

**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
DECEMBER 29, 2017
8:00 AM OPEN SESSION**

A draft of the Township Committee Regular Session Agenda is posted on the Township website at www.longhillnj.gov 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.”

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

LIAISON REPORTS:

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 Resolutions #17-319 through #17-329 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**TOWNSHIP OF LONG HILL
RESOLUTION 17-319
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 17-320
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 December 13th, 2017 Township Committee Meetings.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the December 13th, 2017 Executive Session Meeting Minutes as redacted by the Township Attorney.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-321
APPOINTING NANCY MALOOL AS TEMPORARY CFO**

WHEREAS, the Township of Long Hill (“Township”) will have a vacancy in the office of Chief Financial Officer as of January 1, 2018; and

WHEREAS, the Township is presently conducting a search to find a permanent replacement; and

WHEREAS, N.J.A.C. 5:32-2.5 provides that:

“When a vacancy occurs in the office of chief financial officer following the appointment of a certified municipal finance officer to that office, the municipality's governing body . . . may appoint, for a period not to exceed one year commencing from the date of the vacancy, a person who does not possess a municipal finance officer certificate to serve as a temporary chief financial officer. Any person so appointed may, with the approval of the Director, based on (a)2 and 3 below, be reappointed as a temporary chief financial officer for up to two additional one-year terms following the end of the first temporary appointment. No municipality shall employ a temporary chief financial officer for more than three consecutive years.”;

WHEREAS, the Township Committee wishes to appoint Township Administrator Nancy Malool temporary chief financial officer until a new permanent chief financial officer is appointed;

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. In accordance with the provisions of N.J.A.C. 5:32-2.5, Township Administrator Nancy Malool is

hereby appointed temporary chief financial officer, effective January 1, 2018, until a new permanent chief financial officer is appointed.

- 2. Ms. Malool shall receive no additional compensation for serving in this position

**TOWNSHIP OF LONG HILL
RESOLUTION 17-322**

**AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING (“MOU”) WITH
COMMUNITY OPTIONS TO DEVELOP A GROUP HOME AND TO CONTRIBUTE \$75,000
IN AFFORDABLE HOUSING TRUST FUNDS TOWARD SUCH PROJECT**

WHEREAS, the Township of Long Hill (“Township”) is in the process of preparing an update to the Township Master Plan Housing Element (“Plan”); and

WHEREAS, the Plan will include housing for those with developmental disabilities; and

WHEREAS, Community Options is qualified to develop and administer housing programs for the developmentally disabled; and

WHEREAS, Community Options has proposed developing a group home at property which is identified in the MOU, but which has been redacted until Community Options enters into a contract to identify the property; and

WHEREAS, the Township wishes to contribute \$75,000 in affordable housing trust funds toward the development of that project;

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 Mayor and Clerk are hereby authorized and directed to execute the attached Memorandum of Understanding with Community Options.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-323
AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO RETAIN A HISTORIC
ARCHITECTURE SPECIALIST TO PREPARE A HISTORIC SITES REPORT FOR 57
PLAINFIELD ROAD AND APPROPRIATING \$5,000 THEREFOR FROM THE TOWNSHIP
OPEN SPACE TRUST FUND**

WHEREAS, the mid-18th century house at 57 Plainfield Road, which is listed on the Morris County historic sites list, is scheduled to be demolished: and

WHEREAS, the house is recognized by knowledgeable historians as a significant example of pre-Revolution NJ colonial architecture that exhibits elements of Dutch colonial design, which is unusual in our mostly-British colonial region and worthy of further study; and

WHEREAS, best practice guidelines in historic architecture recommend documenting the as-built structure and its immediate site to create a Historic Sites Report (HSR), consisting of architectural renderings, photographs, and whatever historical narrative can be determined; and

WHEREAS, the Township’s Open Space Trust Fund is structured so that one half of one cent (\$.005) of every two (\$.02) collected is allocated to “historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects for historic preservation purposes”; and

WHEREAS, the “Garden State Preservation Trust Act.” (N.J. Stat. § 13:8C-1) defines “historic preservation,” to include “any work relating to the conservation, improvement, interpretation, preservation, protection, rehabilitation, renovation, repair, restoration, or stabilization of any historic property. . . .”; and

WHEREAS, the Township Committee finds that preparation of a Historic Sites Report for the

mid-18th century house at 57 Plainfield Road is an appropriate use of Township Open Space Trust Fund money;

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

- 3. The Township Administrator is hereby authorized to retain a historic architecture specialist to prepare a Historic Sites Report for the historic structure located at 57 Plainfield Road, at a cost not to exceed five thousand (\$5,000) dollars.
- 4. Five thousand (\$5,000) dollars is hereby appropriated from the Township Open Space Trust Fund to cover the cost thereof.
- 5. This contract shall be charged to budget line item: Open Space Trust Fund. The 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.

