Mayor Meringolo read the following statement:

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 #16-147 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:

Land Diversion Update – Central Park

Attorney Client Privilege

• Police Dept. Litigation

Contract Negotiations

Watchung Hills Soccer Association

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: Committeeman Rae of the Township Committee of the Township of Long Hill that Resolution #16-147 is hereby approved for Executive Session. **SECONDED** by: Committeeman Dorsi. **ROLL CALL VOTE:** All in favor

Mayor Meringolo opened the Public Meeting at 7:47 PM

All present recited the PLEDGE OF ALLEGIANCE

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

GUEST: Prism Capital Partners: Eugene Diaz, Robert Fourniadis and Edwin Cohen and Frank Regan, Attorney along with Ed Snieckus Jr., Planner from Burgis Associates. Presentation on changes for the "TIFA" property to a transit village with 200 rental units and 22 affordable housing units, 3-4 story buildings with retail at street level.

After the presentation and a brief question and answer session, Mayor Meringolo introduced the following resolution to support the Prism concept to send to the planning board requesting that they make the appropriate zoning changes.

RESOLUTION # 16- 148 REFERRING PRISM MILLINGTON, LLC'S REQUEST FOR A REZONING OF THE TIFA PROPERTY TO THE TOWNSHIP PLANNING BOARD

WHEREAS, Prism Millington, LLC ("Prism") is the contract purchaser of property located on Division Avenue and known as Block 12301, Lot 1 on the Township Tax Maps (the "Tifa Property"); and

WHEREAS, Prism appeared before the Township Committee at tonight's meeting to request the rezoning of the Tifa Property to allow the creation of a transit village with a combination of residential and commercial uses centered around the Millington Train Station; and

WHEREAS, the Township Committee agrees in concept with Prism's proposal as outlined in the Planning Report, prepared for Prism by Burgis Associates, Inc.; and

WHEREAS, the Municipal Land Use Law ("MLUL") is silent with respect to the procedures to be followed by a landowner requesting a rezoning of its property;

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

- 1. The Township Committee hereby refers Prism to the Township Planning Board for consideration of its request for a rezoning and asks the Planning Board to review that request and to work with Prism to draft an appropriate ordinance creating a transit village at the Tifa site.
- 2. Before considering Prism's request, the Planning Board should require Prism to post an escrow deposit to cover the cost of review by the Board's planner and other professionals.
- 3. After reviewing Prism's request and taking the comments of the Board professionals into account, the Planning Board should draft a proposed rezoning ordinance for the Township Committee's consideration. The draft ordinance should include permitted uses and bulk

standards for the proposed new transit village zone including density, FAR, building height, and setbacks, as well as any other standards the Planning Board deems appropriate.

4. The Planning Board should report back to the Township Committee within 180 days.

Moved by: Deputy Mayor Piserchia to approve Resolution 16-148. **Seconded:** Committeeman Schuler. **Roll Call Vote:** All in favor. The Clerk will forward the resolution to the Planning Board.

CONSENT AGENDA RESOLUTIONS:

Administrator Henry noted that Resolution #16-174 to pay bills had been revised since the first draft of the agenda in order to include a payment to TOMCO for the turf field.

MOVED by: Committeeman Rae of the Township Committee of Long Hill Township, that Resolution #16-171 through #16-178 are hereby approved. **SECONDED** by: Deputy Mayor Piserchia. **ROLL CALL VOTE:** All in favor.

RESOLUTION1 16-171 APPOINTING DPW SEASONAL PERSONNEL – ROBERT PHILIPS

BE IT RESOLVED that the Township Committee of the Township of Long Hill upon the advice and recommendation of Neil Henry, Township Administrator and Tom Sweeney, Director of Public Works, does hereby appoint Robert Philips to provide Long Hill Township with temporary/seasonal help effective on May 27, 2016 at a rate of \$13.00 per hour at a total amount not to exceed \$11,000.00, funded by grant fund- "Clean Communities" account.

RESOLUTION #16-172 APPOINTING CLASS II SPECIAL POLICE OFFICERS

WHEREAS, N.J.S.A. 40A:14-146.10 provides in relevant part that:

"a. Any local unit may, as it deems necessary, appoint special law enforcement officers sufficient to perform the duties and responsibilities permitted by local ordinances authorized by *N.J.S.* 40A:14-118 and within the conditions and limitations as may be established pursuant to this Act"; and

WHEREAS, *N.J.S.A.* 40A:14-146.10 goes on to set forth the minimum qualifications for special police officer; and

WHEREAS, N.J.S.A. 40A:14-146.10 further provides that:

"Before any special law enforcement officer is appointed pursuant to this Act, the chief of police . . . shall ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the appointing authority . . . "; and

WHEREAS, N.J.S.A. 40A:14-146.11 provides in relevant part that:

"No person may commence his duties as a special law enforcement officer unless he has successfully completed a training course approved by the commission and no special law

enforcement officer may be issued a firearm unless he has completed the basic firearms course approved by the commission for permanent regularly appointed police . . . "; and

WHEREAS, N.J.S.A. 40A:14-146.11 further provides that:

"Class II [Special] Officers shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the commission . . . "; and

WHEREAS, *N.J.S.A.* 40A:14-146.14 provides that:

"Special law enforcement officers may be appointed for terms not to exceed one year, and the appointments may be revoked by the local unit for cause after adequate hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause of hearing . . . "; and

WHEREAS, Chief of Police Michael Mazzeo has recommended the individual named below be appointed as a Class II Special Police Officers, subject to satisfactory completion of their medical and psychological examinations and background investigations:

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

1. In accordance with state law, the following individuals are hereby appointed as Class II Special Police Officer for a one year term, effective immediately, at a salary of \$20.00 an hour:

Bryan Hartmann

These Special Police Officers shall perform their duties only upon the direction of Chief of Police Michael Mazzeo, or his designee.

RESOLUTION 16-173 GRADE ADVANCEMENT [Duffy]

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 Ed Duffy to Truck Driver/Laborer Class 3, effective immediately at an hourly rate of \$22.38.

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

RESOLUTION 16-174 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 16-175 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 May 11, 2016 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the May 11, 2016 Executive Session Meeting Minutes as redacted by the Township Attorney.

RESOLUTION 16-176 APPROVING FIREWORKS – [Millington Firehouse Wedding]

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 Fire Official, that all documents have been reviewed and are in good order, does hereby approve fireworks conducted by Garden State Fireworks of Millington on June 18, 2016 at the Millington Firehouse between 9:00 and 9:30 and that all necessary permits have been approved.

RESOLUTION 16-177 ACCEPTING GIFT FROM Bill Perillo

WHEREAS, new players benches have been offered by Mr. Bill Perillo, a resident of Long Hill Township, to the Long Hill Township Recreation Department for Meyersville Field, valued at \$2,500.00; 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 \$2,500.00 players benches donation for Meyersville Field from Mr. Perillo to the Long Hill Township Recreation Department.

RESOLUTION 16-178 2016 RECREATION CAMP EMPLOYEES

BE IT RESOLVED that the Township Committee of the Township of Long Hill upon the recommendations of the Recreation Director and Summer Camp Director, that the following be appointed to the 2016 Summer Recreation Camp Personnel effective June 23, 2016

NAME	POSITION	HOURLY WAGE
Kelly Wells	Camp Director	30.50
Vanessa Fowler	Ass't Site Supervisor	21.00
Jessica Zigarelli	Ass't Site Supervisor	17.00
John Givens	Health Officer	16.00
Carra Cicalese	Counselor	8.75
Elizabeth Skrobacz	Senior Counselor	12.50
Alyssa Rizzo	Senior Counselor	12.50
Renee Mianowski	Art Director	10.25
Ray Arnold	Counselor	8.75
Reed Arnold	Counselor	9.00
Leilah Capawana	Counselor	8.75
Connor Daly	Counselor	8.75
Matt Giere	Counselor	8.75
Megan Giere	Counselor	9.00
Amy Hackett	Counselor	8.75
Nicholas Haines	Counselor	8.75
Joshua Hansen	Counselor	8.75
William Johnson	Counselor	8.75
Kaitlyn Delia	Counselor	8.38
Nicholas Kinsella	Counselor	9.00
Steven Mianowski	Counselor	8.75
Briana Londono	Counselor	8.75
Julia Skrobacz	Counselor	9.00
Kevin Sylvestri	Counselor	9.00
Aidan Vigliotti	Counselor	9.00
Jon Vorrius	Counselor	8.75
William Vorrius	Senior Counselor	12.00
Emily Garno	Counselor	8.75
Diana Priovolus	Senior Counselor	12.00
Maria Clark	Counselor	8.75
Garrett Collins	Counselor	8.38
Alan Ho	Counselor	8.38
Julia Mianowski	Counselor	8.38
Sydney Moholkar	Counselor	8.38

Heather Sherry	Counselor	8.38
Daniel McCarthy	Counselor	8.75
Tom Killeen	Counselor	8.50
Liam Feeley	CIT	Volunteer

ORDINANCES

ORDINANCE INTRODUCTION

ORDINANCE #387-16 REQUIRING PARTIES TO COVER THE COST OF TOWNSHIP EMPLOYEES APPEARING AS WITNESSES

Statement of purpose: To reimburse the Township for the cost of Township employees appearing as witnesses in lawsuits to which the Township is not a party.

WHEREAS, Court Rule 4:14-7 entitled "Subpoena for Taking Depositions" provides that, "The party subpoenaing a witness, other than one subject to deposition on notice, shall reimburse the witness for the out-of-pocket expenses and loss of pay, if any, incurred in attending at the taking of depositions.";

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 Article VIII of the Township Code entitled "Administrative Procedures" in Chapter 2 entitled "Administration" is hereby supplemented and amended as follows:

Section 1. There is hereby created a new section 2-61 entitled "Miscellaneous Fees" which reads as follows:

"2-16 MISCELLANEOUS FEES

2-61.1 Establishment of Fees

The following fees are established and shall be paid by the applicant for such service or materials:

- A. Subpoenas of Township employees (where Township or employee is not party to the suit):
 - 1. All payments required hereunder shall be made in advance of the actual date of the appearance. Payments shall be made for an entire day's appearance without any prorating for the actual hours spent in travelling to or from the place of appearance or the actual time spent in depositions, court appearances, etc.
 - 2. Any subpoena which is issued and places an employee on call shall be billed and paid in advance at the same rate as though an actual appearance was required.
 - 3. In the event that advance payment has not been made for an actual or on call appearance, the employee shall not be scheduled nor be available for the appearance noticed, and a copy of the requirements of this provision shall be provided to any party making an inquiry or issuing a subpoena.

- 4. Police officers: (appearances shall be subject to availability of sufficient back-up officers so as to insure Township police coverage to protect public health, safety and welfare), the party issuing the subpoena shall pay to the Township, a sum equal to one and one-half times the police officer's total daily compensation for each day, or part thereof, of the officer's appearance.
- 5. All other Township employees: the party issuing the subpoena shall pay to the Township, a sum equal to the Township employee's total daily compensation for each day, or part thereof, for the Township employee's appearance.
- **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 25, 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, June 22, 2016 at the Municipal Building, (15 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: Committeeman Dorsi of the Township Committee of Long Hill Township, that Ordinance 387-16 is hereby approved on first reading, with the public hearing scheduled for June 22, 2016 **SECONDED**: Committeeman Rae. **ROLL CALL VOTE**: All in favor.

ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION

ORDINANCE #384-16 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, 2016, 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 \$15.05 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 2016, the gallons are determined from the six months January through April 2015 and November through December 2015. The months excluded are: May through October 2015.
 - 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, or 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, April 27, 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 25, 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

Mayor Meringolo opened the Public Hearing. As there were no comments, Mayor Meringolo closed the Public Hearing and asked for a motion to adopt Ordinance 384-16.

MOVED by: Deputy Mayor Piserchia of the Township Committee of Long Hill Township, that Ordinance 384-16 is hereby adopted on final reading. **SECONDED** by: Committeeman Rae. **ROLL CALL VOTE:** All in favor

COMMITTEE LIAISON REPORTS:

- Committeeman Dorsi reported that the DPW has the lake ready now for the Memorial Day opening. The DPW will be starting to plant the trees from the Challenge Grant applicants. Both Fire Companies participated in the emergency drill at Lounsberry.
- Deputy Mayor Piserchia also reported the success of the emergency drill sponsored by the Office of Emergency Management in which all first responders participated.
- Mayor Meringolo attended a presentation on the Trails Grant. Applications are due by September 1st for projects that are shovel ready. Deputy Mayor Piserchia recommended we apply for the grant to upgrade the trails at Matthew G. Kantor Park this year, and hopefully Central Park for next year.

DISCUSSION / ACTION ITEMS:

Recreation Fees

Recreation Director Scanlon has asked to the Township Committee to allow her latitude in authorizing fees for the smaller community programs. Currently, any changes have to be approved by resolution which is not efficient, especially in the summer months when Township Committee meetings drop to once a month. Committeeman Schuler made a motion that the Recreation Director could approve and change fees up to \$200.00 when necessary, as long as the resolutions to memorialize those changes were made at the next available meeting. Committeeman Rae seconded. Roll Call Vote: All in favor. Atty. Pidgeon suggested that this authorization be added to the Re-Organization meeting each year.

• Long Term Budgeting Process – Turf Replacement at MGK Park
Discussion regarding whether the encumbered funds each year into the reserve account from
the Oratory Prep rental revenue along with any other rental income for the turf field would be
sufficient to replace the field in 10 to 12 years. As this is the first year of revenue earnings for
the field there was not enough data to adjust the original strategy. This will be revisited next
year.

Valley Road Ordinance

The Committee each made their own changes; which was then merged into one document by the Clerk for their review this evening. The Committee reviewed all the changes, line by line. A discussion ensued and changes were made to the merged document. The Clerk was instructed to make the final agreed upon changes and send to the Planning Board. [See Attached]

OLD BUSINESS / Administrator's Report:

During Mr. Henry's report he noted that Mrs. Barbara Murray for the County Open Space was notified that the Township would not be purchasing the Eberle property. Atty. Pidgeon asked for a motion confirming the prior decision of the Township Committee to terminate the contract for the purchase of Eberle property pursuant to the environmental contingency clause and to recognize the determination letter that was sent May 12th by certified mail to their attorney. Moved by Committeeman Rae and Seconded by Committeeman Schuler. Voice Vote: All in favor.

NEW BUSINESS: There was no new business at this time

Announcements/Correspondence:

- Stirling Fire Company cookout following the Memorial Day Parade, Monday May 30th.
 Parade starts at 9:30 am.
- Historic Society meeting at the Millington Schoolhouse on May 26, 2016
- Freedom Bike Race July 24, 2016

MEETING OPEN TO THE PUBLIC There were no comments from the public

ADJOURNMENT:

Committeeman Rae made a motion seconded by Committeeman Schuler to adjourn. Voice Vote: All in favor. The meeting adjourned at 10:45 PM.

Respectfully submitted,

Cathy Reese, RMC, CMR Township Clerk

Approved June 8, 2016