



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
JANUARY 22, 2020
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.

1. STATEMENT OF PRESIDING OFFICER

"In compliance with the Open Public Meetings Law of New Jersey, adequate notice of this meeting was electronically sent to the Echoes Sentinel and the Courier News and posted on the Township Website. 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."

Announcement is made that, as a matter of procedure, it is the intention of the Township Committee not to continue any matter past 11:00 PM at any Regular or Special Meeting of the Board unless a motion is passed by the members then present to extend the meeting to a later specified cut-off time.

2. EXECUTIVE SESSION:

20-047 EXECUTIVE SESSION

- Contract Negotiations
 - PBA
 - Professional Services
 - Field Management
- Pending Litigation
 - Mt. Laurel

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #20-047 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

3. CALL MEETING TO ORDER:

4. PRESENTATIONS

- Katy DaSilva – Girl Scouts Gold Award
- Paul Ferriero - Cross Hill Road Options

5. ORDINANCE(S):

ORDINANCE #450-20 (SECOND READING/ADOPTION)

AN ORDINANCE GRANTING CONSENT TO NEW JERSEY-AMERICAN WATER COMPANY, INC. TO PERMIT THE CONSTRUCTION, EXPANSION AND MAINTENANCE OF SEWER COLLECTION AND TREATMENT FACILITIES ON PUBLIC AND PRIVATE PROPERTY IN THE TOWNSHIP

PUBLIC HEARING

MOVED by: _____, that Ordinance #450-20 is hereby adopted. **SECONDED** by: _____, **ROLL CALL VOTE**

6. CONSENT AGENDA RESOLUTIONS:

Resolution No. 20-048 – 20-061 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.

- 20-048 APPROVAL AND RELEASE OF MINUTES: JANUARY 8, 2020
- 20-049 APPROVING PAYMENT OF BILLS
- 20-050 AUTHORIZING REFUND OF TAX OVERPAYMENT – 355 WARREN AVE
- 20-051 TERMINATING PROFESSIONAL SERVICE CONTRACT WITH GOLDSTEIN PARTNERSHIP TO PREPARE ARCHITECTURAL FEASIBILITY STUDY
- 20-052 AUTHORIZING PARTIAL REFUND OF SEPTIC REVIEW
- 20-053 SOCIAL AFFAIR PERMIT [MILLINGTON VOLUNTEER FIRE CO. NO. 1]
- 20-054 RESOLUTION RELAXING REQUIREMENT THAT GARAGE BE CONSTRUCTED ON 57 OLD FORGE ROAD (BLOCK 12604, LOT 1) PRIOR TO SALE
- 20-055 AUTHORIZING CHANGING PARKING PERMIT
- 20-056 APPROVING 83rd WALK TO WASHINGTON EVENT REQUEST
- 20-057 AUTHORIZING REFUND OVERPAYMENT OF REDEMPTION - #16-0010
- 20-058 AUTHORIZING THE TOWNSHIP OF LONG HILL PARTICIPATE IN THE GRANT PROGRAM FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF STATE POLICE, FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FOR EMAA FY 2019
- 20-059 IN GRADE ADVANCEMENT – SUGALSKI
- 20-060 AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED AT 93 MORRISTOWN ROAD (BLOCK 13404 LOT 5)
- 20-061 AMENDING RESOLUTION 20-043 AUTHORIZING REDEMPTION OF OUTSIDE LIEN #14-1288

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 20-048 – 20-061 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

7. LIAISON REPORTS:

8. ADMINISTRATOR'S REPORT:

- Sewer billing reminder
- Stain glass update

9. DISCUSSION:

- Illegal dumping at DPW
- Planning Board Redevelopment
- Edmunds
- Tree Ordinance Next Step
- FLAP grant update
- Valley Road Lighting update

10. OLD/NEW BUSINESS:

11. ANNOUNCEMENTS:

- 2019 Winter Contest
- Radon Awareness Month - FREE kits at Town Hall
- Dog Licensing

**12. MEETING OPEN TO THE PUBLIC: Remarks and Statements Pertaining to Any Matter -
Comments and remarks will be limited to 3 Minutes**

13. ADJOURNMENT

**RESOLUTION 20-047
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:

EXECUTIVE SESSION

- Contract Negotiations
 - PBA
 - Professional Services
 - Field Management
- Pending Litigation
 - Mt. Laurel
 - Professional Services

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.

