

**TOWNSHIP OF LONG HILL
TOWNSHIP COMMITTEE MEETING MINUTES
SEPTEMBER 13, 2017**

Mayor Schuler 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 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 #17-242
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:

Contracts

- Emergency Services Update

Attorney Client

- Affordable Housing

Litigation/Pending Litigation

- Tolentino
- Valley Road Zoning Ordinance

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: Brendan Rae of the Township Committee of the Township of Long Hill that Resolution #17-242 is hereby approved for Executive Session. **SECONDED** by: Matt Dorsi

ROLL CALL VOTE: All in favor.

Mayor Schuler opened the meeting at 7:38 PM.

All present recited the Pledge of Allegiance.

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

The Mayor welcomed our new Administrator, Nancy Malool, and thanked Committee members for their help in the search and their help handling the duties of the Administrator while the search was ongoing.

The Mayor read the Proclamation for Constitution Week.

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LIAISON REPORTS:

Committeeman Meringolo:

- School is open, please drive carefully.
- HPAC met and the Cooper Headstone project was awarded to Bolash Landscapers. Construction should begin shortly.

Committeeman Piserchia:

- The County removed two dead trees from 873 Meyersville Road.
- First Aid Squad answered 49 calls in August – Thank you for their continued dedication and service.
- Paving will begin on Valley Road and Meyersville Road in the next week or so. Please drive carefully.
- OEM Director Shayne Daley noted that September is National Preparedness Month. Please register with the Long Hill Twp. Emergency Notification System. Also FEMA has put out updated Flood Maps.

Deputy Mayor Rae: No report.

Committeeman Dorsi:

- Reported that the Millington Fire Dept. Food Truck Festival was a great success, attended by 1900 people.
- DPW reports that four roads have been milled and paved over the last several weeks. They are working on striping and painting the crosswalks, winterizing the lake, and repairing pot holes. There is still plenty of mulch available. DPW will be cutting and trimming tree branches to increase site lines and will be conducting the Hazardous Tree Survey. They are also now doing crack sealing of roads in house instead of contracting the work out.

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: Committeeman Meringolo of the Township Committee of Long Hill Township, that Resolutions #17-243 through #17-250 are hereby approved. **SECONDED** by: Committeeman Piserchia. **ROLL CALL VOTE:** All in Favor.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-243
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 17-244
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 August 16th, 2017 Township Committee Meetings.

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BE IT FURTHER RESOLVED that the Township Committee hereby approves the August 16th, 2017 Executive Session Meeting Minutes as redacted by the Township Attorney.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-245
ACCEPTING RESIGNATION - DaSilva**

BE IT RESOLVED, that the Township Committee hereby accepts the resignation of Animal Control Officer Theresa DaSilva, effective August 14, 2017.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-246
APPROVING SPECIAL EVENT LICENSE
[MOTORCYCLE RIDE TO FIGHT HUNGER]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S 17-22 for the event to the "Sponsor" Stirling ShopRite for the Motorcycle Ride to Fight Hunger to be held 9:00 AM – 11:00AM on September 16 2017.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-247
AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN LONG HILL TOWNSHIP AND MORRIS COUNTY – SALTING, SANDING, AND/OR PLOWING OPERATIONS**

WHEREAS, pursuant to Uniform Shared Services and Consolidator Act, N.J.S.A. 40A:65-1 st. seq., local units may join together to provide authorized services for each other; and

WHEREAS, the Township of Long Hill and the County of Morris desire to join together in an agreement whereby the Township will perform on behalf of Morris County the required salting, sanding and/or plowing operations of designated portions of the County road system within the Township of Long Hill for rates outlined in the agreement.

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 the Township Clerk are hereby authorized to execute a Shared Services Agreement between Long Hill Township and the County of Morris effective on the date of execution through December 31, 2018.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-248
Conference Approval – Brooks and Malool**

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

WHEREAS, the Township Committee has received memos from Administrator, Nancy Malool and Municipal Clerk, Deborah Brooks, requesting to be able to attend the NJLOM Convention in Atlantic City from November 14th-16th, 2017.

NOW, THEREFORE, BE IT RESOLVED the Long Hill Township Committee hereby approves the request for Nancy Malool and Deborah Brooks to attend the NJLOM Conference as outlined in their memos.

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**TOWNSHIP OF LONG HILL
RESOLUTION #17-249
In Grade Advancement - Roberts**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey upon the advice and recommendation of Police Chief Michael Mazzeo, does hereby approve the grade advancement of Officer John Roberts to Officer Grade II, effective September 1, 2017 at an annual salary of \$95,357.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the current PBA 322 Collective Bargaining Agreement.