**TOWNSHIP OF LONG HILL
RESOLUTION #17-324
AUTHORIZING PROFESSIONAL SERVICES CONTRACT
WITH SUPLEE, CLOONEY & COMPANY TO ASSIST THE TEMPORARY CFO**

WHEREAS, the Township of Long Hill (“Township”) will have a vacancy in the office of Chief Financial Officer as of January 1, 2018; and

WHEREAS, Township Administrator Nancy Malool is being appointed temporary Chief Financial Officer in accordance with the provisions of N.J.A.C. 5:32-2.5; and

WHEREAS, the Township is presently conducting a search to find a permanent replacement; and

WHEREAS, Suplee, Clooney & Company has offered to provide CFO services to assist the Administrator at an hourly rate of \$100, for a total not to exceed \$15,000; and

WHEREAS, contracts for professional services may be awarded without public bidding pursuant to *N.J.S.A. 40A:11-5(1)(a)(I)*; and

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

WHEREAS, the contractor has submitted a proposal dated December 8, 2017 which is incorporated herein by reference; and

WHEREAS, the contractor has completed and submitted a Business Entity Disclosure Certification which certifies that the business entity has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the contractor named herein from making any reportable contributions through the term of the contract, as well as a Township pay-to-play certification.

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

1. A professional services contract is hereby awarded to Suplee, Clooney & Company to provide Chief Financial Officer services to assist the Administrator/temporary CFO until a new permanent CFO is hired in accordance with its proposal, for the following consideration: \$100/hour, not to exceed \$15,000.

2. The Business Disclosure Entity Certification shall be placed on file with this resolution.

3. The Contractor shall secure and maintain insurance with the following minimum limits:

Professional Liability/Malpractice	\$1,000,000.00
Comprehensive General Liability	\$1,000,000.00
Comprehensive Automobile Liability	\$1,000,000.00
Workmen's Compensation	Statutory

The certificates of insurance shall be acceptable to the Township Risk Manager and the Township Attorney.

4. The Township Clerk in accordance with the provisions of *N.J.S.A. 40A:11-5(1)(a)(I)*, is directed to publish a notice once in the official newspaper stating the nature, duration, service and amount of this contract.

5. This contract shall be charged to budget line item(s) 01-2018-0020-0130-2-00211. The certification of available funds by the 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 17-325
APPROVING ADVANCEMENT [Love]**

WHEREAS, Tom Love was appointed as a probationary laborer on June 15, 2017 per Long Hill Township Resolution 17-169; and

WHEREAS, Mr. Love successfully completed the 6 – month probationary period on December 15, 2017;

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 Tom Love to Truck Driver/Laborer Class 4, retroactive to December 15, 2017 at an hourly rate of \$18.75.

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

**TOWNSHIP OF LONG HILL
RESOLUTION 17-326
APPROVING ADVANCEMENT [Gobbi]**

WHEREAS, Leonardo Gobbi was appointed as a probationary laborer on June 30, 2017 per Long Hill Township Resolution 17-174; and

WHEREAS, Mr. Gobbi will have successfully completed the 6 – month probationary period on December 30, 2017;

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 Leonardo Gobbi to Truck Driver/Laborer Class 4, effective December 30, 2017 at an hourly rate of \$18.75.

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

**TOWNSHIP OF LONG HILL
RESOLUTION 17-327
Authorizing Redemption of Outside Lien - #16-0019**

WHEREAS, at the Municipal Tax Sale held on 11-18-2016, a lien was sold on Block 12803, Lot 17, also known as 173 BUNGALOW TER. for \$530.11; and,

WHEREAS, this lien, known as Tax Sale Certificate #16-0019, was sold to MTAG AS CUSTODIAN FOR CAZ CREEK NJ II LLC (Lien Holder) for \$530.11 and a \$2,200.00 premium; and

WHEREAS, Nationstar Mortgage (redeeming party) has effected redemption of Certificate #16-0019 in the amount of \$1,129.01