ORDINANCE NO. 450-20

AN ORDINANCE GRANTING CONSENT TO NEW JERSEY-AMERICAN WATER COMPANY, INC. TO PERMIT THE CONSTRUCTION, EXPANSION AND MAINTENANCE OF SEWER COLLECTION AND TREATMENT FACILITIES ON PUBLIC AND PRIVATE PROPERTY IN THE TOWNSHIP

WHEREAS, New Jersey American Water Company, Inc. ("Company") is a regulated public utility corporation of the State of New Jersey seeking from the Township of Long Hill ("Township") the approval of an exclusive and perpetual franchise to provide sewer service within the Township, and the municipal consent of the Township to permit said Company to extend sewer service and its related facilities to the Township; and

WHEREAS, the Company has requested the approval of an exclusive and perpetual franchise to provide sewer service for the entire Township, pursuant to N.J.S.A. 48:2-14; and

WHEREAS, the Company has requested the consent of the Township as required by N.J.S.A. 48:3-11 and 48:3-15 for the use of the streets, with such consent limited to the fifty (50) year duration set forth in N.J.S.A. 48:3-15, including the consent of the Township pursuant to N.J.S.A. 48:13-11, as amended, to lay its pipes, valves, pumps, manholes and other equipment beneath and restore such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charges to be made for such privilege, provided that said pipes shall be laid at least three feet (3') below the surface and shall not in any way unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property, and the Township desires and permits the Company to construct and maintain sewer collection and treatment facilities on and along roads, streets and places at locations to be designated by the Township;

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 Township hereby grants to the Company, its successors and assigns, in perpetuity, the exclusive franchise to provide sewer service within the Township pursuant to N.J.S.A. 48:2-14.

Section 2. The Township hereby grants to the Company, its successors and assigns the municipal consent to use the streets pursuant to N.J.S.A. 48:3-11 and 48:3-15, with such consent limited to the fifty (50) year duration set forth in N.J.S.A. 48:3-15; as well as the municipal consent required pursuant to N.J.S.A. 48:13-11 as amended, without charge therefore, as the same may be required

in order to permit the said Company to add to, extend, operate and maintain said sewer collection and treatment facilities on public and private property located in the Township. The privilege granted herein shall include the construction installation and maintenance of sewer collection and treatment facilities on and along the Township roads, streets and places at locations as the Township shall designate from time to time.

Section 3. Certified copies of this Ordinance, upon final passage, shall be sent to the Company who shall forward same to the New Jersey Department of Environmental Protection and the Board of Public Utilities of the State of New Jersey.

Section 4. The consent granted herein shall be subject to the Company's complying with the applicable Township Ordinances, State of New Jersey Statutes and any New Jersey Administrative agency's rules and regulations which apply to the subject matter of this Ordinance; and that the Mayor, Clerk and other Township officials are authorized to execute the documents and agreements necessary to effectuate the municipal consent and to protect the rights of the public involved.

Section 5. All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 6. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 7. This Ordinance shall take effect when the closing takes place on the sale of the Township wastewater treatment system to New Jersey American Water Company, Inc.

**RESOLUTION 20-048
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 January 8, 2020 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves January 8, 2020 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 20-049
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 20-050
AUTHORIZING REFUND OF TAX OVERPAYMENT – 355 WARREN AVE**

WHEREAS, a Tax appeal judgment on Block 11502 Lot 2, 355 Warren Ave. for 2014, 2015, and 2016 was recorded.

NOW, THEREFORE BE IT RESOLVED, the Township of Long Hill Finance Director be and is hereby authorized to remit the amount indicated, that same being the amount of overpayment of taxes, for the years 2014, 2015, and 2016 based on the successful tax appeal to the Morris County Board of Taxation in June of 2019.

BLOCK / LOT
11502 / 2

CHECK MADE PAYABLE TO:
Jennifer R. Jacobus, Trustee for

REFUND
\$24,291.70

EASTERN ENGRAVING, DIV OF
STANDEX

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Finance Director and Tax Collector forthwith.

RESOLUTION 20-051
TERMINATING PROFESSIONAL SERVICE CONTRACT WITH GOLDSTEIN PARTNERSHIP TO PREPARE ARCHITECTURAL FEASIBILITY STUDY

WHEREAS, Long Hill Township (the "Township") entered into an Professional Service Contract Agreement with Goldstein Partnership on November 28, 2018 by Resolution #18-302 to prepare a feasibility study; and

WHEREAS, the Township has decided not to relocate the police department to the Township municipal building;

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 Professional Service Contract for the purpose of the feasibility study is hereby terminated, effective immediately.

