the costs of issuance of such refunding bonds, including printing, advertising, accounting, financial (including underwriters’ discount, original issue discount, bond insurance premium, escrow agent, verification agent and rating agency expenses) and legal expenses, not exceeding \$100,000 (any excess thereof after application to such costs to be applied either to payment of the amounts referred to in section 2(a) hereof or to the payment of debt service on any bonds issued pursuant to this refunding bond ordinance).

Section 3. The following matters are hereby determined, declared, recited and stated:

(a) Further provisions as to the refunding bonds authorized by this refunding bond ordinance shall be determined by subsequent resolution of the governing body of the Township, or the determination thereof shall be delegated by such resolution to the Chief Financial Officer or other official of the Township.

(b) The supplemental debt statement required by the 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 (the "Director"), and such statement shows that, while the net debt of the Township determined as provided in the Local Bond Law is reduced by the amount of bonds to be paid, funded or refunded by the bonds authorized by this refunding bond ordinance (i.e., \$3,925,000), the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds provided for in this refunding bond ordinance by \$4,250,000, and the said obligations authorized by this refunding bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 4. Said bonds shall recite that they are issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A, Municipalities and Counties, of the New Jersey Statutes.

Section 5. The Chief Financial Officer of the Township is hereby authorized and directed to file with the Director, within ten (10) days after the issuance of the said bonds, the documents required by the provisions of N.J.A.C. 5:30 - 2.5(b).

Section 6. 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 refunding 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 7. This refunding bond ordinance shall take effect twenty (20) days after the first publication hereof after final passage.

NOTICE OF PENDING REFUNDING BOND ORDINANCE

The refunding bond ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Long Hill, in the County of Morris, New Jersey, held on March 23, 2016. It will be considered for final passage, after public hearing thereon, at a meeting of said Township Committee to be held in the Municipal Building in said Township on April 13, 2016 at 7:00 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the offices of the Township Clerk in said Municipal Building to the members of the general public who shall request same.

Cathy Reese, RMC, CMR
Township Clerk

Open Public Meeting
Close Public Meeting

MOVED by: _____ of the Township Committee of Long Hill Township, that Ordinance 382-16 is hereby adopted on final hearing. **SECONDED** by: _____. **ROLL CALL VOTE: Needs 4 to approve**

RESOLUTIONS:

RESOLUTION 16-135

DETERMINING THE FORM OF GENERAL REFUNDING BONDS OF 2016 OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND DETERMINING CERTAIN DETAILS IN CONNECTION THEREWITH.

BE IT RESOLVED 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. Maximum Amount and Title of the Bonds. The Township of Long Hill, in the County of Morris, New Jersey (the "Township") is hereby authorized to issue refunding bonds pursuant to a refunding bond ordinance, entitled: "Refunding bond ordinance authorizing the issuance of \$4,250,000 Refunding Bonds of the Township of Long Hill, in the County of Morris, New Jersey", finally adopted on April 13, 2016, in a principal amount not in excess of \$4,250,000 and entitled "General Refunding Bonds of 2016" (the "Bonds"). The Chief Financial Officer of the Township (the "Chief Financial Officer"), pursuant to N.J.S.A. 40A:2-53 and other applicable law, is hereby delegated the power to determine the final principal amounts of the Bonds; provided, however, that the maximum principal amount of the Bonds shall not exceed \$4,250,000.

Section 2. Maturities and Interest Rates. The Bonds shall mature annually on such dates and in such principal amounts and shall bear interest at such rates, all as shall be determined by the Chief Financial Officer; provided, however, that (i) the year of final maturity of the Bonds shall be no later than 2027 and (ii) the effective rate of interest on the Bonds will allow the Township to realize a net (i.e., after payment of the costs of issuance of the Bonds) present value debt service savings of at least 3% of the aggregate principal amount of the Refunded Bonds (as defined in Section 16 of this resolution).

Section 3. Denominations, Dates, Interest Payment Dates and Manner of Payment. The Bonds are issuable in fully registered form without coupons and payable to a named person or registered assigns,

and each in the denomination of \$5,000 or any whole multiple of \$1,000 in excess thereof. On original issuance the Bonds shall be dated as of, and shall bear interest from, such date as shall be determined by the Chief Financial Officer. Interest on the Bonds shall be payable semi-annually in each year until maturity or earlier redemption, on such dates as shall be determined by the Chief Financial Officer, by check or bank draft mailed (unless other arrangements have been made with any securities depository) to the registered owners thereof whose names appear on the registration books of the Township held by the Chief Financial Officer in the capacity as paying agent (the "Paying Agent") as of the record dates, such record dates to be determined by the Chief Financial Officer. Principal or redemption price, if any, of the Bonds shall be payable upon presentation and surrender (unless other arrangements have been made with any securities depository) of the Bonds at the office of the Chief Financial Officer. Principal or redemption price, if any, of and interest on the Bonds shall be payable in lawful money of the United States of America.