**TOWNSHIP OF LONG HILL
Resolution 17-250
Authorizing Redemption of Outside Lien - #16-0006**

WHEREAS, at the Municipal Tax Sale held on 11-18-2016, a lien was sold on Block 11509, Lot 10, also known as 261 Railroad Ave for \$710.76; and,

WHEREAS, this lien, known as Tax Sale Certificate #16-0006, was sold to MTAG as Custodian For Caz Creek NJ II LLC (Lien Holder) for \$710.76 and a \$2,500.00 premium; and

WHEREAS, Corelogic (redeeming party) has effected redemption of Certificate #16-0006 in the amount of \$1,220.30

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 \$1,220.30, payable to MTAG as Custodian For Caz Creek NJ II LLC (Lien Holder) for the redemption of Tax Sale Certificate #16-0006

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$2,500.00 (premium) to the aforementioned lien holder.

RESOLUTION:

**TOWNSHIP OF LONG HILL
RESOLUTION NO. 17-251**

**AUTHORIZING REIMBURSEMENT TO PROPERTY OWNERS FOR DRIVEWAY REPAIRS RELATED TO
SIDEWALK PROJECT**

WHEREAS, Long Hill Township (the "Township") entered into a contract with Vector Corporation for the construction/reconstruction of accessible curb ramps and sidewalks along several roads in the Township

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including Northfield Road; and

WHEREAS, Derek DiStaso and Tara Sheerin (the "Property Owners") are the owners of property located at 209 Northfield Road, which is located within the area of the sidewalk improvement project; and

WHEREAS, repairs had to be performed to the Property Owners' driveway as a result of the sidewalk improvement project; and

WHEREAS, the Property Owners obtained a proposal from Joe Rillo Landscape Construction & Sealcoating Co., L.L.C. of Basking Ridge to perform the following work for a total of \$3,400:

- a. "Remove existing black top 23' back from sidewalk
- b. Add stone and raise, grade and compact with six-ton roller
- c. Reset Belgium block curb in 6" concrete footing
- d. Pave area with 3" stabilized base and 2" top
- e. Grade topsoil provided by town (8 yards)
- f. Seed and hay"

WHEREAS, the Property Owners elected to have this remedial work performed by Joe Rillo Landscape Construction & Sealcoating Co., L.L.C., rather than by the Township's contractor, Vector Corporation; and

WHEREAS, the Township agreed to reimburse the Property Owners \$3,400 for the work on their driveway described above if the Property Owners would release the Township from any further liability for damage to their driveway; and

WHEREAS, the Property Owners have executed a release in form acceptable to the Township Attorney; and

WHEREAS, the Township has also agreed to provide the Property Owners with eight yards of clean topsoil at no charge;

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 CFO is hereby authorized to pay Derek DiStaso and Tara Sheerin \$3,400 in full accord, satisfaction and settlement of their disputed claim growing out of the Township's Northfield Road sidewalk improvement project and the Township Public Works Manager is authorized to provide the Property Owners with eight yards of clean topsoil at no charge.

MOVED by: Deputy Mayor Rae of the Township Committee of the Township of Long Hill that Resolution #17-251 is hereby approved. **SECONDED** by: Committeeman Piserchia
ROLL CALL VOTE: Yes: Dorsi, Meringolo, Piserchia, Rae No: Schuler

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DISCUSSION / ACTION ITEMS:

- Valley Road/Myersville Road Paving update – Paving will begin in the next week or so. Four days of milling and then the paving. The Police Department will be handling the traffic and pedestrian safety.
- Downtown Stirling/Parking – The Committee directed the Planning Board to take a look at the possible solutions for the shortness of parking spots in downtown Stirling keeping in mind this area is going to be the “Downtown” and will be growing.
- Energy Audit – carried to the next meeting
- Bulk Pick Up/Community Notifications – DPW Director Sweeney has spoken to Midco about incomplete pick ups and no bulk pick ups. Going forward the drivers will call for back up if they are running late and Midco is looking into adding an additional worker and/or truck on bulk pick up days. Director Sweeney asked that residents leave the garbage/bulk out if it does not get picked up as it will be picked up the next day.
- Sidewalks – There was a brief discussion/clarification regarding liability for sidewalk repairs. Commercial properties are responsible for repairing their sidewalks. The Township repairs residential sidewalks.
- Portable Lights with Generators for the grass fields at Kantor – After a brief discussion, resolution #17-252 was approved.