RESOLUTION 20-052
AUTHORIZING PARTIAL REFUND OF SEPTIC REVIEW

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Bernard's Township Health Department, does hereby authorize the following refund:

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>REASON</u>
Joan McCloskey	1065 Whitebridge Road Millington, NJ 07946	\$150.00	overpayment

RESOLUTION 20-053
SOCIAL AFFAIR PERMIT [MILLINGTON VOLUNTEER FIRE CO. NO. 1]

WHEREAS, Millington Volunteer Fire Co. No. 1 has submitted an Alcoholic Beverage Control Application to the State of New Jersey for a Comedy Night to be held on October 5, 2019 at the Millington Volunteer Fire Co. No. 1, 1891 Long Hill Road, Millington, New Jersey 07946; and

WHEREAS, the Chief of Police has reviewed the application and has no objection to the granting of a special permit to be issued to the applicant to sell alcoholic beverages at the affair to be held on the date and premises noted, subject to, however, the following conditions:

1. The consumption of alcoholic beverages shall be restricted to the area as outlined in the site plan supplied with the application. No alcoholic beverages shall be possessed or consumed in any area not designated on this site plan.
2. No person under the age of 21 shall be served alcoholic beverages. Millington Volunteer Fire Co. No.1 members or it's designee shall be responsible for verifying the ages of those patrons who wish to consume alcoholic beverages, check identification to verify age, and monitor the area to prevent "hand off's."
3. No person assumed to be under the influence of alcohol shall be served, permitted to walk, or allowed to drive from the Millington Volunteer Fire Co. No. 1 or the designated area.

4. Alcoholic beverages shall only be served and/or consumed between the hours of 10:00 am and 11:00 pm on October 5, 2019

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, the licensing authority of the municipality, has no objection to the granting of a special permit and consents thereto with the special conditions as outlined by the Chief of Police.
2. The Township Clerk is hereby authorized to approve the municipal certification on the application and submit to NJ ABC electronically.

RESOLUTION 20-054

RESOLUTION RELAXING REQUIREMENT THAT GARAGE BE CONSTRUCTED ON 57 OLD FORGE ROAD (BLOCK 12604, LOT 1) PRIOR TO SALE

WHEREAS, the Harold White Irrevocable Trust is the owner of property located at 57 Old Forge Road, Block 12604, Lot 1 (formerly Block 133, Lot 1) ("subject lot"); and

WHEREAS, the September 21, 1993 resolution authorizing the subdivision of the subject property provided that, "Any contract for the sale of and in the conveyance of these premises to a third party shall require the construction of a two (2) car garage . . ."; and

WHEREAS, this same condition was also set forth in the subdivision deeds that effected the subdivision; and

WHEREAS, John M. Losinger of the Saiber law firm was appointed by court order dated October 1, 2019 as the third-party trustee for the Harold White Irrevocable Trust for the limited purpose of determining whether the subject property can be sold; and

WHEREAS, by court order dated December 18, 2019, Attorney Losinger was specifically authorized to take all steps necessary to facilitate the sale of the property, including asking the Township to modify, relax or waive the requirement that the two-car garage be constructed prior to sale of the property; and

WHEREAS, Attorney Losinger, in a January 9, 2020 letter, formally requested that the "Township . . . permit the property to be marketed and sold to a third party without a two (2) garage being constructed prior to closing, that the Township not take any action to enforce the requirement prior to the closing, and that the requirement be temporarily suspended, thus allowing the contract of sale to 'require a purchaser to complete the construction of a two (2) car garage within one hundred eighty (180) days of closing, weather permitting . . .'" ; and

WHEREAS, the Township Committee previously agreed on June 26, 2019 that it would not require the trustee to construct a garage before conveying it a nonprofit purchaser; and

WHEREAS, the Township Committee finds that it is in the best interest of the Township to relax the requirement as requested by the third-party trustee;

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 Administrator is hereby authorized to sign a copy of Attorney Losinger's letter, thereby agreeing to and accepting the terms and conditions as set forth in his January 9, 2020 letter and as outlined above.
2. Among other things, the contract of sale shall "require a purchaser to complete the construction of [the] two (2) car garage within one hundred eighty (180) days of closing, weather permitting. "

RESOLUTION 20-055

AUTHORIZING CHANGING PARKING PERMIT

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Mayor, does hereby authorize the following change in parking permit from Millington to Gillette:

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>PERMIT</u>
Mackenzie Watson	232 Old Forge Road	\$240.00 to \$340.00	M20-065 to G20-340

BE IT RESOLVED, parking pass M20-065 must be surrendered to the Township Clerk and payment difference before G20-340 is issued.

RESOLUTION 20-056

APPROVING 83rd WALK TO WASHINGTON EVENT REQUEST

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

WHEREAS, the Township Committee has received a request from a member of the Township Committee to attend the 83rd Annual Walk to Washington Event; and

NOW, THEREFORE, BE IT RESOLVED by, the Long Hill Township Committee hereby approves their requests to attend the 83rd Walk to Washington from February 27 - February 28, 2020.