Section 4. Book-Entry-Only Bonds. The Bonds shall be issued by means of a book entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The Purchaser (as defined in Section 7 of this resolution), as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal or redemption price, if any, of and interest on the Bonds will be payable by the Township or its agent to DTC or its nominee as registered owner of the Bonds.

Section 5. Form of the Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and by this reference incorporated as if set forth in full herein, with such changes, insertions and omissions as may be approved by the Chief Financial Officer, including a change, if necessary, to the title of the Bonds to reflect the issuance thereof in a different year. The Bonds shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor of the Township (the "Mayor") and the Chief Financial Officer, under the seal of the Township affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of the Township Clerk (the "Clerk"). The execution of the Bonds by the Chief Financial Officer shall be conclusive evidence of any approval required by this Section.

Section 6. Redemption. (A) Optional and Mandatory Redemption. The Bonds shall be subject to redemption at the option of the Township and mandatory sinking fund redemption at such times, on such dates and in such amounts as may be determined by the Chief Financial Officer; provided, however, that there shall be no premium associated with any such redemption.

(B) Notice of Redemption. Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond (unless other arrangements have

been made with any securities depository), there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 7. Sale of the Bonds. Subject to the terms of and the limitations set forth in this resolution, the Chief Financial Officer is hereby authorized to award and sell the Bonds to Roosevelt & Cross, Inc., Jersey City, New Jersey (the “Purchaser”); provided, however, that the underwriter’s discount does not exceed \$7.00 per \$1,000 of Bonds.

Section 8. Purchase Contract. The Chief Financial Officer is hereby authorized and directed to execute and deliver a contract for the sale of the Bonds with the Purchaser, in a form approved by bond counsel to the Township.

Section 9. Delivery of the Bonds. The Bonds, in registered form, shall be numbered and lettered for identification purposes, in such manner as shall be determined by the Chief Financial Officer, and shall, as soon as practicable, be prepared, executed and delivered in definitive form to or upon the order of the Purchaser at the expense of the Township upon payment in full of the purchase price for the Bonds.

Section 10. Additional Matters Contained in the Bonds. The Township Clerk is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed to cause the applicable CUSIP numbers (if any) assigned for each of the Bonds by the CUSIP Service Bureau of Standard & Poor’s Corporation of New York, New York, to be printed on the Bonds.

Section 11. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the Purchaser and the payment of the purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to the Purchaser (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the “Code”), (b) an undertaking to provide continuing disclosure in order to assist the Purchaser in complying with Rule 15c2-12 of the Securities and Exchange Commission (“Rule 15c2-12”) in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

Section 12. Delegation of Power to Award the Bonds. Pursuant to N.J.S.A. 40A:2-53 and other applicable law, the Township Committee of the Township does by this resolution delegate to the Chief Financial Officer the power to sell and award the Bonds to the Purchaser in accordance with the terms of and the limitations set forth in this resolution. The Chief Financial Officer shall report in writing to this governing body at its next meeting thereafter as to the details of the Bonds, including the principal amounts, interest rates, maturities, interest payment dates, record dates, redemption features and purchase price.

Section 13. Preliminary Official Statement. The Chief Financial Officer is hereby authorized to deliver a Preliminary Official Statement with respect to the Bonds to the Purchaser for use in connection with the sale, resale and distribution of the Bonds. The Chief Financial Officer is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Section 14. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer with respect to the issuance of the Bonds by and on behalf of the Township is hereby authorized, and the Chief Financial Officer and the Mayor are hereby authorized to execute the same in the name and on behalf of the

Township and to deliver said final Official Statement in executed form for its use in connection with the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer or the Mayor shall be conclusive evidence of any approval required by this Section.

Section 15. Appointment of Escrow Agent. The Township does hereby appoint The Bank of New York Mellon, Woodland Park, New Jersey, or such other bank or trust company as may be determined by the Chief Financial Officer, as escrow agent (the “Escrow Agent”) with respect to a portion of the proceeds of the Bonds that will be held for payment of the Refunded Bonds (as defined in Section 16 of this resolution).

Section 16. Election to Redeem. The Township hereby irrevocably elects to redeem, on February 15, 2017, \$3,925,000 aggregate principal amount of General Bonds of 2007 of the Township, dated February 15, 2007, and maturing on and after February 15, 2018 (the “Refunded Bonds”). The Refunded Bonds shall be redeemed at a redemption price equal to 100% of the principal amount thereof, plus interest accrued to the date fixed for redemption. The elections set forth in this Section shall be effective upon the issuance of the Bonds. The Chief Financial Officer is hereby authorized to refund less than all the Refunded Bonds or additional bonds of said issue as may be desirable to accomplish the savings referred to in Section 2 of this resolution.