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 \$1,129.01, payable to MTAG AS CUSTODIAN FOR CAZ CREEK NJ II LLC (Lien Holder) for the redemption of Tax Sale Certificate #16-0019

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$2,200.00 (premium) to the aforementioned lien holder.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-328
Authorizing Redemption of Outside Lien - #16-0026**

WHEREAS, at the Municipal Tax Sale held on 11-18-2016, a lien was sold on Block 13503, Lot 7, also known as 46 GATES AVE. for \$608.80; and

WHEREAS, this lien, known as Tax Sale Certificate #16-0026, was sold to US BANK CUST BV002 TRST & CRDTRS (Lien Holder) for \$608.80 and a \$11,100.00 premium; and

WHEREAS, Corelogic (redeeming party) has effected redemption of Certificate #16-0026 in the amount of \$4,736.43; and

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 \$4,736.43, payable to US BANK CUST BV002 TRST & CRDTRS (Lien Holder) for the redemption of Tax Sale Certificate #16-0026; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$11,100.00 (premium) to the aforementioned lien holder.

**TOWNSHIP OF LONG HILL
RESOLUTION #17-329**

Authorizing the Approval of a Global Settlement and Release Agreement

WHEREAS, Joshua Tolentino is employed as a Patrol Officer with the Township of Long Hill Police Department (“Police Department”); and

WHEREAS, Joshua Tolentino commenced a civil action before the Superior Court of New Jersey, entitled Joshua Tolentino v. Township of Long Hill and Michael Mazzeo, Chief of Police, Docket No. MRS-L-395-17; and

WHEREAS, the Township of Long Hill and Joshua Tolentino have reached an amicable resolution regarding Joshua Tolentino v. Township of Long Hill and Michael Mazzeo, Chief of Police, Docket No. MRS-L-395-17 and other personnel issues related to same.

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

- (1) The Township Committee hereby accepts and agrees to the terms and conditions of the Global Settlement and Release Agreement dated December 1, 2017; and

- (2) The Township Committee hereby authorizes execution of the Global Settlement and Release Agreement dated December 1, 2017; and
- (3) This Resolution shall take effect immediately.

ORDINANCE:

ADOPTION/SECOND READING

**TOWNSHIP OF LONG HILL
ORDINANCE #406-17**

**AN ORDINANCE AUTHORIZING THE LEASING OF THE PROPERTY WHICH
FORMERLY HOUSED LONG HILL TOWNSHIP AMERICAN LEGION MEMORIAL POST
484 TO THE NEW JERSEY STATE ELKS ASSOCIATION FOR A “VETERANS PANTRY”
AND OTHER VETERANS’ SERVICES**

WHEREAS, the Township of Long Hill (the “Township”) is the owner of property located on Union Street and known as Lot 17 in Block 11510 on the Township Tax Maps (the “Property”) that formerly housed Long Hill Township American Legion Memorial Post 484; and

WHEREAS, the Local Lands and Buildings Law provides in relevant part that:

“Any county or municipality may lease any real property, capital improvement or personal property not needed for public use as set forth in the resolution or ordinance authorizing the lease, other than county or municipal real property otherwise dedicated or restricted pursuant to law, and except as otherwise provided by law, all such leases shall be made in the manner provided by this section.

In the case of a lease to a nonprofit corporation or association for a public purpose, the lease shall be authorized by . . . ordinance, in the case of a municipality, and may be for nominal or other consideration. Said authorization shall include the nominal or other consideration for the lease; the name of the corporation or corporations who shall be the lessees; the public purpose served by the lessee; the number of persons benefiting from the public purpose served by the lessee, whether within or without the municipality in which the leasehold is located; the term of the lease, and the officer, employee or agency responsible for enforcement of the conditions of the lease. Said ordinance or resolution shall also require any nonprofit corporation holding a lease for a public purpose pursuant to this section, to annually submit a report to the officer,

employee or agency designated by the governing body, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law.” (N.J. Stat. § 40A:12-14); and

WHEREAS, the Local Lands and Buildings Law further provides that:

“A leasehold for a term not in excess of 50 years may be made pursuant to this act and extended for an additional 25 years by ordinance or resolution thereafter for any county or municipal public purpose, including, but not limited to:

c. The housing, recreation, education or health care of veterans of any war of the United States by any nonprofit corporation or association.” (N.J. Stat. § 40A:12-15);

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

Section 1. The leasing of the Property to the New Jersey State Elks Association (the “Elks”) for a nominal consideration of One (\$1.00) Dollar per year is hereby authorized.

