



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
February 10, 2021
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.gov 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, February 10, 2021.

The Long Hill Township Committee regularly scheduled meeting on February 10, 2021 at 7:30pm will now be held through teleconference.

<https://us02web.zoom.us/j/82600944908>

Passcode: 483713

Or iPhone one-tap :

US: +13126266799,,82600944908#,,,,*483713# or +19294362866,,82600944908#,,,,*483713#

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: 826 0094 4908

Passcode: 483713

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:

21-046 EXECUTIVE SESSION

- Attorney Client Privilege – Communications
- Contract Negotiations

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #21-046 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

3. CALL MEETING TO ORDER:

4. PROCLAMATION / PRESENTATIONS

- Timothy Marshall – Eagle Scout Proclamation

5. ORDINANCE(S):

ORDINANCE 470-21 (FIRST READING / INTRODUCTION)

AN ORDINANCE CONCERNING STREET OPENINGS AND AMENDING CHAPTER 20 OF THE TOWNSHIP CODE ENTITLED "STREETS AND SIDEWALKS"

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, February 10, 2021 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, March 10, 2021 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 March 10, 2021 public agenda or email municipalclerk@longhillnj.gov.

6. CONSENT AGENDA RESOLUTIONS:

Resolution No. 21-047 – 21-057 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.

- 21-047 APPROVAL AND RELEASE OF MINUTES
- 21-048 APPROVING PAYMENT OF BILLS
- 21-049 AUTHORIZING REDEMPTION OF OUTSIDE LIEN - #19-0017
- 21-050 DUPLICATE SEWER PAYMENT REFUNDS
- 21-051 AUTHORIZING THE TOWNSHIP OF LONG HILL PARTICIPATE IN THE GRANT PROGRAM FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF STATE POLICE, FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FOR EMAA FY 2020
- 21-052 AFFIRMING TERMINATION: JUAN FLOREZ
- 21-053 AWARDED CONTRACT FOR RIVER ROAD IMPROVEMENTS TO FISCHER CONTRACTING INC.
- 21-054 APPOINTING PROBATIONARY LABORER - URSO
- 21-055 RESOLUTION APPOINTING EXECUTIVE PRODUCER OF LONG HILL TV AND VP OF PROGRAMMING – TIFFANY OSHINSKY
- 21-056 IN GRADE ADVANCEMENT – SCHLAIER
- 21-057 CERTIFYING ACTIVE MEMBERSHIP WITH STIRLING VOLUNTEER FIRE COMPANY FOR NEW JERSEY STATE FIREMEN'S ASSOCIATION ELIGIBILITY – JACK REMINGTON

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 21-047 through 21-057 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

7. LIAISON REPORTS:

8. ADMINISTRATOR'S REPORT:

9. **DISCUSSION:**

- Community Center plowing

10. **OLD/NEW BUSINESS:**

11. **ANNOUNCEMENTS:**

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

13. **ADJOURNMENT**

**RESOLUTION 21-046
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:

- Attorney Client Privilege – Communications
- Contract Negotiations

**ORDINANCE 470-21
AN ORDINANCE CONCERNING STREET OPENINGS AND AMENDING CHAPTER 20 OF THE
TOWNSHIP CODE ENTITLED “STREETS AND SIDEWALKS”**

WHEREAS, the Township Committees wants to clarify and streamline the process for obtaining a road opening permit;

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 Chapter 20 of the Township Code entitled “Streets and Sidewalks” is hereby supplemented and amended as follows:

Section 1. Section 20-2 of the Township Code entitled “Street Openings and Excavations” is hereby amended to read as follows:

20-2 STREET OPENINGS AND EXCAVATIONS.

§ 20-2.1 Permit Required.

It shall be unlawful for any person to tunnel under or to make any opening or excavation in any street or other public place in the Township, other than a County road over which the County of Morris has exclusive jurisdiction, without having obtained a permit as is herein required or without complying with the provisions of this section or in violation of or variance from the terms of any such permit. No permit shall be issued to open any Township road for five years after the road was paved, except pursuant to .§20-2.6 below.

