



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
September 9, 2020
7:30 PM OPEN SESSION, CLOSED SESSION 6:45 PM**

Clerk Phillips read the following statement:

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.

EXECUTIVE SESSION:

20-231 EXECUTIVE SESSION

- Personnel

MOVED by: Committeeman Dorsi of the Township Committee of Long Hill Township, that Resolution 20-231 is hereby approved. **SECONDED** by: Deputy Mayor Piserchia. **ROLL CALL VOTE:** Committeeman Dorsi; yes, Committeeman Schuler; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

CALL MEETING TO ORDER:

Mayor Rae **opened the public session** of the meeting at 7:40 pm.

All present recited the **Pledge of Allegiance**.

ROLL CALL: Committeeman Dorsi, Committeeman Schuler Committeeman Verlezza, Deputy Mayor Piserchia, and Mayor Rae were present via teleconference. Also present via teleconference were Attorney Pidgeon, Administrator Malool, and Clerk Phillips.

PROCLAMATION / PRESENTATION

- Mayor Rae presented Grace Eline a Proclamation that declared September as Pediatric Cancer Awareness Month in Long Hill Township.
- Ray Sarinelli Jr. gave a presentation on the 2019 audit.

20-232 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

MOVED by: Deputy Mayor Piserchia of the Township Committee of Long Hill Township, that Resolution 20-232 is hereby approved. **SECONDED** by: Committeeman Dorsi. **ROLL CALL VOTE:** Committeeman Dorsi; yes, Committeeman Schuler; yes, Committeeman Verlezza; absent, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

20-233 AUDIT CORRECTIVE ACTION PLAN

MOVED by: Committeeman Schuler of the Township Committee of Long Hill Township, that Resolution 20-233 is hereby approved. **SECONDED** by: Deputy Mayor Piserchia **ROLL CALL VOTE:** Committeeman Dorsi; yes, Committeeman Schuler; yes, Committeeman Verlezza; absent, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

ORDINANCE 462-20 (FIRST READING / INTRODUCTION)
AUTHORIZING REPAIRS (INCLUDING PAINTING) TO THE MILLINGTON SCHOOLHOUSE AND APPROPRIATING \$25,000 THEREFOR FROM THE OPEN SPACE TRUST FUND

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, September 9, 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, September 23, 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 September 23, 2020 public agenda or email municipalclerk@longhillnj.gov.

MOVED by: Committeeman Schuler, that Ordinance #462-20 be introduced and passed on first reading. **SECONDED** by: Committeeman Verlezza, **ROLL CALL VOTE** Committeeman Dorsi; yes, Committeeman Schuler; yes, Committeeman Verlezza; absent, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

Mayor Rae pulled Resolution 20-251 from the consent agenda and spoke about the Fair Share Settlement and resolution/ordinance. The Township Committee had a discussion on the properties and Fair Share Settlement. Mayor Rae then opened up a public hearing.

- Charles Arentowicz spoke about his displeasure of the Fair Share Settlement and resolution and ordinance.
- Karen Meleta asked questions and received clarification on Fair Share Settlement.
- Geno Moscetti spoke about federal law and how it affects Fair Share Housing.
- Dennis Sandow spoke about Board of Education tax abatement and a current sign about on the property advertising industrial use.
- Don Farnell spoke about flooding issue on Lopresti and DEP approval for residential uses for total acreage.
- Mathangi Srinivas spoke about options for the 2025 Fair Share round and spoke about fighting requirements. Attorney Pidgeon clarified that had been done previously, but not been successful.
- Robin Greens – spoke about there being 5 useable acres on the site and a discussion ensued on builder remedy lawsuits.

20-251 RESOLUTION APPROVING AFFORDABLE HOUSING SETTLEMENT AGREEMENT WITH ELITE PROPERTIES AT LONG HILL, LLC

MOVED by: Deputy Mayor Piserchia of the Township Committee of Long Hill Township, that Resolution 20-251 is hereby approved. **SECONDED** by: Committeeman Verlezza. **ROLL CALL VOTE:** Committeeman Dorsi; abstained, Committeeman Schuler; no, Committeeman Verlezza; absent, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

ORDINANCE 463-20 (FIRST READING / INTRODUCTION)
CREATING A NEW R-MF5 ZONE AND SUPPLEMENTING AND AMENDING SECTION 122 OF THE TOWNSHIP LAND USE ORDINANCE ENTITLED “ZONE DISTRICTS AND 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, September 9, 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 14, 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 14, 2020 public agenda or email municipalclerk@longhillnj.gov.

MOVED by: Committeeman Verlezza, that Ordinance #463-20 be introduced and passed on first reading.
SECONDED by: Deputy Mayor Piserchia, **ROLL CALL VOTE** Committeeman Dorsi; abstained, Committeeman Schuler; no, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

CONSENT AGENDA RESOLUTIONS:

Resolution No. 20-234 – 20-250 and 20-252 - 20-255 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.