Section 17. Notice of Redemption. The Escrow Agent is hereby authorized and directed to give notice of redemption of the Refunded Bonds in substantially the form attached to the Escrow Deposit Agreement (as defined in Section 20 of this resolution) with such changes, insertions and omissions as are acceptable to the Township and the Escrow Agent. Unless some other method of delivery and time is acceptable to the recipient, such notice of redemption shall be given not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to (a) the registered owners of the Refunded Bonds (i.e., The Depository Trust Company) and (b) the Municipal Securities Rulemaking Board. Any failure to mail, to publish or to receive such notice, or any defect therein, shall not affect the validity of the proceedings for redemption. The Chief Financial Officer of the Township is hereby authorized to give such notice in lieu of the Escrow Agent after consultation with bond counsel to the Township.

Section 16. Notice of Refunding. If necessary, upon the advice of bond counsel to the Township, the Escrow Agent or the Chief Financial Officer is hereby authorized and directed to give notice of refunding of the Refunded Bonds in substantially the form attached to the Escrow Deposit Agreement with such changes, insertions and omissions as are acceptable to the Township and the Escrow Agent. Such notice shall be given as soon as practicable after the date of delivery of the Bonds to the registered owners of the Refunded Bonds and to the Municipal Securities Rulemaking Board.

Section 19. Application of Proceeds of the Bonds. The proceeds of sale of the Bonds shall be applied by the Township to the payment of the principal or redemption price, if any, of and interest on the Refunded Bonds through and including the date of redemption thereof and to the costs of issuance of the Bonds. The proceeds of the Bonds to be applied to the principal or redemption price, if any, of and interest on the Refunded Bonds, together with any other moneys of the Township to be used therefor, shall be held either (a) by the Township or (b) in accordance with the provisions of the Escrow Deposit Agreement, in trust by the Escrow Agent on behalf of the Township pending application thereof to the payment of the principal or redemption price, if any, of and interest on the Refunded Bonds. Simultaneously with the issuance of the Bonds, the Chief Financial Officer is hereby authorized and directed, after consultation with and upon the advice of bond counsel to the Township and the Township Auditor, to deposit in the escrow account established by the Escrow Deposit Agreement all or a portion of the moneys budgeted or anticipated to be budgeted by the Township in the fiscal year in which the Bonds are issued to pay principal and interest due on the Refunded Bonds.

Section 20. Escrow Deposit Agreement. The Chief Financial Officer is hereby authorized and directed to execute and deliver an escrow deposit agreement (the “Escrow Deposit Agreement”) with the Escrow Agent in a form approved by bond counsel to the Township.

Section 21. Purchase of Escrow Securities. The Mayor and Chief Financial Officer each is hereby authorized and directed, if necessary, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities - State and Local Government Series - Time Deposit Securities (“SLGS”), and any related certification, each in form and substance satisfactory to bond counsel to the Township. The Purchaser, the Escrow Agent, the financial advisor to the Township or bond counsel to the Township each is hereby authorized to execute said initial SLGS subscription letter on behalf of the Township. The Purchaser, the Escrow Agent, the financial advisor to the Township or bond counsel to the Township each is hereby authorized to execute said final SLGS subscription on behalf of the Township. In addition, the Chief Financial Officer is hereby authorized and directed, if necessary, to execute and deliver any agreement, document or instrument relating to the purchase of securities for deposit in the escrow account established by the Escrow Deposit Agreement.

Section 22. Appointment of Verification Agent. The Township does hereby appoint Nissivoccia & Company LLP, of Mt. Arlington, New Jersey, as verification agent with respect to the Bonds. The verification agent shall, among other things, deliver a report verifying (a) the yield on the Bonds for arbitrage purposes and (b) the sufficiency of the escrow deposit to accomplish the refunding of the Refunded Bonds.

Section 23. Appointment of Financial Advisor. The Township does hereby appoint Phoenix Advisors, LLC, Bordentown, New Jersey, to serve as financial advisor to the Township in connection with the sale and issuance of the Bonds.

Section 24. Bank-Qualified Designation. The Bonds are hereby designated as “qualified tax-exempt obligations” pursuant to and for the purposes of Section 265(b)(3) of the Code, or to the extent the Bonds currently refund other obligations of the Township, the Bonds are “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(D)(iii) of the Code. Not more than \$10,000,000 of obligations, including the Bonds, of the Township and all subordinate entities thereof issued from January 1, 2016 to and including the date hereof have been designated by the Township for purposes of Section 265(b)(3) of the Code. As of the date hereof, the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, as referred to and defined in Section 141 of the Code and current refundings of other obligations of the Township), which will be issued by the Township and all subordinate entities thereof during the calendar year commencing January 1, 2016 does not exceed \$10,000,000.

