



TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
October 14, 2020 – REVISED 10/14/2020
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.

If you would like to submit a public comment to the Township Committee via written letter or electronic mail please send to Clerk Megan Phillips municipalclerk@longhillnj.gov no later than 12:00pm on Wednesday, October 14, 2020.

The Long Hill Township Committee regularly scheduled meeting on October 14, 2020 at 7:30pm will now be held through teleconference.

<https://us02web.zoom.us/j/81062308688>

Passcode: 102185

Or iPhone one-tap :

US: +13126266799,,81062308688#,,,,,0#,,102185# or +19294362866,,81062308688#,,,,,0#,,102185#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 810 6230 8688

Passcode: 102185

1. STATEMENT OF PRESIDING OFFICER

"In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting specifically, the time, date and public call in information were included in the meeting that was electronically sent to the Echoes Sentinel and posted on the Township Website. The agenda and public handouts for this meeting can be viewed online at www.longhillnj.gov. A public comment period will be held in the order it is listed on the meeting agenda.

2. EXECUTIVE SESSION:

20-265 EXECUTIVE SESSION

- Personnel

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 20-265 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

3. CALL MEETING TO ORDER:

4. ORDINANCE(S):

ORDINANCE 463-20 (SECOND READING / ADOPTION)

CREATING A NEW R-MF5 ZONE AND SUPPLEMENTING AND AMENDING SECTION 122 OF THE TOWNSHIP LAND USE ORDINANCE ENTITLED "ZONE DISTRICTS AND USE REGULATIONS"

PUBLIC HEARING

MOVED by: _____, that Ordinance 463-20 be adopted. **SECONDED** by: _____,
ROLL CALL VOTE

ORDINANCE 465-20 (FIRST READING / INTRODUCTION)**AN ORDINANCE INCREASING THE ANNUAL FEES FOR LIQUOR LICENSES AND AMENDING CHAPTER VI OF THE TOWNSHIP CODE ENTITLED "ALCOHOLIC BEVERAGE CONTROL"**

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, October 14, 2020 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **Thursday**, November 12, 2020 by a meeting 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. To obtain details of the meeting please refer to November 12, 2020 public agenda or email municipalclerk@longhillnj.gov.

MOVED by: _____, that Ordinance 465-20 be introduced and passed on first reading.
SECONDED by: _____, **ROLL CALL VOTE**

ORDINANCE 466-20 (FIRST READING / INTRODUCTION)**AN ORDINANCE PERMITTING APARTMENTS IN ACCESSORY BUILDINGS FOR SENIOR CITIZENS WHO ARE MEMBERS OF THE SAME HOUSEHOLD AS THE RESIDENTS OF THE SINGLE FAMILY RESIDENCE ON THE PROPERTY AND SUPPLEMENTING AND AMENDING SECTION LU-124 OF THE TOWNSHIP LAND USE ORDINANCE ENTITLED ASUPPLEMENTAL USE REGULATIONS**

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, October 14, 2020 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, October 28, 2020 by a meeting 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. To obtain details of the meeting please refer to October 28, 2020 public agenda or email municipalclerk@longhillnj.gov.

MOVED by: _____, that Ordinance 466-20 be introduced and passed on first reading.
SECONDED by: _____, **ROLL CALL VOTE**

5. CONSENT AGENDA RESOLUTIONS:

Resolution No. 20-266 – 20-280 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.

- 20-266 APPROVAL AND RELEASE OF MINUTES:
- 20-267 APPROVING PAYMENT OF BILLS
- 20-268 A RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF LONG HILL AUTHORIZING THE ADOPTION OF THE 2020 MORRIS COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE
- 20-269 AUTHORIZING RELEASE OF ESCROW – Atlantic Infrared Inc.

- 20-270 AUTHORIZING RELEASE OF ESCROW – Supreme Industries, Inc.
- 20-271 AUTHORIZING RELEASE OF ESCROW – Topline Construction Corporation
- 20-272 AUTHORIZING REFUND OF SEPTIC ABANDONMENT
- 20-273 DUPLICATE SEWER PAYMENT REFUNDS
- 20-274 AUTHORIZING CANCELLATION OF TAXES RECEIVABLE
- 20-275 2019 DUPLICATE TAX PAYMENT REFUND 356 MERCER ST.
- 20-276 AUTHORIZING REFUND OF OVERBILLED TAX RECEIVABLE
- 20-277 AUTHORIZING REFUND OF OVERBILLED TAX RECEIVABLE - QFARMS
- 20-278 **APPROVAL OF THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET RECEIVED FROM EMERGENCY MANAGEMENT ASSISTANCE GRANT IN THE SUM OF \$10,000.00**
- 20-279 RESOLUTION APPOINTING ADMINISTRATIVE ASSISTANT
- 20-280 REGARDING STANDARD PROCEDURES AND REQUIREMENTS FOR PUBLIC COMMENT MADE AT REMOTE TOWNSHIP COMMITTEE MEETINGS