- 20-234 APPROVAL AND RELEASE OF MINUTES
- 20-235 APPROVING PAYMENT OF BILLS
- 20-236 A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATION FOR THE FIGHT AGAINST DRUG ADDICTION REQUIRED BY N.J.S.A. 40A:5-29*
- 20-237 A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATION FOR UNIFORM CONSTRUCTION CODE ENFORCEMENT FEES REQUIRED BY N.J.S.A. 52:27D-124e et seq.*
- 20-238 APPROVING A CHANGE ORDER TO JTG CONSTRUCTION FOR THE OAKS ROAD IMPROVEMENT PROJECT
- 20-239 2020 DUPLICATE 2nd QUARTER TAX PAYMENT 311 ELM ST.
- 20-240 AUTHORIZING REDEMPTION OF OUTSIDE LIEN - #17-0003
- 20-241 AUTHORIZING REFUND FOR CONSTRUCTION
- 20-242 AUTHORIZING REFUND FOR CHALLENGE GRANT
- 20-243 AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED AT 1478 LONG HILL ROAD (BLOCK 12802 LOT 1)
- 20-244 AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED AT 1418 LONG HILL ROAD (BLOCK 14205 - LOT 1)
- 20-245 CORRECTIONS TO RESOLUTION 20-222 DUPLICATE SEWER PAYMENT REFUNDS
- 20-246 PROMOTING DPW – KRESSBACH
- 20-247 AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR 2020-2021
- 20-248 CORRECTING COLLECTOR'S TERM AND AMENDING RESOLUTION 19-335 NUNC PRO TUNC
- 20-249 APPOINTING GLENN SHERMAN AS TOWNSHIP TAX ASSESSOR

- 20-250 ACCEPTING DONATION OF UVC LIGHTING AT LITTLE LEAGUE FIELD TO COMBAT COVID-19
- 20-252 AUTHORIZING REFUND OF FIRE PERMIT / HEALTH APPLICATION
- 20-253 ACCEPT DONATION TO RECREATION DEPT.
- 20-254 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY OF LONG HILL TOWNSHIP
- 20-255 WATCHUNG HILLS REGIONAL MUNICIPAL ALLIANCE GRANT 2020-2021

MOVED by: Deputy Mayor Piserchia of the Township Committee of Long Hill Township, that Resolution 20-234 – 20-250 and 20-252 - 20-255 with Committeeman Dorsi abstaining from 20-247 and Mayor Rae abstaining from 20-243 are hereby approved. **SECONDED** by: Committeeman Schuler. **ROLL CALL VOTE:** Committeeman Dorsi; yes, Committeeman Schuler; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

LIAISON REPORTS:

- **Committeeman Dorsi** spoke about the Morris County road paving projects and spoke about the Stirling and Millington wiffle ball game.
- **Deputy Mayor Piserchia** spoke about an uptick in COVID 19 cases, but asked people to take precautions and get your flu shot. Special thanks to OEM and CERT members and asked residents to sign up for ALERT Long Hill. Spoke about a posting on Facebook about American Flags being defaced and how you are able to express your opinion but not to be disrespectful.
- **Committeeman Verlezza** gave a recreation report, and highlighted that playgrounds have reopened with new guidelines. There will be two more concerts on September 12 and September 24, 2020.
- **Mayor Rae** shared police statistics and shared about an incident that occurred on August 18th and commended officers involved.

ADMINISTRATOR'S REPORT:

- **Administrator Malool** reported Oaks Road is complete and the annual paving projects are ongoing. Echoed Committeeman Dorsi about the unforeseen county paving projects, but should be completed next week. Also spoke about damage to Turtle Rock Park during tropical storm and repairs would be completed within a week or so.

DISCUSSION:

- **Volunteer Dinner** – The Township Committee decided not hold a volunteer dinner this year but will recognize its volunteers. Administrator Malool to bring ideas and recommendations to September 23rd meeting.
- **Shade Tree** – Mayor Rae and Committeeman Verlezza met with members of the Shade Tree Committee to discuss the Shade Tree Ordinance. Attorney Pidgeon drafted changes to what currently exists. Next meeting there will be a tree ordinance.
- **Stirling Fire Department** – Administrator Malool explained that since it was over the bid threshold the Township Committee needed to approve. After a discussion they voted on 20-256.

20-256 AUTHORIZED PURCHASE OF SCBA EQUIPMENT THROUGH STATE CONTRACT

MOVED by: Committeeman Verlezza of the Township Committee of Long Hill Township, that Resolution 20-256 is hereby approved. **SECONDED** by: Committeeman Dorsi. **ROLL CALL VOTE:** Committeeman Dorsi; yes, Committeeman Schuler; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Rae; yes.

OLD/NEW BUSINESS:

- Committeeman Schuler asked when Town Hall would be opening up to the public and when we would have in person meetings. After a discussion there was no determination as to when we would open to the public and we would have in person meetings as we would have to have a hybrid to provide social distancing guidelines.
- Deputy Mayor Piserchia shared that the Chief of Police and OEM Coordinator asked that people don't report crimes on social media as its not monitored.

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

- Charles Arentowicz spoke about communication between Township Committee and residents and his displeasure of the Fair Share Settlement Agreement.

ADJOURNMENT

On motion by Committeeman Dorsi and seconded by Committeeman Verlezza, and carried unanimously to adjourn at 11:02pm.