Section 2. The Mayor and Township Clerk are hereby authorized to sign a lease with the Elks in form acceptable to the Township Attorney

Section 3. The Elks may use the building for the following purposes:

- “Veterans Pantry” – A program in which the Elks store nonperishable food, toiletries, paper products, houseware items and clothing which are available to any veteran in need
- Storage of furniture to be donated to veterans who are homeless and living in transitional housing and who are now moving into their own apartments
- “Welcome Kits”, which include dishes, pots and pans, cleaning supplies and similar new items which are provided to veterans who are moving into apartments
 - Other similar activities and services to aid veterans in need.

Section 4. It has been determined that veterans who reside both within and without the Township will benefit from these activities by the Elks. The exact number is impossible to estimate.

Section 4. The term of the lease shall be five (5) years with options to renew for additional five (5) year terms, which in the aggregate shall not exceed seventy-five (75) years.

Section 5. The Township Administrator shall be responsible for enforcement of the conditions of the lease.

Section 6. The Elks shall annually submit a report to the Township Administrator setting out the use to which the leasehold was put during each year, the activities that the lessee had undertaken in furtherance of the public services for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to both state and federal law.

Section 7. 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 8. 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 9. 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, November 29, 2017

will be considered for final passage and adoption at a public hearing held at a meeting beginning at 8:00 a.m. on Friday, December 29, 2017 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.

OPEN Public Hearing
CLOSE Public Hearing

MOVED by: _____ of the Township Committee of Long Hill Township, that Ordinance 406-17 is hereby adopted on final reading. **SECONDED** by: _____. **ROLL CALL VOTE:**

TOWNSHIP OF LONG HILL
ORDINANCE # 407-17

AN ORDINANCE CONCERNING UNIFORM FIRE CODE FEES AND AMENDING CHAPTER XXVII OF THE TOWNSHIP CODE ENTITLED “FIRE PREVENTION”

WHEREAS, the Division of Fire Safety in the Department of Community Affairs adopted a new fee schedule for the Uniform Fire Code, effective October 3, 2017 (49 N.J.R. 3356(a)), as codified in N.J.A.C. 5:70-2.9; and

WHEREAS, subsection 17-1.7 of the Township Code entitled “[Fire Code] Fees” needs to be amended to reflect these changes;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter XVII of the Township Code entitled “Fire Prevention” is hereby supplemented and amended as follows:

Section 1. Subsection 17-1.7 entitled “Fees” in section 17-1 entitled “Local Enforcement of Uniform Fire Code” is amended to read as follows:

17-1.7 Fees.

a. Uniform Fire Code Fees. The permit fees as established by the Uniform Fire Code shall be amended to be as follows:

Type 1	\$42.00	<u>\$54.00</u>
Type 2	\$166.00	<u>\$214.00</u>
Type 3	\$331.00	<u>\$427.00</u>

Type 4 ~~\$497.00~~ \$641.00

b. Fees for Inspection and Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance. The application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

1. Requests for a CSDCMAC received more than 10 business days prior to the change of occupant: \$ 50.00
Reinspection fee \$25.00 each

2. Requests for a CSDCMAC received 4 to 10 business days prior to the change of occupant: ~~\$ 70.00~~ \$90.00
Reinspection fee \$50.00 each

3. Requests for a CSDCMAC received fewer than 4 business days prior to the change of occupant: ~~\$125.00~~ \$161.00
Reinspection fee \$100.00 each

c. Fees for Carnival Registrations. The annual application fee for a carnival registration fee shall be as follows:

1. For 10 or fewer locations: ~~\$60.00~~ \$77.00

2. For 11 to 25 locations: ~~\$90.00~~ \$116.00

3. For 26 or more locations: ~~\$120.00~~ \$155.00

d. Additional Fees for Weekend and Holiday Inspections. In addition to the fees set forth above, there shall be an additional fee of forty (\$40.00) dollars per hour or any part thereof for any inspections conducted outside of normal business hours or on any Saturday, Sunday or Township holiday.

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, November 29, 2017 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 8:00 a.m. on Wednesday, December 29, 2017 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.

OPEN Public Hearing
CLOSE Public Hearing

MOVED by: _____ of the Township Committee of Long Hill Township, that Ordinance 407-17 is hereby adopted on final reading. **SECONDED** by: _____. **ROLL CALL VOTE:**

DISCUSSION / ACTION ITEMS: Tax Reassessment

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