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 20-266 through 20-280 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

- 20-281 RESOLUTION OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE PAYMENT, PREPAYMENT, REDEMPTION AND/OR ECONOMIC DEFEASANCE OF OUTSTANDING DEBT OF THE TOWNSHIP AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.
- 20-282 APPROVAL OF THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET AMENDING 2020 SEWER UTILITY OPERATION BUDGET IN THE SUM OF \$12,700,000

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 20-281 through 20-282 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

6. LIAISON REPORTS:

7. ADMINISTRATOR'S REPORT:

8. DISCUSSION:

- Traffic Light - Valley and Mountain
- Veterans Banners

9. OLD/NEW BUSINESS:

10. ANNOUNCEMENTS:

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

12. ADJOURNMENT

**RESOLUTION 20-265
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:

- Personnel

**ORDINANCE 463-20
CREATING A NEW R-MF5 ZONE AND SUPPLEMENTING AND AMENDING SECTION 122 OF THE
TOWNSHIP LAND USE ORDINANCE ENTITLED
“ZONE DISTRICTS AND USE REGULATIONS”**

Statement of Purpose: *To rezone lot 22 in block 11001 to permit the construction of 15 affordable housing units to make up for the loss of 10 units at the Valley Road redevelopment area which were part of the Township's settlement with the Fair Share Housing Center.*

WHEREAS, Long Hill Township filed an affordable housing declaratory judgment action in the Superior Court of New Jersey, Morris County, on July 6, 2015 at Docket No. MRS-L-1660-15; and

WHEREAS, the Township thereafter settled its declaratory judgment action with the Fair Share Housing Center (“FSHC”) and the terms of that settlement were memorialized in an agreement dated September 27, 2017 and which were incorporated in a Final Judgment of Compliance and Repose entered by the Court on June 15, 2018; and

WHEREAS, the settlement agreement with FSHC provides that:

- “13. The Township . . . shall propose and adopt any new or modified ordinances required to implement this agreement . . .
- “14. The Township as part of its HEFSP shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied.”; and

WHEREAS, in accordance with the terms of the settlement agreement, the Township Committee adopted an ordinance creating an R-MF 4 - Multi Family Residential Zone 4, an R-MF4 O Multi Family Residential 4 Overlay Zone, an RAHO Redevelopment Affordable Housing Overlay Zone and a MU-O Mixed Use Overlay Zone; and

WHEREAS, it has now been determined that 10 affordable units at the Valley Road redevelopment area that were included in the Township's settlement with FSHC cannot be built; and

WHEREAS, the Township Committee recognizes that it has a constitutional obligation to make up the 10 affordable units lost as a result of the redevelopment area property not being developable because of environmental constraints; and

WHEREAS, the Township has entered into a settlement agreement with Elite Properties at Long Hill, LLC in which the Township agreed to rezone property known as Block 11001, Lot 22 to permit the construction of 100 rental units, including 15 affordable units, to replace the residential units that cannot be developed in the Valley Road redevelopment area;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that section 122.3A of the Township Land Use Ordinance entitled "Zone Districts and Use Regulations" is hereby amended as follows:

Section 1. There is hereby created a new Section 122.3B entitled "R-MF 5 - Multi Family Residential Zone 5" which reads as follows:

"122.3B R-MF 5 - Multi Family Residential Zone 5

a. Purpose

The purpose of the R-MF 5 zone district is to provide zoning for affordable housing which allows a realistic opportunity for the construction of very low-, low- and moderate -income housing.

b. Location

The location of the R-MF 5 zone applies to a lot on the north side of Valley Road, east of Mountain Avenue. This lot is known as Block 11001, Lot 22.

c. Permitted Uses

Multi-family dwelling units for the provision of inclusionary affordable housing pursuant to the "Low- and Moderate-Income Housing Requirements" below shall be permitted uses in the R-MF 5 zone district.

d. Low- and Moderate-Income Housing Requirements

1. This property shall be used for inclusionary affordable housing multi-family dwelling units.
2. The minimum lot area shall be not less than seven (7) acres.
3. The maximum number of residential units shall be 100.
4. Not less than fifteen (15) units or fifteen (15%) percent of the total number of units shall be affordable to very low-, low- and moderate-income households for rental units and not less than twenty (20) units or twenty (20%) percent of any for sale units shall be affordable to very low-, low- and moderate-income households. Any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of more than or equal to 0.5 shall be rounded up.
5. The affordable units must meet the income and bedroom distribution requirements of N.J. Stat. § 52:27D-329.1 and N.J.A.C. 5:80-26.3.
6. No more than fifteen (15) units, inclusive of affordable units, shall be three (3) bedroom units.
7. These bulk standards shall apply to development in the R-MF 5 zone:
 - a. Minimum lot size: 7 acres.
 - b. Minimum lot width: 200 feet.