§ 20-2.2 Applications.

a. Applications for such permits shall be made to the Township Clerk and shall describe the location of the intended opening, excavation or tunnel, the size thereof, the purpose therefor and the person doing the actual excavation work and the name of the person for whom or which the work is being done and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done.

b. Any person desiring a permit for the opening of a street or tunneling therein shall make application to the Township Clerk setting forth the following information:

1. *Name and address of applicant.*
2. *Name of the street where the opening is to be made and the street number, if any, of the abutting property.*

3. *The Township Tax Map index, block and lot number of the property for the benefit of which the opening is to be made.*
4. *Nature of the surface in which the opening is to be made.*
5. *Character and purpose of the work proposed.*
6. *Time when the work is to be commenced and completed.*
7. *Plan showing the exact location and dimension of all openings.*
8. *The name and address of the workmen or contractor who is to perform the work, if different from the applicant.*
9. *A statement that the applicant agrees to replace, at his own cost and expense, in accordance with Township specifications and details, the opening to the same state and condition as it was at the time of the commencement of the work and further agrees to comply with all other regulations and laws relative to the work.*
10. *An agreement to indemnify and hold harmless the Township from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit.*
11. *Such other information as the Township Clerk may consider pertinent.*
12. *~~Registration number from the underground location service [Supersnooper (800) 272-1000], indicating that they have been properly notified and will locate underground facilities in the area of the proposed opening or tunneling operation. Proof of compliance with the "Underground Facility Protection Act." (N.J.S.A. 48:2-73) ("One-Call")~~*

§ 20-2.3 Fee.

The fee for a road opening permit shall be set by the Township Committee by resolution.

§ 20-2.4 Indemnity Bond.

- a. *Before issuance of any such permit, the applicant or contractor proposing to do the actual excavating work shall file with the Township Clerk a cash bond in the amount of \$100 per square yard of disturbed area. This cash bond shall serve as both a performance bond to guarantee completion of the work and also as a maintenance bond for a period of 12 months to guarantee that the excavated area does not settle or otherwise deteriorate. If the responsible person does not complete the excavation and restore the surface in accordance with requirements of this section or if the responsible person does not restore the surface and make any necessary repairs resulting from the settling or any other deterioration within a reasonable time after receipt of notice of settling from the Township then the Township may perform the necessary work itself and deduct the cost of such work from the posted bond. At the end of 12 months the Director of Public Works shall inspect the area of the excavation to determine whether it has been restored in compliance with the requirements of this section. The Director of Public Works shall then submit a written report to the Township Committee recommending that the bond be returned in whole or part or in the alternative that the Township should perform additional repairs and charge the cost of those repairs against the bond. The Township Committee shall then act upon recommendation of the Director of Public Works and return any unused portion of the bond to the responsible person.*
- b. *In addition, the applicant or the contractor proposing to do the actual excavating work shall file with the Township Clerk a certificate of insurance showing that the applicant or the contractor proposing to do the actual excavating work has general liability insurance with combined policy limits of \$1,000,000.*

c. The provisions of paragraph a of this subsection shall not apply to public utilities.

§ 20-2.5 Manner of Excavating.

a. It shall be unlawful to make any such excavation, opening or tunnel in any way contrary to or at variance with the terms of the permit therefor. Proper bracing shall be maintained to prevent the collapse of adjoining ground, and, in excavations, the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

b. No injury shall be done to any pipes, cables or conduits in the making of such openings, excavations or tunnels, and notice shall be given to the persons maintaining any such pipes, cables or conduits (or to the Township Road Department or officer charged with the care thereof) which are or may be endangered or affected by the making of any such opening, excavation or tunnel before such pipes, cables or conduits shall be disturbed.

c. No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

d. All openings, excavations or tunnels shall be guarded with adequate safety measures as may be necessary and with adequate warning devices. The safety measures and warning devices shall be placed in such a manner as to not unduly restrict traffic. Where the Police Department determines that such safety measures and warning devices are not adequate for the free movement of traffic during road construction and/or excavation, a Police Officer may be assigned to direct traffic in the area involved during working hours, and the cost thereof shall be charged by the Township to the contractor or other person obtaining the permit. The provisions of this subsection shall not affect or relieve the contractor or any other person from any other obligations imposed by the contract or by operation of law.