Respectfully submitted,

Megan Phillips

Megan Phillips
Approved: September 23, 2020

**RESOLUTION 20-231
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

**RESOLUTION 20-232
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Long Hill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**RESOLUTION 20-233
AUDIT CORRECTIVE ACTION PLAN**

WHEREAS, the Long Hill Township Committee is in receipt of the 2019 Report of Audit for the period ending December 31, 2019; and

WHEREAS, the Mayor and Township Committee formally accepted said audit document on August 3, 2020; and

WHEREAS, it is necessary to develop and obtain Mayor and Township Committee approval of an Audit Corrective Action Plan; and

WHEREAS, said plan must be approved and filed within sixty days of formal notice.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Long Hill that the required Audit Corrective Action Plan, having been prepared and submitted by the Chief Financial Officer, is hereby approved and further that said plan document be placed on file and made available for public inspection in the Office of the Township Clerk.

**ORDINANCE 462-20 (FIRST READING / INTRODUCTION)
AUTHORIZING REPAIRS (INCLUDING PAINTING) TO THE MILLINGTON SCHOOLHOUSE AND
APPROPRIATING \$25,000 THEREFOR FROM THE OPEN SPACE TRUST FUND**

Statement of purpose: *to authorize the appropriation of funds from the Open Space Trust Fund to complete repairs (including painting) at the historic Millington Schoolhouse.*

WHEREAS, the Township has a duly adopted “Municipal Open Space, Recreation and Farmland and Historic Trust Fund” to be used for the purposes of acquiring, developing and maintaining lands for recreation and conservation purposes and acquiring farmland for farmland preservation purposes; and

WHEREAS, in 1997 the voters approved a proposition allocating one half of one cent (\$.005) of the annual levy of two cents (\$.02) per one hundred dollars (\$100) of assessed value for the renovation and rehabilitation of historic structures within the Township; and

WHEREAS, the historic Millington Schoolhouse needs repairs (including painting); and

WHEREAS, the proposed repairs have been approved by both the New Jersey Historic Preservation Office and the Morris County Historic Preservation Office;

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

Section 1. The completion of repairs (including painting) at the historic Millington Schoolhouse is hereby authorized.

Section 2. There is hereby appropriated \$25,000 from the Township Open Space, Recreation and Farmland and Historic Trust Fund to cover the cost thereof.

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

ORDINANCE 463-20 (FIRST READING / INTRODUCTION)
**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.

**RESOLUTION 20-234
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 12, 2020 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves August 12, 2020 and August 31, 2020 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 20-235
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 20-236
A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATION
FOR THE FIGHT AGAINST DRUG ADDICTION REQUIRED BY N.J.S.A. 40A:5-29***

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and'

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the fight against drug addiction are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the fight against drug addiction

2. The Clerk of the Township of Long Hill, County of Morris is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION 20-237
A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATION
FOR UNIFORM CONSTRUCTION CODE ENFORCEMENT FEES REQUIRED BY N.J.S.A. 52:27D-
124e et seq.*

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 52:27D-124e et seq. provides for receipt of enforcement penalty fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the enforcement penalty fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the enforcement penalty fees.
2. The Clerk of the Township of Long Hill, County of Morris is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION 20-238
APPROVING A CHANGE ORDER TO JTG CONSTRUCTION FOR THE
OAKS ROAD IMPROVEMENT PROJECT

WHEREAS, the Township, by Resolution 18-198, adopted June 27, 2018, awarded a contract to JTG Construction, Inc. ("JTG") for the construction of the Oaks Road Improvement Project in accordance with its June 20, 2018 bid in the amount of \$362,785; and

WHEREAS, the project was delayed due to various reasons, including a lawsuit filed against the Township by Lynda Panetta, John Teirney, Maryann Laffey, Theodore Laffey, Marisa Joshi, Sameer Joshi, Elizabeth Dillion and Thomas Dillon, Docket No. MRS-C-105-8, which was ultimately dismissed with prejudice; and

WHEREAS, as a consequence of the action, NJDEP and NJ Transit required changes and additions to the project; and

WHEREAS, these modifications included changes to quantities as outlined on the attached final quantities sheet, removal of certain items associated with the work scope modification required by Green Acres; and

WHEREAS, the reduction in the cost of the project due to these modifications is approximately \$48,000; and

WHEREAS, due to the almost two year delay, JTG's labor and material costs increased in the amount of \$27,859.62, as outlined in the attached change order request, which includes additional permits and insurance required by NJ Transit; and

WHEREAS, the final contract amount, including the change order, will result in an overall decrease of \$21, 520.43; and

WHEREAS, Township Engineer Paul Ferriero finds the changes are justifiable given the extended length of the delay; and

WHEREAS, Township Administrator Nancy Malool recommends that these changes be accepted.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, and the change order requested by JTG is hereby approved and will be charged to the following line item appropriation of the official Township budget: 04-2017-40017-00000-4-02124.

**RESOLUTION 20-239
2020 DUPLICATE 1st AND 2nd QUARTER TAX PAYMENT 311 ELM ST.**

WHEREAS, Millington Bank, 1902 Long Hill Rd., Millington made a duplicate payment of \$1,710.28 for 1st quarter and \$1,710.28 for 2nd quarter 2020 taxes on BL 13006 L 20, 311 Elm St. Millington, assessed to Tedesco, Jessica & Arteaga, Peter.

WHEREAS, the Township Committee of the Township of Long Hill does hereby authorize the following refund due to a duplicate 1st and 2nd quarter 2020 payment of taxes for a total of \$3,420.56 on Block 13006 Lot 20

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has verified payments received and the Finance director is hereby authorized to refund the amount of \$3,420.56 for the duplicate payment.