- c. Structure shall be a pitched roof structure. Maximum building height for pitched roof structure: 3 residential stories over parking or 50 feet, whichever is less. "Height" shall mean the vertical distance from a plane representing the average ground elevation around the foundation to a point 1/2 the distance between the top of the uppermost plate and the highest point of a pitched roof.
- d. Minimum front yard: 30 feet.
- e. Minimum side yard: 20 feet.
- f. Minimum rear yard: 50 feet.
- g. Maximum building coverage: 20%.
- h. Maximum lot coverage: 40%.
- i. Floor Area Ratio: 0.5.
- j. Buffer: 10 feet.
- k. Parking: 1.5 spaces per unit.

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.

ORDINANCE 465-20
AN ORDINANCE INCREASING THE ANNUAL FEES FOR LIQUOR LICENSES AND AMENDING
CHAPTER VI OF THE TOWNSHIP CODE ENTITLED "ALCOHOLIC BEVERAGE CONTROL"

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter VI of the Township Code entitled "Alcoholic Beverage Control" is amended as follows:

Section 1. Subsection 6-3.4 entitled "License Fees; Maximum Number" is amended to read as follows:

"6-3.4 License Fees; Maximum Number. The annual fee for licenses for the sale or distribution of alcoholic beverages in the Township shall be as follows:

<u>Class of License</u>	<u>Annual Fee</u>	
Plenary retail consumption	\$ 2,500.00	\$2,448.00
Seasonal retail consumption	\$1,875.00	\$1,836.00
Plenary retail distribution	\$ 2,088.00	\$1,008.00
Limited retail distribution	\$ 63	

Club § 188

Section 2. The last paragraph of subsection 6-3.4 shall remain unchanged.

Section 3. 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 4. 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 5. This ordinance shall take effect immediately upon final passage and publication as required by law

ORDINANCE 466-20

AN ORDINANCE PERMITTING APARTMENTS IN ACCESSORY BUILDINGS FOR SENIOR CITIZENS WHO ARE MEMBERS OF THE SAME HOUSEHOLD AS THE RESIDENTS OF THE SINGLE FAMILY RESIDENCE ON THE PROPERTY AND SUPPLEMENTING AND AMENDING SECTION LU-124 OF THE TOWNSHIP LAND USE ORDINANCE ENTITLED ASUPPLEMENTAL USE REGULATIONS

WHEREAS, the Township Land Use Ordinance currently permits senior suites within a single family residence for senior members of the household; and

WHEREAS, the Township Committee wishes to also permit senior apartments in accessory buildings on single family lots in residential zones;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that §LU-124 of the Township Land Use Ordinance entitled ASupplemental Use Regulations@ is hereby supplemented and amended as follows:

Section 1. The title of §LU-124.8 is hereby changed from “Senior Suites” to “Senior Apartments”.

Section 2. Section LU-124.8, as re-titled, is hereby supplemented and amended to read as follows:

“§ LU-124.8 Senior Suites Apartments.

A. Senior Suites Apartments within a Single Family Residence. The establishment of a suite with separate housekeeping facilities within a single family residence for senior members of the household shall be a permitted accessory use in the C, R-2, R-3 and R-4 zones provided the following requirements are met:

- a. The suite shall not comprise more than 650 square feet of floor area of one story of the dwelling, nor shall more than two persons occupy the suite.

- b. The applicant shall provide a plan for the proposed separate housekeeping facility which provides sufficient information for the Construction Official to determine that all Ordinance requirements will be met.
- c. The suite may be established upon filing a notice of intent with the Township Administrator by the owner and shall expire upon the sale or the transfer of title of the property or upon the vacation of the premises by the senior member of the household, whichever occurs first. Upon expiration, the suite shall be removed, and the residence converted back to its original use.
- d. At the time of the establishment of the senior suite, a new deed shall be recorded in the Morris County Clerk's Office containing a restriction to the effect that if the suite is not occupied and used as envisioned by this subsection it shall be removed and the residence shall comply with all requirements for a single family detached dwelling applicable to the zone in which it is located.
- e. During the month of January of each year, the owner shall provide to the Code Enforcement Officer, on forms provided, certification that the above standards and conditions are being met.