e. All refuse and material shall be removed within 48 hours.

f. All excavation shall be completely backfilled and compacted using bank run gravel, crushed stone or other approved material.

g. If tunneling operations are required, the tunnel shall be backfilled with rammed sand or sand and concrete mixed 10 to one, respectively.

h. If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations and municipal ordinances.

i. Under normal, nonemergency situations, street paving, whether new or improved, will carry a minimum no-cut period of five years in accordance with § 20-2.6 below.

j. All excavation and restoration work shall be monitored, inspected and approved by the Township Public Works Manager

§ 20-2.6 Moratorium.

There shall be a five-year moratorium on the issuance of road opening permits for newly paved streets. Exceptions shall be granted for utility emergencies or road openings that impact the safety and welfare of property owners (e.g., electric service to new home). Any emergency work may be approved by the Township Engineer. All non-emergency work and undue hardship may only be approved by the Township Committee.

a. In the event that exception is granted during the moratorium period, the applicant shall be responsible for limiting the area of disturbance, saw cut all excavations and restore the trench to its original condition, including but not limited to the pavement, surface treatments and striping. Restoration of the top course of asphalt shall be done utilizing the infrared pavement method.

b. The Township Public Works Manager or his/her designee may require a larger area of the roadway to be restored to avoid trench marks across the roadway. This will be done in a manner that creates a rectangular patch across the entire width of the roadway.

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 21-047
APPROVAL AND RELEASE OF MINUTES**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the January 20, 2021.

BE IT FURTHER RESOLVED that the Township Committee hereby approves January 20, 2021 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 21-048
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 21-049
AUTHORIZING REDEMPTION OF OUTSIDE LIEN - #19-0017**

WHEREAS, funds have been remitted by ALL JERSEY TITLE LLC, to redeem tax sale certificate #19-0017 held by CHRISTIANA TRUST AS CUSTODIAN GSRAN-Z LLC., on Block 12901 Lot 36, 1433 LONG HILL RD., assessed in the name RESULTS WITH JOHN LLC 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 \$17,335.71 plus a premium of \$32,600.00 for a total of \$49,935.71 to the lienholder:

Make Redemption check payable to:

CHRISTIANA TRUST AS CUSTODIAN GSRAN-Z LLC
PO BOX 71276
PHILADELPHIA, PA 19176-6276

**RESOLUTION 21-050
DUPLICATE SEWER PAYMENT REFUNDS**

WHEREAS, There are 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>
11401/18 T01	Thai-Thai Cuisine	1168 Valley Rd. Stirling	\$292.32
13702/9	Andrews, Steven C.	78 Lacey Ave., Gillette	\$316.09
13905/10	D Angelo, Diego/Vilma	48 Home St., Gillette	\$ 84.00

**RESOLUTION 21-051
AUTHORIZING THE TOWNSHIP OF LONG HILL PARTICIPATE IN THE GRANT PROGRAM
FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY,
DIVISION OF STATE POLICE, FOR THE EMERGENCY MANAGEMENT PERFORMANCE
GRANT PROGRAM FOR EMAA FY 2020**

WHEREAS, the Township of Long Hill Office of Emergency Management ("OEM") submitted an application to the State of New Jersey, Department of Law and Public Safety, Division of State Police (the "Division") to receive funding from the 2020 Emergency Management Performance Grant Program; and

WHEREAS, the Township of Long Hill Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant CFDA #97.042, award FFY-20-EMPG-EMAA-1430 from the New Jersey State Police Office of Emergency Management. The sub-grant consisting of a total of including up to \$10,000.00 Federal award for the purpose of enhancing the Township of Long Hill's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the sub-grant award incorporates all conditions and representations contained or made in the application of award #FY20-EMPG-EMAA-1430; and