**TOWNSHIP OF LONG HILL
RESOLUTION# 17-252
AUTHORIZE PLACEMENT OF TEMPORARY LIGHTS
AT KANTOR PARK GRASS SOCCER FIELD (aka, Field #2)**

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 Recreation Director hereby approves the placement of portable, temporary field lights (4 units) on Kantor Park Grass Soccer Field for the fall 2017 season.

BE IT FURTHER RESOLVED that Centercourt Futbol Club located in Gillette, NJ, having obtained a permit to use this field for the fall season for youth soccer programs, has requested to extend playing time to no later than 10pm and agrees to the following:

1. All costs associated with these units rests solely on Centercourt Futbol Club, and the Township of Long Hill bears no responsibility for the cost of rental of these units; the operation of these units; the delivery, the placement of, and the removal of these units plus any other costs that may arise.
2. The operation of these units in a safe manner according to equipment guidelines rests fully on Centercourt Futbol Club.
3. These units shall be removed within a week (7 days) of the conclusion of the Centercourt Futbol Club Fall 2017 permit which concludes on 11/18/17. The coordination of this removal and any costs associated with it are the responsibility of Centercourt Futbol Club.
4. Any damage(s) to the Township of Long Hill property associated with the portable lights on Field #2, including the placement and removal of these lights, will be the responsibility of Centercourt Futbol Club. If repairs need to be made, the Township of Long Hill will either make the repairs and bill Centercourt Futbol Club, or instruct Centercourt Futbol Club to arrange for the repairs in a timely manner and in a manner specified by the Township. The financial responsibility for these repairs rests solely on Centercourt Futbol Club.
5. Any damages/vandalism to the units are the responsibility of Centercourt Futbol Club.

MOVED by: Committeeman Piserchia of the Township Committee of Long Hill Township, that Resolution #17-252 is hereby approved. **SECONDED** by: Deputy Mayor Rae.

ROLL CALL VOTE: All in favor.

- Parking Permit fees – carried until next meeting
- Cooper Headstone/Turtle Park – Bolash Landscaping was awarded the contract for this project with the approval of Resolution #17-254.

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**TOWNSHIP OF LONG HILL
RESOLUTION 17-254
AWARDING CONTRACT TO BOLASH LANDSCAPING IN CONNECTION WITH THE PLACEMENT OF THE
COOPER TOMBSTONES AND RELATED LANDSCAPING AT TURTLE ROCK PARK**

WHEREAS, the Township has seven historic Cooper family tombstones in its possession; and
WHEREAS, the Historic Preservation Advisory Committee has recommended that those tombstones be placed at Turtle Rock Park; and

WHEREAS, the Township retained architect Bob Coletta to assist in the design of this project; and
WHEREAS, the Township obtained two quotations to place the Cooper family tombstones and to landscape the surrounding area at Turtle Rock Park; and

WHEREAS, the low quotation in the amount of \$29,950 was received from Bolash Landscaping; and
WHEREAS, the Local Public Contracts Law provides in relevant part that, "for all contracts that in the aggregate are less than the bid threshold [\$40,000] but 15% or more of that amount . . . the contracting agent shall award the contract after soliciting two competitive quotations, if practicable. The award shall be made to the vendor whose response is most advantageous, price and other factors considered . . ." (N.J.S.A. 40A:11-6.1); and

WHEREAS, architect Bob Coletta has reviewed both quotations and has recommended that the lower quotation from Bolash Landscaping be accepted; and

WHEREAS, the Township's Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of this 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:

g. The Mayor and Clerk are hereby authorized to sign a contract with Bolash Landscaping to place the Cooper tombstones at Turtle Rock Park and to landscape the surrounding area in accordance with the specifications, subject to the following terms and conditions:

- a. Term - until completion of project;
- b. Compensation - \$29,950 in accordance with its quotation.

h. This contract shall be charged to the Township's 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.

MOVED by: Deputy Mayor Rae of the Township Committee of Long Hill Township, that Resolution #17-254 is hereby approved. **SECONDED** by: Committeeman Meringolo.

ROLL CALL VOTE: Yes: Meringolo, Piserchia, Rae, Schuler No: Dorsi

- Possible Affordable Housing Settlement – Attorney Pidgeon reviewed the settlement agreement between the Township and the Fair Share Housing Center. The Committee discussed the implications of approving it today or waiting until the next meeting. The resolution was read into the record and approved. The Committee directed the Resolution and agreement be posted on the website.