B. Senior Apartments in Accessory Buildings

Subject to the limitations set forth in this subsection, any single family residential property located in the C, R-2, R-3, and R-4 zones may be improved to contain not more than one senior apartment located in an accessory building on the parcel, provided the following standards and requirements are met:

- a. There shall be a principal residential structure on the parcel which contains not more than one dwelling unit.
- b. The senior apartment may only be occupied by a senior member of the household residing in the principal residence on the property. Not more than two people may occupy the apartment and at least one of them shall qualify as the senior member of the household as defined below.
- c. The apartment shall not comprise more than 650 square feet and not more than two persons may occupy the apartment.
- d. The senior apartment unit may be located over a detached garage that serves the principal residential structure on the parcel or may be located within an existing accessory building not used as a garage for the principal residential use.
- e. In the case of new accessory buildings, bulk requirements for the applicable zone shall be met.
- f. The applicant shall provide a plan for the proposed senior apartment which provides sufficient information for the Construction Official to determine that all Ordinance requirements will be met.
- g. The senior apartment may be established upon filing a notice of intent with the Township Administrator by the owner and shall expire upon the sale or the

transfer of title of the property or upon the vacation of the premises by the senior member of the household, whichever occurs first. Upon expiration, the senior apartment shall be removed, and the accessory building converted back to its original use or to another use permitted in the zone.

h. At the time of the establishment of the senior apartment, a new deed shall be recorded in the Morris County Clerk's Office containing a restriction to the effect that if the apartment is not occupied and used as envisioned by this subsection it shall be removed and the property shall comply with all requirements for a single family detached dwelling applicable to the zone in which it is located.

i. During the month of January of each year, the owner shall provide to the Code Enforcement Officer, on forms provided, certification that the above standards and conditions are being met.

C. Definitions.

For purposes of this Ordinance, certain terms and phrases are defined as follows:

'Senior Member of a Household' shall mean a person 62 years of age or older who is the father, mother, father-in-law, mother-in-law, grandfather, grandmother, grandfather-in-law or grandmother-in-law of a permanent resident of the principal residential structure on the property."

Section 3. 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 4. 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 5. This ordinance shall take effect immediately upon final passage and publication as required by law.

**RESOLUTION 20-266
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 11, 2013 and September 9, 2020 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves September 9, 2020 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 20-267
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 20-268
A RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF LONG HILL
AUTHORIZING THE ADOPTION OF THE 2020 MORRIS COUNTY, NEW JERSEY HAZARD
MITIGATION PLAN UPDATE**

WHEREAS, all jurisdictions within Morris County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Morris County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Morris County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Township of Long Hill:

- 1) Adopts in its entirety, the 2020 Morris County Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

**RESOLUTION 20-269
AUTHORIZING RELEASE OF ESCROW – Atlantic Infrared Inc.**

WHEREAS, Atlantic Infrared Inc., posted in Escrow monies used to pay Police for Police Traffic Detail, and

WHEREAS, the Police Department has determined that the project has been completed and no more Escrow is required from Atlantic Infrared Inc.,

BE IT RESOLVED, the Township Committee of the Township of Long Hill upon the advice and recommendation of the Acting Chief Financial Officer, does hereby authorize the release of the remaining Police Traffic Detail Escrow of \$2,795.51 to:

Atlantic Infrared Inc.
PO Box 1826
Pleasant Beach, NJ 08742

**RESOLUTION 20-270
AUTHORIZING RELEASE OF ESCROW – Supreme Industries, Inc.**

WHEREAS, Supreme Industries, Inc., posted in Escrow monies used to pay Police for Police Traffic Detail, and

WHEREAS, the Police Department has received escrow but no police traffic services were performed for Supreme Industries, Inc.,

BE IT RESOLVED, the Township Committee of the Township of Long Hill upon the advice and recommendation of the Acting Chief Financial Officer, does hereby authorize the release of the Police Traffic Detail Escrow of \$20,000.00 to:

Supreme Industries, Inc.
216 Bogue Road
Horwinton, CT 06791

**RESOLUTION 20-271
AUTHORIZING RELEASE OF ESCROW – Topline Construction Corporation**

WHEREAS, Topline Construction Corporation, posted in Escrow monies used to pay Police for Police Traffic Detail, and

WHEREAS, the Police Department has determined that the project has been completed and no more Escrow is required from Topline Construction Corp., Inc.,

BE IT RESOLVED, the Township Committee of the Township of Long Hill upon the advice and recommendation of the Acting Chief Financial Officer, does hereby authorize the release of the Police Traffic Detail Escrow of \$7,691.76 to:

Topline Construction Corp.
22 Fifth Street
Somerville, NJ 08876

**RESOLUTION 20-272
AUTHORIZING REFUND OF SEPTIC ABANDONMENT**

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>
Simple Tank Services	717 North Ave Plainfield, NJ 07060	\$100.00	Duplicate payment for 2032 Valley Road Septic Abandonment

**RESOLUTION 20-273
DUPLICATE SEWER PAYMENT REFUNDS**

WHEREAS, There are numerous refunds to be issued for the overpayment of sewer service charges for the year of 2020; and

WHEREAS, the Township Committee of the Township of Long Hill does hereby authorize the following below refunds due to a duplicate sewer payment;

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has verified payments received and the Chief Finance Officer is hereby authorized to refund the following amounts stated below:

<u>ACCOUNT</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
13107/1	Schaan, Fred	85 Maple Ave. Stirling	\$401.94
10104/13	Hoagland, James & Cassese,	10 Rianbow Drive, Millington	\$438.48
10201/10.11	Daglian, Brian & Victoria	679 Heritage Road, Millington	\$ 40.00
10301/16.21	Pisane, Louis & Barbara	34 Stonhedge Road, Millington	\$142.70
10701/2	Sunrise at Gillette	133-134 Sunrise Drive, Gillette	\$194.51
10701/1002	Yang, Yang	59 Sunrise Drive, Gillette	\$475.02 (2019)
10702/1901	Baweja Neelam & Shyam	97 Sunrise Drive, Gillette	\$ 73.08
11001/50	Lieberman, Joseph & Aloysius	44 Johnson Avenue, Gillette	\$ 40.00
11401/18T01	Thai-Thai Cuisine	1168 Valley Road, Stirling	\$292.32
11511/31	Morch, Camilla & Russo, John	289 Main Avenue, Stirling	\$ 73.08
11701/26.01	Galdi, Alfred & Christine	1470 Valley Road, Millington	\$493.18
11801/22	Chuffo, Anthony & Cora	9 Stacey Court, Millington	\$ 88.66
12101/3.14	Dozier, Christine	29 Cooper Lane, Millington	\$274.05
12301/1T02	Prism Millington LLC	50 Division Street, Millington	\$1,537.31
12807/12	Jordan, Robert & Bonnie Sue	152 Bungalow Terrace, Millington	\$ 91.35
13002/23	Swenson, Meredith	352 Chestnut Street, Stirling	\$ 40.00
13006/14	CPM Associates LLC	331 Elm Street, Stirling	\$279.85
13101/22.01	Mecca, Christopher & Jamie	50 St. Josephs Drive, Stirling	\$ 40.00
13202/6	Flagstad, David & Kathleen	12 Skyview Terrace, Stirling	\$ 20.00
13906/1	Chiera, Rosina	625 Meyersville Road, Gillette	\$347.13

**RESOLUTION 20-274
AUTHORIZING CANCELLATION OF TAXES RECEIVABLE**

WHEREAS, The Tax Assessor has advised the Tax Collector that the following individuals have applied for and received an exemption from taxes under N.J.S.A. 54:04-03.30 as a "100% permanently and totally disabled veteran", and

WHEREAS, the second half of 2020 taxes should be cancelled as a result of the exemption effective as detailed below; and

Owner	Property Location	Block	Lot	Amount	Effective Date
Paul Rottstock	356 Mercer St.	11602	30	\$ 3,596.37	10-01-2019
Victoria Lanner (W) Robert B. Lanner	14 Stacey Ct.	11801	16	\$7,172.99	01-01-2019

WHEREAS, the total 2020 taxes amount of \$10,769.36 as analyzed;

NOW, THEREFORE BE IT RESOLVED, the Tax Collector is hereby authorized to cancel the amount of \$10,769.36 from the records for the tax year 2020.

**RESOLUTION 20-275
2019 DUPLICATE TAX PAYMENT REFUND 356 MERCER ST.**

WHEREAS, Title Closing Services, LLC d/b/a Weichert Title Agency, 1909 Route 70 East, Cherry Hill, NJ 08003 made a duplicate payment of \$1,831.59 for 2019 3rd Quarter taxes on BL 11602 L 30 356 Mercer St. Stirling

WHEREAS, the Township Committee of the Township of Long Hill does hereby authorize the following refund due to a duplicate 2019 payment of taxes for a total of \$1,831.59 on Block 11602 Lot 30.

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has verified payments received and the Finance director is hereby authorized to refund the amount of \$1,831.59 for the duplicate payment and overpayment total.