Make check payable to:
Kearny Bank
120 Passaic Avenue
Fairfield, NJ 07004

**RESOLUTION 20-240
AUTHORIZING REDEMPTION OF OUTSIDE LIEN - #17-0003**

WHEREAS, funds have been remitted by EDWARD ABBOTT, to redeem tax sale certificate #17-0003 held by US BANK CUST BV002 TRUST & CREDITORS on Block 10901 Lot 15, 457 VALLEY RD. Gillette, assessed in the name ABBOTT, EDWARD and The Township Committee must approve the distribution of these funds.

WHEREAS, the Tax Collector has shown proof that the redemption calculation is correct, and all redemption monies have been received for redemption.

NOW, THEREFORE BE IT RESOLVED by the Committee of the Township of Long Hill, County of Morris, State of New Jersey that the Treasurer is authorized to remit payment of \$4,801.19 plus a premium of \$1,900.00 for a total of \$6,701.19 to the lienholder:

Make Redemption check payable to:

US BANK, TAX LIEN SERVICES GROUP
 50 S 16TH ST STE 2050
 PHILADELPHIA, PA 19102

ATTN: TIARA COOK

**RESOLUTION 20-241
 AUTHORIZING REFUND FOR CONSTRUCTION**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Construction Official, does hereby authorize the following refund:

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>REASON</u>
Vinvint Solar	Attn: AR Department 1800 W Aston Blvd Lehi, UT 84043	\$229.00	Solar installation project not completed

**RESOLUTION 20-242
 AUTHORIZING REFUND FOR CHALLENGE GRANT**

WHEREAS, the applicant has purchased two trees but the lot doesn't allow and therefore requires a refund;

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the President of the Shade Tree Commission, does hereby authorize the following refund:

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ron Solewski	312 Mercer Street Stirling, NJ 07980	\$200.00

**RESOLUTION 20-243
 AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED AT 1478 LONG HILL ROAD
 (BLOCK 12802 LOT 1)**

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

WHEREAS, Jena, Declan & Etal Rae, the owners of property located at 1478 Long Hill Road (Block 12802, Lot 1) have requested authorization to connect to the Township's sanitary sewer system;

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

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

“A sewer ban exemption may be granted for projects . . . if the proposed project will have a total projected flow of 300 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 1478 Long Hill (Block 12802 Lot 1) meets those exemption criteria;

WHEREAS, Section 22-3.1 of the Township Code ordinarily requires a connection fee of \$10,120, however, Code Section 22-3.2 goes on to provide that:

“Single family residences which were in existence on December 28, 1983 shall be exempt from the connection fees set forth in Subsection 22-3.1. Any single family residence which was in existence on December 28, 1983 and which connects to the Township Waste Water Treatment System on or after February 19, 1992 shall be responsible only for a connection fee of \$630.00.”; and

WHEREAS, it appears that Jena, Declan & Etal Rae, house at 1478 Long Hill Road was built in 1965;

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 Jena, Declan & Etal Rae are hereby granted permission to connect their property located at 1478 Long Hill Road (Block 12802, Lot 1) to the Township wastewater treatment system upon payment of the \$630 connection fee in accordance with Section 22-3.2 of the Township Code entitled “Exemptions.” This approval is subject to the applicant getting all necessary permits that are required from the County.

**RESOLUTION 20-244
AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED AT 1418 LONG HILL ROAD
(BLOCK 14205 - LOT 1)**

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

WHEREAS, Phyllis S. Wallace, the owner of property located at 1418 Long Hill Road (Block 14205, Lot 1) has requested authorization to connect to the Township’s sanitary sewer system;

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

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

“A sewer ban exemption may be granted for projects . . . if the proposed project will have a total projected flow of 300 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 1418 Long Hill Road (Block 14205, Lot 1) meets those exemption criteria;

WHEREAS, Section 22-3.1 of the Township Code ordinarily requires a connection fee of \$10,120, however, Code Section 22-3.2 goes on to provide that:

“Single family residences which were in existence on December 28, 1983 shall be exempt from the connection fees set forth in Subsection 22-3.1. Any single family residence which was in existence on December 28, 1983 and which connects to the Township Waste Water Treatment System on or after February 19, 1992 shall be responsible only for a connection fee of \$630.00.”; and

WHEREAS, it appears that Phyllis S. Wallace house was built in 1870;

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 Phyllis S. Wallace is hereby granted permission to connect his property located at 1418 Long Hill Road (Block 14205, Lot 1) to the

Township wastewater treatment system upon payment of the \$630 connection fee in accordance with Section 22-3.2 of the Township Code entitled "Exemptions."

**RESOLUTION 20-245
CORRECTIONS TO RESOLUTION 20-222 DUPLICATE SEWER PAYMENT REFUNDS**

WHEREAS, there were two corrections needed to be made on Resolution 20-222

WHEREAS, Account - 11513/29, Name - Hauer, Ernest, Address - 270 Mercer St. Stirling, Amount - \$199.62, should be corrected to Amount - \$109.62

WHEREAS, Account - 1903/13.01, Name - DeStafano, Vincent Jr. & Maria, Address - 114 Fawnridge Dr. Millington, Amount - \$164.43, should be corrected to Account – 11903/13.01

**RESOLUTION 20-246
PROMOTING DPW – KRESSBACH**

WHEREAS, Mark Kressbach has been Truck Driver Laborer Class II from Township of Long Hill, County of Morris, State of New Jersey

BE IT RESOLVED, upon the advice and recommendation Director of Public Works, Al Gallo, that Mark Kressbach be promoted to Equipment Operator, Truck Driver, Class II.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey does hereby approve the promotion of Mark Kressbach to Equipment Operator, Truck Driver, Class II, with a rate increase to \$30.20 per hour, annual rate of \$61,608.00 per year. The increase should be retroactive from August 12, 2020.