**TOWNSHIP OF LONG HILL
RESOLUTION #17-255
AUTHORIZING SETTLEMENT WITH FAIR SHARE HOUSING CENTER ("FSHC") IN CONNECTION WITH
THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION**

WHEREAS, the Township of Long Hill (the "Township") has participated in the New Jersey Council on Affordable Housing ("COAH") process since it was created in 1985 and has satisfied all of its housing obligations pursuant to the *New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.*, and COAH's rules and regulations;

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and

WHEREAS, several iterations of COAH's 3rd round rules first adopted in 2004 have been challenged and overturned by the courts; and

WHEREAS, on March 10, 2015, the New Jersey Supreme Court, in response to a motion filed by the Fair Share Housing Center, found that the COAH administrative process had become non-functioning and as a result returned primary jurisdiction over affordable housing matters to the trial courts (*In the matter of the adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. (2015)*); and

WHEREAS, in doing so, the Supreme Court established a transitional process for municipalities that participated in the administrative process before COAH to file a declaratory judgment action with the trial court seeking to declare their housing elements and fair share plans as being constitutionally compliant and seeking similar protection to those that municipalities would have received if they had continued to proceed before COAH; and

WHEREAS, the Township filed a Declaratory Judgement action, captioned *In the Matter of the Application of the Township of Long Hill for Determination of Mount Laurel Compliance*, with the Honorable Stephan C. Hansbury, P.J.Ch. ("Judge Hansbury") of the Superior Court of New Jersey, Morris County, at Docket No. MRS-L-1660-15, on July 6, 2015 (the "Declaratory Judgement Action"); and

WHEREAS, the Township Committee have selected the amount for the Township's obligation based upon the May 16 2016 report entitled "New Jersey Low and Moderate Income Housing Obligations for the 1999-2025 Calculated Using the NJ COAH Prior Round (1987-1999) Methodology," prepared by David N. Kinsey, PhD, FACIP, PP, for the Fair Share Housing Center, which identifies the following municipal fair share obligation for Long Hill Township: Prior round 62 units (which has previously been satisfied), present need 6 units, prospective need 314 units; and

WHEREAS, the Township has negotiated a proposed settlement with FSHC, subject to Court approval, which would fix the Township's prospective need at 220 units (or 70% of the 314 units in the Kinsey report); and

WHEREAS, after application of prior round credits and rental and other bonuses, the plan includes 77 new affordable units;

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 approves the proposed settlement with FSHC, a draft copy of which is attached hereto, for a total summary obligation of 288 units, consisting of 62 prior round units, 6 present need units and 220 prospective need units.
2. The Township Committee hereby authorizes and directs the Township Attorney to sign the attached settlement agreement with FSHC.
- 3.

MOVED by: Committeeman Meringolo of the Township Committee of Long Hill Township, that Resolution #17-255 is hereby approved. **SECONDED** by: Deputy Mayor Rae

ROLL CALL VOTE: Yes: Meringolo, Piserchia, Rae, No: Dorsi, Abstain: Schuler

OLD BUSINESS:

American Legion/Elks – Attorney Pidgeon reported he was moving forward with the lease with the State Elks Association to use the American Legion building for Veteran support services.

NEW BUSINESS:

Tax Map Updates – Township Engineer Ferriero has submitted the tax maps for certification. The Committee directed Attorney Pidgeon to write "disclaimer" language to put on the SDL Citizen Portal because there will always be some discrepancies between the tax maps and the parcel maps.

ATV Track – Committeeman Meringolo brought this up as a possibility but it was determined that the JIF will not insure ATV tracks and strongly advises against them.

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ANNOUNCEMENTS/CORRESPONDENCE:

- October 28th – Friends of the Library Shredding Fundraiser – 10:00 AM to 2:00 PM
Questions email longhillfol@gmail.com
- NJAW will be hosting meetings regarding the potential sale of the wastewater system on October 7th at 2PM, October 17th at 2PM, October 30th at 10AM – all at the senior center. There will be one additional date to be determined.
- The Master Plan Committee is having the Morris County Economic Development Group host two public forum workshop meetings to discuss the vision of downtown Stirling and downtown Millington on September 28th and October 5th respectively. Both will be held at the senior center from 7:30PM to 9:30PM.

MEETING OPEN TO THE PUBLIC: No comments.

On motion by Deputy Mayor Rae, seconded by Committeeman Piserchia, all in favor, the public portion of the meeting was adjourned at 9:32 pm. and the Committee returned to Executive session. The meeting would be adjourned at the end of the executive session.

Respectfully submitted,

Deborah Brooks, RMC, CMR
Township Clerk

Approved September 27, 2017