Make check payable to:
 Weichert Title Agency
 1909 Route 70 East
 Cherry Hill, NJ 08003

**RESOLUTION 20-276
 AUTHORIZING REFUND OF OVERBILLED TAX RECEIVABLE**

WHEREAS, due to the application and approval of a charitable organization by the Tax Assessor on the following parcel, the amount paid in the first half of 2020 exceeded the total for the year

Owner	Property Location	Block	Lot	Qual	Amount
COMMUNITY OPTIONS INC.	225 Gates Ave.	13504	8		\$ 5,329.20

WHEREAS, the total 2020 overpaid amount is \$5,329.20 as analyzed;

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has verified payments received and the Finance director is hereby authorized to refund the amount of \$5,329.20 for the overpayment total.

Make check payable to:
 Community Options Inc.
 16 Farber Rd.
 Princeton, NJ 08540

**RESOLUTION 20-277
 AUTHORIZING REFUND OF OVERBILLED TAX RECEIVABLE – QFARMS**

WHEREAS, due to a reduction of the assessed value on the following parcels, the amount paid in the first half of 2020 exceeded the total for the year

Owner	Property Location	Block	Lot	Qual	Amount
ARS PASSIC INC %FORST	Sussex Ave.	11602	30	QFAR M	\$ 35.85
ARS PASSIC INC %FORST	Sussex Ave.	11609	1	QFAR M	\$ 35.85
ARS PASSIC INC %FORST	Sussex Ave.	11704	1	QFAR M	\$ 130.08
ARS PASSIC INC %FORST	Sussex Ave.	11705	1	QFAR M	\$ 282.01
ARS PASSIC INC %FORST	Sussex Ave.	11706	1	QFAR M	\$ 157.75
ARS PASSIC INC %FORST	Sussex Ave.	11706	21	QFAR M	\$ 66.91

WHEREAS, the total 2020 overpaid amount is \$708.45 as analyzed;

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has verified payments received and the Finance director is hereby authorized to refund the amount of \$708.45 for the overpayment total.

Make check payable to:

ARS Passaic Inc.
81 Industrial Rd.
Berkeley Heights, NJ 07922

RESOLUTION 20-278

APPROVAL OF THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET RECEIVED FROM EMERGENCY MANAGEMENT ASSISTANCE GRANT IN THE SUM OF \$10,000.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

NOW, THEREFORE BE IT RESOLVED that the Township of Long Hill, in the County of Morris, hereby requests the Director of the Division of Local Government Services approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$10,000.00 pursuant to a grant received from the "Emergency Management Assistance Grant"; and

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be appropriated under the title "Emergency Management Assistance Grant".

BE IT FURTHER RESOLVED that the Township Clerk and Chief Financial Officer are authorized to execute and forward to the Director of the Division of Local Government Services, the appropriate documentation required for the Director's approval.

RESOLUTION 20-279

RESOLUTION APPOINTING ADMINISTRATIVE ASSISTANT

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. Thomas Delia is hereby appointed a full-time Administrative Assistant, effective October 13, 2020.
2. Thomas Delia shall work 37½ hours per week and be compensated at an annual salary of \$45,000, which shall be prorated for the balance of 2020.
3. In all other respects, Thomas Delia's employment and benefits will be subject to the terms and conditions set forth in the Township Personnel Policies and Procedures Manual.
4. Thomas Delia shall perform such duties as are assigned to him by the Township Administrator

RESOLUTION 20-280

REGARDING STANDARD PROCEDURES AND REQUIREMENTS FOR PUBLIC COMMENT MADE AT REMOTE TOWNSHIP COMMITTEE MEETINGS

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, that during a Governor-

declared emergency, the Township Committee may hold its meetings via Zoom or some other similar platform. Such meetings will be conducted in accordance with DCA regulations set forth at N.J.A.C. 5:39-1.1 through 1.7, as follows:

1. When utilizing an electronic communications platform or Internet-accessible technology to hold a remote public meeting, the Township Clerk shall also provide a telephonic conference line allowing members of public with limited or no internet access to listen and provide public comment.
2. The governing body will allow members of the public to make public comment by audio or by audio and video. In advance of the remote public meeting, public comments may be submitted by electronic mail and in written letter form to the Township Clerk by noon on the Wednesday preceding the meeting..
3. Public comments submitted through electronic mail or written letter before the remote public meeting will be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public listening. If the governing body elects to summarize duplicative comments, it will not summarize certain duplicative comments while reading other duplicative comments individually.
4. Speakers must state their name and address and shall limit their comments to three minutes.
5. If reading from a prepared statement, speakers shall provide a copy via email to the Clerk's Office at municipalclerk@longhillnj.us so it may be properly reflected in the minutes.
6. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Mayor shall mute or keep on mute, or direct appropriate staff to mute or keep on mute, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
7. In addition to transmitting notice to the newspapers, notice of Township Committee meetings must also be posted on the door of the main public entrance to town hall as well as the door for any designated and clearly delineated handicap accessible entrance to said building, such that the notice is viewable from the outside, and on the Township website.
8. Remote public meetings shall be subject to the requirements of the Open Public Meetings Act, and all other applicable ordinances, statutes and regulations.
9. This resolution shall take effect immediately.

RESOLUTION 20-281

RESOLUTION OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE PAYMENT, PREPAYMENT, REDEMPTION AND/OR ECONOMIC DEFEASANCE OF OUTSTANDING DEBT OF THE TOWNSHIP AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Township of Long Hill, in the County of Morris, New Jersey (the "Township") has previously issued (a) \$3,684,000 aggregate principal amount of its General Bonds of 2011 (the "2011 Bonds"), dated July 18, 2011, and (b) \$3,730,000 aggregate principal amount of its General Refunding Bonds of 2016 (the "2016 Bonds"), dated June 15, 2016; and

WHEREAS, the 2011 Bonds are outstanding in the aggregate principal amount of \$2,084,000 (the "Outstanding 2011 Bonds") and the 2016 Bonds are outstanding in the aggregate principal amount of \$2,610,000 (the "Outstanding 2016 Bonds" and, together with the Outstanding 2011 Bonds, the "Outstanding Bonds"); and

WHEREAS, the Township has outstanding bonds that were issued to the New Jersey Infrastructure Bank (the "NJIB", formerly known as the New Jersey Environmental Infrastructure Trust) and the State of New Jersey (the "State") in 2010 (in the approximate principal amount of \$628,047.13) and 2014 (in the approximate principal amount of \$2,297,745.80) (collectively, the "Outstanding NJIB Program Bonds"); and

WHEREAS, the Township has outstanding bond anticipation notes in the principal amount of \$2,047,000 that mature on May 28, 2021 (the "Outstanding Notes" and, together with the Outstanding Bonds and the Outstanding NJIB Program Bonds, the "Outstanding Debt"); and

WHEREAS, the Township is selling its sewer system assets to New Jersey American Water, Inc. (the "Asset Sale"); and

WHEREAS, the Township is desirous of using monies received from the Asset Sale to pay, prepay, redeem and/or economically defease the Outstanding Debt and authorizing various actions to be undertaken in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Appointment of Escrow Agent. The Township does hereby appoint The Bank of New York Mellon, or such other bank or trust company as may be determined by the Chief Financial Officer, the Administrator or the Mayor of the Township (the "Authorized Township Officials"), as escrow agent (the "Escrow Agent") with respect to monies to be held for the payment and prepayment of the Outstanding Bonds and the Outstanding Notes and any other monies as may be desirable as determined by an Authorized Township Official.

Escrow Deposit Agreement. The substance and form of the escrow deposit agreement on file with the Township Clerk (the "Escrow Deposit Agreement"), by and between the Township and the Escrow Agent, are hereby approved, adopted and agreed to by the Township, with such modifications, additions or deletions as may hereafter be approved by an Authorized Township Official after consultation with bond counsel to the Township ("Bond Counsel"). An Authorized Township Official, or any one or more of them, are hereby jointly and severally authorized and directed to execute and deliver the Escrow Deposit Agreement and to carry out the transactions contemplated thereby. The execution of the Escrow Deposit Agreement by an Authorized Township Official shall be conclusive evidence of any approval required by this Section.

Purchase of Securities. In connection with the payment, prepayment, redemption and/or economic defeasance of the Outstanding Bonds and the Outstanding Notes, the Authorized Township Officials are each hereby authorized and directed, if necessary and desirable, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities - State and Local Government Series Time Deposit Securities ("SLGS"), and any related certification, each in form and substance satisfactory to Bond Counsel. The Escrow Agent, the financial advisor to the Township (the "Financial Advisor") and Bond Counsel are each hereby authorized and directed, if necessary and desirable, to execute and submit said initial and final SLGS subscription on behalf of the Township. After consultation with Bond Counsel and the Financial Advisor, the Authorized Township Officials are each hereby authorized and directed, if necessary and desirable, to execute and deliver any agreement, letter of instruction or other document relating to the purchase of securities other than SLGS (the "Open Market Securities"). The SLGS and/or the Open Market Securities shall be deposited in the escrow account established by the Escrow Deposit Agreement or such other account as may be determined by the Authorized Township Official after consultation with Bond Counsel.