**RESOLUTION 20-247
AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR 2020-2021**

BE IT RESOLVED that all applications being in good order and the required **\$2,500.00** fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Plenary Retail Consumption Licenses for the year beginning October 1, 2020 and ending June 30, 2021:

NA&J Associates, Inc.
12 Islands Greek Taverna
1255 Valley Road
Stirling, NJ 07980
License # 1430-33-012-005

Bar Cilento, LLC
37 Plainfield Road
Stirling, NJ 07980
License # 1430-33-005-009

CRI Long Hill, Inc.
Chimney Rock Inn
342 Valley Road
Gillette, NJ 07933
License No. 1430-33-008-005

Common Thread Hospitality
DbA - tbd
632 Meyersville Road
Gillette, NJ 07933
License No. 1430-33-007-008

BE IT FURTHER RESOLVED that all applicants being in good order and the required \$2,088.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Plenary Retail Distribution Licenses for the year beginning October 1, 2020 and ending June 30, 2021:

The Bottle Depot L.L.C.
t/a Wine World
1001 Valley Road
Gillette, NJ 07933
License No. 1430-44-003-007

Ansoni, Inc.
t/a Gillette Liquors
399 Valley Road
Gillette, NJ 07933
License No. 1430-44-014-010

BE IT RESOLVED that all applicants being in good order and the required \$63.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Limited Retail Distribution Licenses for the year beginning October 1, 2020 and ending June 30, 2021:

Dharma Bhakti Corporation
 87 Division Avenue
 Millington, NJ 07946
 License No. 1430-43-013-005

Dorsi's Deli & Pharmacy, Inc.
 184 Central Ave.
 Stirling, NJ 07980
 License No. 1430-43-006-003

BE IT FURTHER RESOLVED that all applicants being in good order and the required \$188.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Club Licenses for the year beginning October 1, 2020 and ending June 30, 2021:

BPO Elks No. 2392
 t/a Stirling Elks #2392
 1138 Valley Road
 Stirling, NJ 07980
 License No. 1430-31-018-001

BE IT FURTHER RESOLVED that all applicants being in good order and the required \$250.00 (10% of \$2,500.00).fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Pocket License (Plenary Retail Consumption Licenses) for the year beginning October 1, 2020 and ending June 30, 2021:

Truheaven, LLC
 664 Valley Road
 Gillette, NJ 07933
 License No. 1430-33-011-007

RESOLUTION 20-248

CORRECTING COLLECTOR'S TERM AND AMENDING RESOLUTION 19-335 NUNC PRO TUNC

WHEREAS, the Township Committee adopted Resolution #19-335, on December 11, 2019, appointing Maryann Amiano as Township Tax Collector for a term commencing January 1, 2020 and ending December 31, 2023; and

WHEREAS, N.J.S.A. 40A:9-142 provides that, "Every municipal tax collector shall hold his office for a term of 4 years from the first day of January next following his appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term."; and

WHEREAS, the previous tax collector's term ended on December 31, 2022; and

WHEREAS, Maryann Amiano should have been appointed to fill that unexpired term ending December 31, 2022;

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. Resolution #19-335 is hereby amended *nunc pro tunc* by appointing Maryann Amiano as Tax Collector to fill the unexpired term of the previous Tax Collector ending on December 31, 2022.
2. In all other respects, Resolution #19-335 shall remain in full force and effect.

RESOLUTION 20-249

APPOINTING GLENN SHERMAN AS TOWNSHIP TAX ASSESSOR

WHEREAS, the Township Committee adopted Resolution #20-223 at its August 12, 2020 meeting accepting the retirement of Township Tax Assessor Brett Trout effective August 26, 2020; and

WHEREAS, N.J.S.A. 40A:9-148 provides that, "Every municipal tax assessor . . . shall hold his office for a term of 4 years from the first day of July next following his appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term"; and

WHEREAS, Mr. Trout's term of office was scheduled to end on June 20, 2023; and

WHEREAS, the Township Administrator, the Township CFO and the Township Attorney interviewed for candidates for the position and unanimously recommended the appointment of Glenn Sherman;

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. Glenn Sherman is hereby appointed Township Tax Assessor, effective September 10, 2020, to fill the unexpired term of Brett Trout, which ends June 30, 2023.
2. Glenn Sherman's annual salary as Assessor shall be \$30,000, which is to be prorated for the balance of 2020.