RESOLUTION 20-057

AUTHORIZING REFUND OVERPAYMENT OF REDEMPTION - #16-0010

WHEREAS, at the Non Municipal Tax Sale held on 11-18-2016, a lien was sold on Block 11604, Lot 20, also known as 294 Main Ave for \$1,093.16.

WHEREAS, lien 16-0010, was sold to MTAG as custodian for CAZ Creek NJ II, LLC in the amount of \$1,093.16 with a premium amount of \$2,900.

WHEREAS, a redemption calculation of \$5482.28 was provided to Millington Bank on January 9, 2019.

WHEREAS Millington Bank. redeemed Certificate #16-0010 for \$8382.28.

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has shown proof that Millington Bank is due a refund of \$2,900.00, and all redemption monies have been received.

RESOLUTION 20-058

AUTHORIZING THE TOWNSHIP OF LONG HILL PARTICIPATE IN THE GRANT PROGRAM FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF STATE POLICE, FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FOR EMAA FY 2019

WHEREAS, the Township of Long Hill Office of Emergency Management ("OEM") submitted an application to the State of New Jersey, Department of Law and Public Safety, Division of State Police (the "Division") to receive funding from the 2019 Emergency Management Performance Grant Program, Emergency Management Agency Assistance (EMAA) subaward; and

WHEREAS, the Township of Long Hill Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant CFDA #97.042, award FFY-19-EMPG-EMAA-1430 from the New Jersey State Police Office of Emergency Management. The sub-grant consisting of a total of including up to \$10,000.00 Federal award for the purpose of enhancing the Township of Long Hill's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the sub-grant award incorporates all conditions and representations contained or made in the application of award #FFY19-EMPG-EMAA-1430; and

WHEREAS, the Township of Long Hill Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management has submitted an application for Sub-grant Award that has been required by the said New Jersey State Police Office of Emergency Management for the sub-grant award period of July 1, 2019 through June 30, 2020; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill, County of Morris, in the State of New Jersey that the Township Committee authorizes the Long Hill Township Office of Emergency Management to participate in the grant program and agrees to accept the \$10,000.00 award for the Long Hill Township "OEM" for emergency management purposes for EMAA FY 2019.

**RESOLUTION 20-059
IN GRADE ADVANCEMENT – SUGALSKI**

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 Ahmed Naga, does hereby approve the grade advancement of Sergeant Melissa Sugalski to Sergeant Grade I, effective February 1, 2020 at an annual salary of \$ 122,830.00.

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

**RESOLUTION 20-060
AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED AT 93 MORRISTOWN ROAD
(BLOCK 13404 LOT 5)**

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

WHEREAS, Arthur Czarnecki, the owner of property located at 93 Morristown Road (Block 13404 Lot 5) has requested authorization to connect to the Township’s sanitary sewer system; and

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, the property located at 93 Morristown Road (Block 13404, Lot 5) meets those exemption criteria; and

WHEREAS, Sections 22-3.1 and 22-3.3 of the Township Code require a connection fee of \$10,120; and

WHEREAS, the Township is in the process of selling its wastewater plant to NJ American Water Company; and

WHEREAS, NJ American Water Company has agreed to allow connections subsequent to the closing for those properties for which the connection fee has been paid to the Township in full prior to the date of closing of sale. Connection fees are not refundable.

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 Arthur Czarnecki c/o 93 Morristown Road, is hereby granted permission to connect the property located at 93 Morristown Road (Block 13404, Lot 5) to the Township wastewater treatment system upon payment of the \$10,120 connection fee in accordance with Sections 22-3.1 and 22-3.3 of the Township Code.

**RESOLUTION 20-061
AMENDING RESOLUTION 20-043 AUTHORIZING REDEMPTION OF OUTSIDE LIEN #14-1288**

WHEREAS, at the Non Municipal Tax Sale held on 12-3-2014, a lien was sold on Block 11501, Lot 3, also known as 1202 Valley Rd. for \$547.22; and,

WHEREAS, this lien, known as Tax Sale Certificate #14-1288, was sold to PC5, LLC, 50 So. 16th St, Suite 2 Philadelphia, PA 19102 in the amount of \$547.22 and a premium amount of \$1,100.

WHEREAS, Millington Bank, has redeemed Certificate #14-1288 in the amount of \$3343.00; and premium of \$1,100; and

NOW, THEREFOR BE IT RESOLVED, the Tax Collector has shown proof that the redemption calculation is correct, and all redemption monies have been received for redemption.