Redemption of the Outstanding Bonds. The Township hereby irrevocably elects to redeem (a) on July 15, 2021, the Outstanding 2011 Bonds maturing on and after July 15, 2022, and (b) on February 15, 2025, the Outstanding 2016 Bonds maturing on and after February 15, 2026, each at a redemption price equal to 100% of the principal amount thereof, plus interest accrued thereon to the date fixed for redemption. Upon delivery of the Escrow Deposit Agreement, the Township hereby gives to the Escrow Agent irrevocable instructions to give notices of redemption and/or refunding of the Outstanding Bonds at such times and in such manner as are set forth in the Escrow Deposit Agreement. Such notices of redemption and/or refunding shall be substantially in the forms attached to the Escrow Deposit Agreement, with such modifications, additions or omissions as are deemed necessary or desirable by an Authorized

Township Official and the Escrow Agent. The election set forth in this Section shall be effective upon the execution and delivery of the Escrow Deposit Agreement.

Appointment of Verification Agent. The Township does hereby appoint Nisivoccia LLP, Mount Arlington, New Jersey, as verification agent (the "Verification Agent") with respect to the Outstanding Bonds. The verification agent shall, among other things, deliver to the Township, the Escrow Agent and Bond Counsel a letter or a report verifying the sufficiency of the escrow deposit to accomplish the payment, prepayment, redemption and/or economic defeasance of the Outstanding Bonds.

Prepayment of Outstanding NJIB Program Bonds. The Authorized Township Officials are each hereby authorized and directed, after consultation with and upon the advice of Bond Counsel and the Financial Advisor, to take such actions as are necessary, useful, convenient or desirable to accomplish the prepayment of the Outstanding NJIB Program Bonds including without limitation the execution and delivery of any documents (a) required by the NJIB and (b) required to transfer funds to or as may be directed by the NJIB.

Transfer of Funds. The Authorized Township Officials are each hereby authorized and directed, if necessary and desirable after consultation with and upon the advice of Bond Counsel and the Financial Advisor, (a) to deposit in the escrow account established by the Escrow Deposit Agreement and (b) to transfer to the NJIB, all or a portion of the moneys budgeted by the Township to pay the principal of and interest on the Outstanding Bonds and the Outstanding NJIB Program Bonds, as applicable.

Excess Disposition Proceeds and IRS Filing. The Authorized Township Officials are each hereby authorized and directed to take such action with respect to monies received from the Asset Sale that are deemed "excess disposition proceeds" under the Internal Revenue Code of 1986, as amended, and the regulations thereunder (the "Code") as may be necessary or desirable after consultation with and upon the advice of Bond Counsel, including investing all or a portion of such monies at a yield not in excess of the yield on the Outstanding Bonds and/or the yield on the Outstanding NJIB Program Bonds. The Authorized Township Officials are each hereby authorized and directed, if necessary and desirable after consultation with Bond Counsel, to file a notice with the Internal Revenue Service as to the payment, prepayment and/or economic defeasance of the Outstanding Bonds in furtherance of the remedial action provisions of the Code applicable to the sale of governmental assets financed with the sale of tax-exempt bonds.

Anticipatory Remedial Action Election. The proceeds of the Outstanding Bonds financed governmental assets in addition to those assets being sold in the Asset Sale (the "Other Assets"). The Township does not currently expect to sell any of the Other Assets. In order to preserve maximum flexibility and latitude with respect to the Other Assets, the Township hereby determines, in accordance with the provisions of section 1.141-12(d) of the Treasury Regulations issued pursuant to the Code, to redeem and/or defease the Outstanding Bonds that have financed the Other Assets.

Actions to be Taken on Behalf of the Township. The Authorized Township Officials are hereby authorized and directed to do all matters necessary, useful, convenient or desirable to accomplish the payment, prepayment, redemption and/or economic defeasance of the Outstanding Debt, including without limitation, the payment of the costs and expenses associated with the foregoing.

Prior Action. All action taken to date by Township officials, employees and professionals with respect to the payment, prepayment, redemption and/or economic defeasance of the Outstanding Debt be and the same hereby are ratified, approved, confirmed and adopted in all respects.

Capitalized Terms. Unless a different meaning is clear from the context, all capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

Effective Date. This resolution shall take effect immediately.

**RESOLUTION 20-282
APPROVAL OF THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET AMENDING
2020 SEWER UTILITY OPERATION BUDGET IN THE SUM OF \$12,700,000**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has a contract for the sale of it's Sewer Utility Operation in the amount and wishes to amend its 2020 Sewer Utility Operation budget to include this amount as revenue in the amount of \$12,700,000.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Dedicated Revenue for Sewer Utility	
Sale of Sewer Utility Operations	\$12,700,000

BE IT FURTHER RESOLVED that a like sum of \$12,700,000 be and the same is hereby appropriated under the caption of:

Dedicated Sewer Utility Appropriations	
Operating:	
Other Expenses	\$1,600,000
Debt Services	
Payment of Note, Bond Principal and Interest	\$11,100,000