WHEREAS, the Township of Long Hill Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management has submitted an application for Sub-grant Award that has been required by the said New Jersey State Police Office of Emergency Management for the sub-grant award period of July 1, 2020 through June 30, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill, County of Morris, in the State of New Jersey that the Township Committee authorizes the Long Hill Township Office of Emergency Management to participate in the grant program and agrees

to accept the \$10,000.00 award for the Long Hill Township "OEM" for emergency management purposes for EMAA FY 2020

**RESOLUTION 21-052
AFFIRMING TERMINATION: JUAN FLOREZ**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill affirms the termination of Juan Florez as Truck Driver/Laborer Class 4 effective January 26, 2021.

**RESOLUTION 21-053
AWARDING CONTRACT FOR RIVER ROAD IMPROVEMENTS TO FISCHER CONTRACTING INC.**

WHEREAS, twelve bids were received by the Township Administrator on January 13, 2021 for the construction of improvements to River Road (River Road Improvement Project); and

WHEREAS, the low bidder was Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, New Jersey 07076, who bid \$119,609.43; and

WHEREAS, Township Engineer Paul Ferriero has recommended that the contract be awarded to Fischer Contracting Inc. as the lowest responsible bidder; and

WHEREAS, the governing body has reviewed the recommendation made by the Township Engineer; and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:30-5, 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 contract for the construction of the River Road Improvement Project is hereby awarded to Fischer Contracting Inc. Co., Inc., 10 Short Hills Lane, Scotch Plains, New Jersey 07076 for a lump sum of \$119,609.43, in accordance with the bid specifications and its bid dated January 13, 2021.
2. The Mayor and Clerk are hereby authorized and directed to execute the contract for the construction of the River Road Improvement Project in accordance with the bid documents.
3. The Township Clerk is hereby authorized and directed to return the bid bonds or certified checks of the unsuccessful bidders.
4. The Township Clerk is also authorized and directed to return the bid bond or certified check of Fischer Contracting Inc. Co., Inc., upon receipt of a fully executed contract and all other required documents.
5. This contract will be properly charged to the following line item appropriation of the official Township budget 04-2020-46120-0000-4-02191.

**RESOLUTION 21-054
APPOINTING PROBATIONARY LABORER - URSO**

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

1. Upon the advice and recommendation of Public Works Director Al Gallo, that Dominick Urso IV be appointed as Truck Driver/Laborer Class 4.

- 2. This appointment shall be effective on February 22, 2021 at an hourly probationary rate of \$17.30. Following the probationary period (not to exceed more than six months) the new rate shall be \$20.50 per hour.
- 3. Mr. Urso will be a member of the Long Hill Public Works Association and a copy of the Agreement shall be provided.

**RESOLUTION 21-055
RESOLUTION APPOINTING EXECUTIVE PRODUCER OF LONG HILL TV AND VP OF
PROGRAMMING – TIFFANY OSHINSKY**

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. Tiffany Oshinsky is hereby appointed a part-time Executive Producer of Long Hill TV and VP of Programming effective Monday, February 22, 2021.
- 2. Tiffany Oshinsky shall work between 15-20 hours per week and be compensated at the rate of \$30.00 per hour.
- 3. In all other respects, Tiffany Oshinsky employment and benefits will be subject to the terms and conditions set forth in the Township Personnel Policies and Procedures Manual.

**RESOLUTION 21-056
IN GRADE ADVANCEMENT – SCHLAIER**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey upon the advice and recommendation of Police Chief Ahmed Naga, does hereby approve the grade advancement of Officer Raymond Schlaier to Officer Grade VII , effective February 25, 2020 at an annual salary of \$75,645.00.

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

**RESOLUTION 21-057
CERTIFYING ACTIVE MEMBERSHIP WITH STIRLING VOLUNTEER FIRE COMPANY FOR NEW
JERSEY STATE FIREMEN’S ASSOCIATION ELIGIBILITY – JACK REMINGTON**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that **Jack Remington** is an active member of the Stirling Volunteer Fire Company and are eligible to be a member of the New Jersey State Firemen’s Association.