**RESOLUTION 20-250
ACCEPTING DONATION OF UVC LIGHTING AT LITTLE LEAGUE FIELD TO COMBAT COVID-19**

WHEREAS, Ultraviolet-C ("UVC") lamps have been used to disinfect areas from COVID-19; and
WHEREAS, Brian Johnstone has offered to install UVC lighting in the bathrooms at the little league field at no cost to the Township, if the Long Hill Baseball and Softball Association ("LHBSA") displays a Safe Light Solutions company banner at the fields; and

WHEREAS, N.J.S.A. 40A:5-29 provides that, "Any local unit is authorized and empowered to accept . . . gifts made to it and is empowered to utilize such . . . gifts in the manner set forth and the conditions of the . . . gift . . .";

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 it does hereby accept the gift of UVC lighting as described in the preamble.

**RESOLUTION 20-251
RESOLUTION APPROVING AFFORDABLE HOUSING SETTLEMENT AGREEMENT WITH ELITE PROPERTIES AT LONG HILL, LLC**

WHEREAS, the Township of Long Hill ("Township") entered into a settlement agreement with the Fair Share Housing Center ("FSHC") on September 27, 2017; and

WHEREAS, the terms of the settlement agreement were incorporated in a Final Judgment of Compliance and Repose entered by The Honorable Michael E. Hubner, J.S.C., on June 15, 2018, in In the Matter of the Application of the Township of Long Hill, a Municipal Corporation of the State of New Jersey, at Docket No. MRS-L-1660-15, Superior Court of New Jersey, Law Division, Morris County; and

WHEREAS, that settlement agreement included 10 set-aside rental units (or 13 set-aside for-sale units) as part of the proposed redevelopment area along Valley Road (Block 10401, Lots 1-4; Block 11514, Lots 6, 31-32); and

WHEREAS, the lots within the redevelopment area are undevelopable for residential uses because of environmental constraints; and

WHEREAS, the Township Attorney advised the Court at the Compliance Hearing on June 15, 2018 of the possibility that the affordable units in the redevelopment area would not be developable and that the Township would have to provide a substitute site for those 10 affordable units at a later date; and

WHEREAS, on March 17, 2017, the Township Committee adopted Resolution 17-107 authorizing ongoing discussions with Elite Properties at Long Hill, LLC ("Elite") as a potential redeveloper for the Valley Road redevelopment area; and

WHEREAS, in response to a Request for Proposals issued by the Township for the Valley Road redevelopment area, Elite submitted a proposal for an inclusionary, mixed-use development consisting of 139 residential units over associated retail and commercial uses, interspersed throughout the north and south sides of the Valley Road redevelopment area; and

WHEREAS, Elite subsequently purchased one parcel located in the Valley Road redevelopment area, formally designated as Block 11514, Lot 6 on the Township's Tax Map, (Thermoplastics north), but has not acquired any other parcels located in said redevelopment area; and

WHEREAS, Elite's investigation subsequently confirmed that the lots in the redevelopment area are undevelopable for residential uses, but can still be developed for certain non-residential uses, subject to environmental constraints from on-site contamination, wetlands, and flood hazard regulations; and

WHEREAS, Elite then purchased property located at 488 Valley Road (Block 11001, Lot 22) (the "Lopresti Site") to replace the residential units that cannot be developed in the Valley Road redevelopment area; and

WHEREAS, the Township Committee thereafter forwarded the Lopresti Site along with another property to the Township Planning Board to determine whether the properties qualified as an area in need of redevelopment; and

WHEREAS, on September 10, 2019, the Planning Board concluded that the subject properties did not meet the statutory criteria to be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, on February 12, 2020, the Township Committee affirmed the Planning Board's conclusion that neither property met the statutory criteria to be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, Elite, through its attorneys, then sent a letter dated March 3, 2020, with a copy to Fair Share Housing Center, "request[ing] that the Township amend its Housing Element and Fair Share Plan to permit inclusionary residential development of 123 units on the Lopresti Site [Block 11001, Lot 22] and 88 units on the Valero Site [Block 11107, Lots 12, 16, & 17], as the Thermoplastics Site cannot accommodate residential development"; and

WHEREAS, the Elite letter went on to say, " We request that the Township adopt the appropriate zoning ordinance amendments within 45 days. Notwithstanding our commitment to amicable resolution of this issue, Elite reserves the right to institute legal proceedings to cure the defects in the Township's Housing Element and Fair Share Plan if the same are not addressed in a timely fashion"; and

WHEREAS, on August 5, 2020, a Township resident filed a motion with the Superior Court of New Jersey, Morris County, Docket No. MRS-L-1660-15, the Township's Mount Laurel Declaratory Judgment Action, which had been closed since the entry by the Court on June 15, 2018 of a Final Judgment of Compliance and Repose; and

WHEREAS, the resident's motion, "Request[ed] a hearing to determine whether any sites previously earmarked as part of the Township's Fair Share Housing which [sic] no longer present a realistic opportunity and should be replaced"; and

WHEREAS, the resident went on to list the following three "potential properties" in the certification submitted in support of his motion:

- 915-917 Valley Road (Block 10601, Lot 10.01), (the Township Municipal Center).