Section 25. Actions to be Taken on Behalf of the Township. The Mayor, Chief Financial Officer and Township Clerk are hereby authorized and directed to execute the Bonds on behalf of the Township and to do all matters necessary, useful, convenient or desirable to accomplish the sale, issuance and delivery of the Bonds and the refunding and redemption of the Refunded Bonds all in accordance with the provisions of this resolution, including without limitation (a) the submission of materials to one or more rating agencies for purposes of receiving a credit rating on the Bonds, (b) the selection of a financial printer and website for purposes of disseminating the Preliminary Official Statement and the final Official Statement, (c) the appointment of a redemption agent for purposes of administering any mandatory sinking fund redemptions and (d) the filing of continuing disclosure materials on the Electronic Municipal Market Access website maintained by the Municipal Securities Rulemaking Board.

Section 26. Prior Action. All action taken to date by Township officials, employees and professionals with respect to the authorization, sale and issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto, be and the same hereby are ratified, approved, confirmed and adopted in all respects.

Section 27. Effective Date. This resolution shall take effect immediately and, if necessary, when there is endorsed upon a certified copy hereof the consent referred to in N.J.S.A. 40A:2-55.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 16-135 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION #16-142
APPROVING ADDITIONAL CONTRIBUTION OF \$2,000 IN CONNECTION WITH
MT. LAUREL SHARED SERVICES AGREEMENT**

WHEREAS, the Township, along with over 300 other municipalities, has filed a declaratory judgment action in accordance with the decision of the New Jersey Supreme Court 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)* for a Judgment of Compliance and Repose among other forms of relief and a determination of the Township’s obligation to provide a realistic opportunity for its fair share of the region’s affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

WHEREAS, approximately 200 municipalities have agreed to cooperate to retain experts and to collect data and other information needed to develop housing obligations that may be used in planning and in the litigation; and

WHEREAS, each participant in the municipal group, including the Township, initially contributed \$2,000 toward the shared expenses; and

WHEREAS, those funds are now depleted as a result of expenses incurred in connection with the preparation of expert reports by Econsult Solutions, and other actions taken by the municipal group on behalf of its members; and

WHEREAS, as a result, the municipal group has now requested an additional \$2,000 contribution from each of its members; and

WHEREAS, the Township Attorney has recommended that the Township continue to participate in the Shared Services group and contribute an additional \$2,000 toward the group’s shared expenses;

NOW, THEREFORE, BE IT RESOLVED that the CFO is hereby authorized and directed to make an additional \$2,000 contribution to the municipal shared services group, payable to “Jeffrey R. Surenian and Associates, LLC – Attorney Trust Account”

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 16-142 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

2016 BUDGET HEARING AND FINAL APPROVAL

**RESOLUTION 16-143
ADOPTION OF 2016 BUDGET**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, County of Morris that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$15,175,603.06 for municipal purposes.

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

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 16-143 is hereby approved and the 2016 Budget is hereby adopted. **SECONDED** by: _____. **ROLL CALL VOTE:**

COMMITTEE LIAISON REPORTS:

DISCUSSION / ACTION ITEMS:

- Placement of JCP&L Pole at 24 Torbert Road
- 2016 Sewer Rates

OLD BUSINESS:

- Municipal Savings – Morris Area Energy Co-op

Month	Total Usage	PTC JCPL	PTC IDT	Savings
10/1/2015	1,585,211.00	0.104447	\$ 0.0959	\$ 13,548.80
11/1/2015	1,280,612.00	0.104447	\$ 0.0959	\$ 10,945.39
12/1/2015	1,446,330.00	0.104856	\$ 0.0959	\$ 12,953.33
1/1/2016	1,671,060.00	0.104856	\$ 0.0959	\$ 14,966.01
2/1/2016	1,589,209.00	0.104856	\$ 0.0959	\$ 14,232.96
				\$ 66,646.49

NEW BUSINESS:

Announcements/Correspondence:

- The Stirling Street Fair will be held on **Sunday, April 24, 2016**
- Water Testing for Lead EPA's hotline – 1-800-426-4791
www.state.nj.us/dep
- 2016 Recycling Poetry Contest

MEETING OPEN TO THE PUBLIC:

- Remarks and Statements Pertaining to Any Matter
- Comments and remarks will be limited to 3 Minutes

ADJOURNMENT: