

**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
MAY 10, 2017
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 12th, 2017 edition, and electronically sent to the Courier News and posted in the January 6, 2017 edition. The notice was posted on the bulletin board in the Municipal Building on January 4, 2017 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 #17-142
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:

Attorney Client

- Ecolsciences Study – Parthenon –Land Diversion

Personnel

- Administrator Search

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 #17-142 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

CONSENT AGENDA RESOLUTIONS:

The following items are considered to be routine by the Township Committee and will be acted upon in one motion. There will be no separate discussion of these items unless a Committee member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #17-143 through #17-1XX are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**TOWNSHIP OF LONG HILL
RESOLUTION 17-143
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.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-144
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 26, 2017 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the April 26, 2017 Executive Session Meeting Minutes as redacted by the Township Attorney.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-145
Authorizing Redemption of Outside Lien - #16-0013**

WHEREAS, at the Municipal Tax Sale held on 11-18-16, a lien was sold on Block 11801, Lot 4, also known as 1612 Valley Road for \$451.43; and,

WHEREAS, this lien, known as Tax Sale Certificate #16-0013, was sold to MTAG as Custodian for Caz Creek NJ II LLC (Lien Holder) for \$451.43 and a \$1,900 premium; and

WHEREAS, DovenMuehle Mortgage Inc (redeeming party) has effected redemption of Certificate #16-0013 in the amount of \$911.70

WHEREAS, the Tax Collector has shown proof that the redemption calculation is correct, all subsequent payment affidavit, if any, has been filed, and redemption monies has been received for redemption refund;

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$911.70, payable to MTAG as Custodian for Caz Creek NJ II LLC (Lien Holder) for the redemption of Tax Sale Certificate #16-0013

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$1,900.00 (premium) to the aforementioned lien holder.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-146
Authorizing Redemption of Outside Lien - #16-0017**

WHEREAS, at the Municipal Tax Sale held on 11-18-16, a lien was sold on Block 12502, Lot 14, also known as 7 Semerad Road for \$559.35; and,

WHEREAS, this lien, known as Tax Sale Certificate #16-0017, was sold to Sunshine State Certificates VI LLLP (Lien Holder) for \$559.35 and a \$5,300.00 premium; and

WHEREAS, CoreLogic (redeeming party) has effected redemption of Certificate #16-0017 in the amount of \$4,349.15

WHEREAS, the Tax Collector has shown proof that the redemption calculation is correct, all subsequent payment affidavit, if any, has been filed, and redemption monies has been received for redemption refund;

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$4,349.15, payable to Sunshine State Certificates VI LLLP (Lien Holder) for the redemption of Tax Sale Certificate #16-0017

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$5,300.00 (premium) to the aforementioned lien holder.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-147
AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED ON
Vacant Lot Oaks Road (BLOCK 12402, LOT 8)**

WHEREAS, the Township is currently subject to a voluntary sewer ban; and

WHEREAS, George Vitureira, the owner of property located on Oaks Road, Block 12402, Lot 8 has requested authorization to connect to the Township's sanitary sewer system;

WHEREAS, the Township has adopted by reference the NJDEP sewer ban exemption criteria set forth in N.J.A.C. 7:14A-22.22; and

WHEREAS, N.J.A.C. 7:14A-22.22 provides in relevant part that:

“A sewer ban exemption may be granted for projects . . . if the proposed project will have a total projected flow of 600 gallons per day or less . . . [and] will be constructed and/or operated on a tax lot which was in existence prior to the effective date of the ban . . . and the proposed project does not require a sewer extension”; and

WHEREAS, N.J.A.C. 7:14A-1.2 defines “sewer extension” to mean “any sewer pipe, line, structure or appurtenance used for the conveyance of domestic or industrial waste of a liquid nature, whether forced or by gravity, which: 1. Will extend along an easement through more than two properties, a roadway, or public right-of-way. . . .”; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that George Vitureira is hereby granted permission to connect to his property located at Oaks Road, Block 12402, Lot 8, Millington, to the Township wastewater treatment

system upon payment of the \$10,120.00 connection fee in accordance with Section 22-3.1 of the Township Code entitled "Connection Fees."

**TOWNSHIP OF LONG HILL
RESOLUTION 17-148
DPW Pay Increase
[Stenzel]**

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 Erik Stenzel's hourly rate in the position of Equipment Operator, Truck Driver, Laborer Class 1, and Mechanic from \$29.25 per hour to \$31.50 per hour effective May 11, 2017.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-149
ADVANCEMENT
[Anderson]**

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 James Anderson to Truck Driver/Laborer Class 3, effective May 11, 2017 at an hourly rate of \$22.11.

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

**RESOLUTION 17-150
TOWNSHIP COMMITTEE - TOWNSHIP OF LONG HILL
MORRIS COUNTY, NEW JERSEY
May 10, 2017
AUTHORIZING RELEASE OF ESCROWS**

WHEREAS, the Planning & Zoning Administrator, Board Engineer, Board Attorney, Township Planner have certified that there are no outstanding invoices and have approved the release of the following escrows.

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 appropriate municipal officials be and are hereby authorized to release the following escrows as per N.J.S.A. 40:55D-53.1.

Developer's Escrow

Verizon Communications, Inc. & Affiliated Entities (40116)	\$1,760.00
Verizon Communications, Inc & Affiliated Entities (40117)	\$2,000.00
Verizon Communications, Inc.& Affiliate Entities (40137)	\$4,000.00

**TOWNSHIP OF LONG HILL
RESOLUTION 17-151**

**RESOLUTION ALLOWING VERIZON TO PLACE TWO SMALL NETWORK NODES ON
UTILITY POLES IN THE RIGHT-OF-WAY OF NEW VERNON ROAD**

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, N.J.S.A. 40A:3-19 provides that, “the consent of the municipality shall be obtained for the use by a person of the poles of another person unless each person has a lawful right to maintain poles in such street . . .”; and

WHEREAS, Verizon has requested the Township’s consent to deploying small network nodes on two utility poles owned by JCP&L, that are located in the New Vernon Road right-of-way, one to the north of Whitebridge Road and one to the south of Whitebridge Road;

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 the Township of Long Hill hereby consents to Verizon Wireless, its successors and assigns, to deploy small network nodes on two utility poles owned by JCP&L, which has the lawful right to maintain poles within the public right-of-way in the Township of Long Hill, which are located in the New Vernon Road right-of-way, one to the north

of Whitebridge Road and one to the south of Whitebridge Road, subject to the following:

- a. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
- b. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction and shall obtain any applicable permits that may be required by the Township of Long Hill.
- c. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Long Hill, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy pole located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Long Hill.
- d. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of Long Hill as an additional insured.
- e. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- f. Notwithstanding any provision contained herein, neither the Township of Long Hill nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.

- g. Verizon Wireless shall reimburse the Township of Long Hill in the amount of \$750 for legal and administrative fees incurred in the review of this request. This reimbursement shall be made within thirty (30) days of notice to Verizon Wireless of adoption of this resolution.
- h. Verizon Wireless further agrees to reimburse the Township for any reasonable engineering or legal fees incurred in connection with the installation of these facilities.
- i. Prior to commencing any installation(s) or making any modification(s), Verizon Wireless shall submit a plan to the Township Public Works Manager for his reasonable review and approval. The Public Works Manager may consult with the Township Engineer as part of his review. Verizon Wireless agrees that it shall not commence any installation or modification until written approval from the Public Works Manager is provided. In the event that the Township requires that any pole containing a small network node be relocated, the relocation of the Verizon equipment shall be done at Verizon’s sole cost and expense.
- j. This permission is limited to the use of the two described poles for small network nodes, limited to one node per pole.
- k. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-152**

APPROVING A CHANGE ORDER TO KLEINFELDER EAST, INC. PROFESSIONAL SERVICES CONTRACT FOR LITIGATION SUPPORT SERVICES

WHEREAS, the Township, by Resolution 13-170, adopted April 24, 2013, awarded a Professional Services Contract to Kleinfelder East, Inc. (formerly “Omni Environmental LLC”) (“Kleinfelder”) in accordance with its April 5, 2013 proposal to provide final design and NJEIFP (New

Jersey Environmental Infrastructure Financing Program) support services for the Township Wastewater System Improvements Project, at a cost not to exceed \$110,350; and

WHEREAS, DeMaio Electrical Company, Inc. (“DeMaio”), the general contractor on that project, filed a lawsuit in the Superior Court of New Jersey, Law Division, Morris County, at Docket No. MRS-L-1120-16, seeking damages in the amount of \$545,541.98 which it claims it is due for additional work it performed; and

WHEREAS, Kleinfelder thereafter submitted a proposal dated September 16, 2016 to provide litigation support services at an estimated cost of \$45,700; and

WHEREAS, the Township adopted Resolution 16-273 on September 28, 2016 approving a change order to the original Professional Services Contract by authorizing Kleinfelder to provide litigation support services in accordance with its September 16, 2016 proposal, at an amount not to exceed \$10,000; and

WHEREAS, additional funds are now needed to compensate Kleinfelder for its ongoing litigation support services; and

WHEREAS, N.J.A.C. 5:30-11.6 entitled “Change Orders for Professional Services . . .” provides in relevant part that:

“If the change is not within the scope of activities of the original contract and the contract was awarded without competitive bidding . . . as is the case for professional services . . . , any change beyond the original scope of activities shall be made by amendatory contract and approved by the governing body.”;

and

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

WHEREAS, the Township has a need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.4 or 20.5, as appropriate; and

WHEREAS, Kleinfelder has completed and submitted a Business Entity Disclosure Certification which certifies that Kleinfelder has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous year and that the contracts will prohibit Kleinfelder from making any reportable contributions through the term of the contract.

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

1. A second amendatory contract with Kleinfelder to provide ongoing litigation support services in accordance with its September 16, 2016 proposal, in an aggregate amount not to exceed \$20,000 (including the \$10,000 previously authorized), is hereby approved.
2. The amendatory contract shall include all of the Township's usual requirements regarding insurance, business registration, affirmative action, pay-to-play, etc. and shall be in a form acceptable to the Township Attorney.
3. The Township Clerk, in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(1), is directed to publish a notice once in the official newspaper stating the nature, duration, service and amount of this amendatory contract.
4. The Township Clerk shall make copies of this Resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey 07933, during regular business hours.
5. This contract shall be charged to " 2017 General Budget - Legal Other Expenses". The certification of available funds by the Chief Financial Officer shall be attached to the original of this Resolution and shall be maintained in the files of the Township Clerk.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-153**

RESOLUTION AUTHORIZING ECOLSCIENCES, INC. TO PERFORM A PHASE II

**ENVIRONMENTAL INVESTIGATION OF PROPERTY THAT THE TOWNSHIP IS
SEEKING TO ACQUIRE AS PART OF A PROPOSED EXCHANGE OF LANDS WITH
PARTHENON REALTY, LLC.**

WHEREAS, the Township of Long Hill (“Township”) is the owner of Lot 3 in Block 11301;
and

WHEREAS, Parthenon Realty, LLC (“Parthenon”) is the owner of Lot 4 in Block 11301 and
Lot 15 in Block 11401; and

WHEREAS, the Township and Parthenon have negotiated a proposed exchange of lands that
will give the new Township park access to the traffic light at Plainfield Road; and

WHEREAS, the proposed exchange is subject to Green Acres approval; and

WHEREAS, as part of its due diligence, the Township retained EcolSciences, Inc. to prepare a
draft preliminary environmental assessment of the lands that the Township hopes to acquire; and

WHEREAS, that preliminary assessment completed by EcolSciences identified several areas of
concern warranting further investigation pursuant to NJ DEP regulations and guidance; and

WHEREAS, the Township and Parthenon executed a Letter of Intent to exchange real estate
which gave both parties, at their own cost and expense, the right to perform due diligence activities that
they deem necessary, including environmental investigation; and

WHEREAS, the Letter of Intent further provides that “each party will be solely responsible for
obtaining any . . . environmental approvals . . . at its sole expense.”

WHEREAS, EcolSciences has submitted a proposal dated April 24, 2017 to conduct a Phase II
investigation of the property; and

WHEREAS, Township Engineer Paul Ferriero in an April 24, 2017 email, commented that:

- “1. The unit prices listed in the proposal are consistent with those [he has] been seeing elsewhere for similar work by EcolSciences.
- “2. The scope of the work is consistent with the preliminary assessment completed by Ecol. Note that the completion of a preliminary assessment is a mandatory requirement of the [Green Acres] diversion process. The DEP will not allow a swap to add land to the Township open space that is contaminated. This phase of the work by Ecol is to determine the extent of contamination, if any . . .

- “5. The proposal does not include any clean up. If contamination is found, it is assumed that the clean up of the land to be acquired will be the responsibility of the current owner and the Township would be responsible for its land.”;

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

- 1. A Professional Service Agreement with EcolSciences, Inc. to perform a Phase II investigation of a portion of Block 11301, Lot 4 and a portion of Block 11401, Lot 23, in accordance with its proposal dated April 24, 2017, the terms of which are incorporated herein by reference, is hereby authorized.
- 2. The Mayor and Clerk are hereby authorized to execute a Professional Services Agreement with EcolSciences, Inc. in a form acceptable to the Township Attorney.
- 3. EcolSciences shall be compensated at the rate set forth in its proposal for a total amount not to exceed \$16,383.
- 4. This contract shall be charged to “Open Space”. Certification of available funds by the Township Chief Financial Officer shall be attached to the original of this Resolution and shall be maintained in the files of the Township Clerk.

RESOLUTIONS

**TOWNSHIP OF LONG HILL
RESOLUTION 17-154**

**RETAINING THE CANNING GROUP, LLC TO ASSIST THE TOWNSHIP UNTIL A NEW
ADMINISTRATOR IS APPOINTED**

WHEREAS, Township Administrator Neil Henry has resigned effective May 5, 2017; and

WHEREAS, the Township Committee has commenced a search to find a permanent Township Administrator to replace Mr. Henry; and

WHEREAS, the New Jersey Township Law provides in relevant part that, “the [Township Committee] shall have all of the executive responsibilities of the municipality” in addition to being the “legislative body of the municipality”; and

WHEREAS, Township Committeeman Guy Piserchia has agreed to perform the day-to-day tasks of the Administrator, without compensation, until a new, permanent Administrator is named; and

WHEREAS, the Canning Group, LLC of Morristown, New Jersey provides management consulting resources to municipalities; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to retain the Canning Group to assist Mr. Piserchia during this interim period; and

WHEREAS, the Canning Group has submitted a proposal dated May 5, 2017;

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 authorizes an extraordinary unspecifiable services agreement with the Canning Group, LLC, in accordance with its proposal dated May 5, 2017 to be a municipal management consulting resource during this interim period.

- m. Jon Rheinhardt will be the individual who performs the services on behalf of the Canning Group.
- n. In general, all of the Canning Group, LLC’s services shall be performed by telephone, unless Mr. Piserchia feels that their on-site presence is required.
- o. The Canning Group shall be compensated at the rate of \$150 per hour for a maximum of 10 hours per week during the term of the contract.
- p. The contract with Canning Group will expire on the date that a new Township Administrator commences work, or upon 10 days written notice of termination from the Township Committee, whichever occurs earlier.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #17-154 is hereby approved for Executive Session. **SECONDED** by:
ROLL CALL VOTE:

ORDINANCES

ORDINANCE SECOND READING/ ADOPTION:

**TOWNSHIP OF LONG HILL
 ORDINANCE #399-17
 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, 2017, 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 ~~\$15.05~~ **\$16.61** 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.~~
 1. The gallons used shall be the total water metered (Actual Usage) for the six (6) winter months preceding the billing year. By example, in the billing year of 2017, the gallons are determined from the six months January through March and October through December 2016. The months excluded are: April through September 2016.
 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.
 2. 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~~ **\$440.00** per unit
 2. Commercial or Industrial units: ~~\$525.00~~ **\$575.00** 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 sewer 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.

**OPEN TO THE PUBLIC
CLOSED TO THE PUBLIC**

MOVED by _____ of the Township Committee of the Township of Long Hill, that Ordinance #399-17 is hereby adopted. **SECOND** by: _____. **ROLL CALL VOTE:**

**TOWNSHIP OF LONG HILL
ORDINANCE #400-17**

BOND ORDINANCE APPROPRIATING \$1,207,052, AND AUTHORIZING THE ISSUANCE OF \$474,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY 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. The several improvements described in Section 3 and Section 9 of this bond ordinance are hereby respectively 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 several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$883,022 including the aggregate sum of \$164,022 as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$245,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose. For the said several improvements or purposes stated in said Section 9, there is hereby appropriated \$324,030.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,207,052 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$474,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$474,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized by this Section 3 and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	APPROPRIATION	ESTIMATED
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AND ESTIMATED COST

**MAXIMUM AMOUNT
OF BONDS AND NOTES**

(a) Improvement of various roads and locations in and by the Township, including, without limitation, Northfield Road, Summit Avenue, Somerset Street, Windsor Way and Oak Road by the reconstruction, surfacing or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all curbing, structures, storm water drainage improvements, catch basins, milling, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specification therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$736,000 appropriation hereby made therefor being inclusive of the amount of \$245,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvements to Oak Road

\$736,000

\$400,000

(b) Acquisition by purchase of new and additional vehicular equipment, including a dump truck with plow for use by the Roads Department of the Township, together with all attachments, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

147,022

74,000

Totals

\$883,022

\$474,000

Except as otherwise stated in paragraph (a) with respect to the said \$245,000 grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not a current expenses and each 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 benefited thereby.

(b) The average period of usefulness of said purposes described in Section 3 of this bond ordinance within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.21 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 \$474,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$100,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs 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 costs of said improvements described in Section 3 of this bond ordinance and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Township on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in Section 3(a) of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received

may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. 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 Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

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

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. As described in Section 1 of this bond ordinance, there is hereby further appropriated for the improvements and purposes described in this Section 9 the sum of \$324,030, to the extent of \$38,500, from moneys available in the Open Space Trust Fund of the Township, to the extent of \$157,530, from moneys available in the Capital Improvement Fund of the Township, to the extent of \$100,000, from moneys available in the Capital Surplus of the Township and, to the extent of \$28,000, from moneys available in the Sewer Construction Reserve of the Township. The improvements hereby authorized and the several purposes to be funded by such \$324,030 appropriation are as follows: (a) the acquisition by purchase of equipment for use by the Fire Companies of the Township, the Police Department of the Township and the Office of Emergency Management of the Township; (b) the improvement of municipally-owned facilities and locations in and by the Township, including the Meyersville tennis court by the upgrade thereof, Stirling Lake by the improvement of the water fountain, Kantor Park by the upgrade of the exopod system; and (c) the improvement of the sanitary sewerage system of the Township, including by the upgrade of pumps 1 and 2, the upgrade of the fuel building, installation of flow meters, and installation of grating and pumps at the wet well, together with, for all of the foregoing, all site work, appurtenant equipment, accessories, attachments, work and materials, and all engineering, legal, advertising and other costs associated therewith, and all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

Section 10. 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 TO THE PUBLIC
CLOSED TO THE PUBLIC

MOVED by _____ of the Township Committee of the Township of Long Hill, that Ordinance #400-17 is hereby adopted. **SECOND** by: _____. **ROLL CALL VOTE:**

DISCUSSION / ACTION ITEMS:

OLD BUSINESS:

NEW BUSINESS:

ANNOUNCEMENTS/CORRESPONDENCE:

MEETING OPEN TO THE PUBLIC:

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

ADJOURNMENT