- 1802 Long Hill Road (Block 12502, Lot 29) (the Millington Schoolhouse/old Town Hall). This property is subject to Green Acres and County Open Space restrictions.
- 1449 Valley Road (Block 10301, Lot 16.04) (Lounsbury Meadow, the Township's 100% affordable senior/handicapped development); and

WHEREAS, none of those three sites is suitable for construction of additional affordable housing in order to satisfy the Township's Mount Laurel obligation; and

WHEREAS, by filing this motion, the resident opened the door for developers to file challenges to the Township's Fair Share Plan; and

WHEREAS, the Township had been engaged in settlement negotiations with Elite to redevelop the Valley Road redevelopment area and to provide ten additional affordable units to make up for those lost at the Valley Road redevelopment site; and

WHEREAS, the resident's motion added a sense of urgency to the Township's negotiations with Elite; and

WHEREAS, Elite, as part of those settlement negotiations, asked the Township to rezone the Lopresti Site to permit the construction of 100 rental units (which is 23 units less than it originally demanded in its March 3, 2020 letter), including 15 affordable units; 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, Elite represents, and the Township Committee agrees that the Lopresti Site is developable, suitable, available, and approvable, for the construction of the proposed inclusionary development; and

WHEREAS, the FSHC settlement agreement also includes nine affordable rental units at what is referred to as the "Gillette Office" site (Block 10801, Lot 3) and Elite intends to construct 62 residential units at that site of which 9 would be affordable, as provided for in the FSHC settlement agreement; and

WHEREAS, both the Township and Elite would also like to redevelop as much of the Valley Road redevelopment area as possible to create a visually attractive and financially viable non-residential project and, after the adoption of a redevelopment plan, to negotiate a redevelopment agreement to develop that property; and

WHEREAS, both the Township and Elite recognize that the residential component of Elite's redevelopment proposal is no longer viable and is being replaced by the Lopresti site, which will include fifteen (15) affordable units as described elsewhere in this agreement; and

WHEREAS, the next formal step in the redevelopment process is for the Township to adopt a redevelopment plan by ordinance in accordance with the requirements of N.J.S.A.40A:12A-7a; and

WHEREAS, upon the adoption of a redevelopment plan, the Township may enter into a redevelopment agreement with Elite Properties for the "planning..., construction, or undertaking of any project or redevelopment work or any part thereof..." in accordance with the provisions of N.J.S.A. 40A:12A-8; and

WHEREAS, pending adoption of a redevelopment plan for Valley Road, the Township and Elite have negotiated this Affordable Housing Settlement Agreement as outlined below;

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 Township Clerk are hereby authorized and directed to execute the Settlement Agreement with Elite which contains the following provisions:

1. The Township will adopt a zoning ordinance zone for the Lopresti Site to permit the construction of one hundred (100) rental units, including fifteen (15) affordable units with the income distribution required by the FSHC settlement agreement and applicable COAH regulations. No more than fifteen (15) units (including the affordable units) shall be three (3) bedroom units.
2. The rezoning of the Lopresti Site will permit the construction of a parking garage on the first level with three stories of residential units above, with a peaked roof, with a total height of fifty (50') feet, 20' side yard setbacks, a 30' front yard setback, and a parking ratio of 1.5 spaces per unit. For purposes of this agreement, "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 the pitched roof.
3. Subject to adherence with applicable law, the Township and Elite will develop a mutually acceptable redevelopment plan for the redevelopment, and thereafter, negotiate a redevelopment agreement and financial agreement. The Township and Elite intend that the redevelopment project will be visually attractive, financially viable, and serve as a gateway to Stirling. Elite agrees to proceed with the redevelopment of the Valley Road Redevelopment project after the Township issues a certificate of occupancy for the Lopresti site, in accordance with the phasing requirements to be set forth in the redevelopment agreement. Elite agrees to submit a development application for the Valley Road redevelopment project prior to issuance of the first CO for the Lopresti site.
4. The Township and Elite will work in good faith to redevelop the entire area in need of redevelopment as described in the preamble (Block 10401, Lots 1-4; Block 11514, Lots 6, 31-32). The Township and Elite acknowledge that the acquisition of additional parcels in the redevelopment area will be desirable in order to complete the redevelopment of the entire area. Further, the redevelopment plan for the entirety of the area has not yet been completed, and the Township and Elite are in discussions regarding the appropriate non-residential uses that will provide a visually attractive and financially viable development for the area. To this effect, if the Township adopts a redevelopment plan that reflects the mutual goals of the parties and (subject to the submission of sufficient information to support the need for financial incentives), provides Elite with the necessary long term tax abatement (at least 30 years in duration and with an annual service charge equal to 10% of annual gross revenue), Elite agrees to: (i) redevelop Thermoplastics North with retail or another non-residential use to be agreed upon by the Township and Elite; (ii) undertake and assume the demolition and park improvement costs for the parcels adjacent to Thermoplastics North, designated as Block 11514, Lots 31 and 32 (the "Adjacent Northern Parcels"), provided that the Township acquires said parcels and environmentally remediates them to the appropriate standard for their intended use (if necessary); and (iii) undertake the necessary work to construct a public park on Block 10401, Lots 1, 2, and suitable redevelopment on Lot 4 ("Thermoplastics South"), provided that the Township and Elite negotiate acceptable financial obligations for the same, including but not necessarily limited to acquisition, demolition, environmental remediation, and park improvement costs.
5. The Township Committee and Elite shall implement this settlement in accordance with the below schedule:

- a. Simultaneous with the adoption of this resolution, the Township Committee is introducing a zoning ordinance for the Lopresti site which will permit the construction of the market and affordable units as described above.
 - b. The public hearing and final adoption of the ordinance will be considered at the October 14, 2020 meeting after notice of introduction has been published and the ordinance has been referred to the planning board for review pursuant to *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26*.
6. Elite will support the Township’s efforts to obtain FSHC’s agreement to substitute the Lopresti site for the affordable units that were initially included as part of the Valley Road Redevelopment Area and to amend its Final Judgment of Compliance and Repose, if required.
7. This resolution shall take effect immediately.

**RESOLUTION 20-252
AUTHORIZING REFUND OF FIRE PERMIT/HEALTH APPLICATION**

WHEREAS, due to the coronavirus the Stirling Street Fair has been cancelled;

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Fire Official and Health Officer, does hereby authorize the following refunds:

<u>NAME</u>	<u>ADDRESS</u>	<u>FEES</u>	<u>TOTAL REFUND</u>
Athens Delight C/O George Vlahos	26-50 Borough Pl Woodside Queens, NY 11377	\$54.00 Fire Permit	\$54.00
Chef J Latin Catering C/O Jeremiah Echeandia	17 Wendell Place Fairview, NJ 07022	\$54.00 Fire Permit	\$54.00
Magic Mike’s Smoked Meats C/O Michael Nurse	1788 Bensselaer Road Teaneck, NJ 07666	\$54.00 Fire Permit \$30.00 Food License	\$84.00
Mister Softee C/O Joseph Durkin	39 Friends Ave Haddonfield, NJ 08033	\$30.00 Food License	\$30.00
Latin Bites C/O Louis Falcon	10 Eleanor St Old Bridge, NJ 08857	\$30.00 Food License	\$30.00

**RESOLUTION 20-253
ACCEPT DONATION TO RECREATION DEPT.**

WHEREAS, a donation has been offered to the Long Hill Township Recreation Department in the amount of \$4,000.00 to be used toward the Dr. K’s MoTown Revue Summer Concert Series; and

WHEREAS, N.J.S.A. 40A:5-29 provides that any local unit is authorized and empowered to accept gifts made to it;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey authorizes the acceptance of the \$4,000.00 from Dennis Sandow to the Long Hill Township Recreation Department.

**RESOLUTION 20-254
AUTHORIZING DISPOSAL OF SURPLUS PROPERTY OF LONG HILL TOWNSHIP**

WHEREAS, the Long Hill Township is the owner of certain surplus property which it no longer needs for public use: and

WHEREAS, the Long Hill Township is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE BE IT RESOLVED by the Long Hill Township as follows:

(1) The sale of the surplus property shall be conducted through MUNICIPAL BID pursuant to State Contract (19-GNSV1-00696) in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Municibid is available online at municibid.com.

(2) The sale will be conducted online September 21, 2020 to October 1, 2020 and the address of the auction site is www.municibid.com

(3) A list of the surplus property to be sold is as follows:

- 2001 – Ford Super Duty – F250 (truck #20) - Mileage – 124,347
- 2002 – F350 Super Duty (truck #66)
- Trailer – Continental Cargo (needs new axel) - VIN # - 4X4TSEV251N01874
- Police Car #2 - VIN#2FABP7BV88X166895
- Police Car #3 - VIN# - 2FABP7BV8AX144510
- Ford – Crown Victoria - VIN# 2FAFP71W8XX207741
- Ford Explorer - Vin# 1FM5K8AR1FGA57024
- 10 pallets of Belgium block
- Street Lights - A complete lot of street light posts and lights
- 2 – GORMAN – RUPP pumps - 75 horsepower - Serial number: VYP7138320001 - Serial number: AUH708B706-002

(4) The surplus property shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(5) Long Hill Township reserves the right to accept or reject any bid submitted.

**RESOLUTION 20-255
WATCHUNG HILLS REGIONAL MUNICIPAL ALLIANCE GRANT
2020-2021**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Long Hill, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Morris;

NOW, THEREFORE, BE IT RESOLVED by the Township of Long Hill, County of Morris, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Watchung Hills Regional Municipal Alliance (Warren, Watchung, Green Brook, Long Hill) grant for fiscal year 2020-2021 in the amount of:

DEDR	\$ 3,376.00
Cash Match	\$ 844.00
In-Kind	\$ 2,532.00

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

3. Township of Long Hill accepts subsequent award of this grant.

**RESOLUTION 20-256
AUTHORIZE PURCHASE OF SCBA EQUIPMENT THROUGH STATE CONTRACT**

WHEREAS, Stirling Fire Company needs to replace Self-Contained Breathing Apparatus (SCBA) for the safety of its members; and

WHEREAS, they can be purchased from New Jersey Fire Equipment Co. (Vendor ID# 00000570) through State Contract Number 17-FLEET-00819; and

WHEREAS, public bidding is not required when a purchase is made under a State contract in accordance with N.J.S.A. 40A:11-12; and

WHEREAS, the Township Chief Financial Officer, in accordance with N.J.A.C. 5:34-5, has certified that sufficient funds are available to cover the full cost of the contract;

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

1. The following contract is hereby approved:

Vendor:	New Jersey Fire Equipment Co.
Amount	\$19,162.50
Description:	17 Self-Contained Breathing Apparatus (SCBA)
2. This contract will be properly charged to the following line item appropriation of the Official Township Budget: 04-2019-43919-0000-4-02131
3. The Administrator and the Chief Financial Officer are hereby authorized and directed to approve and forward the purchase requisition to New Jersey Fire Equipment Co. for 17 Self-Contained Breathing Apparatus (SCBA).
