



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
Wednesday, November 9, 2022 **REVISED 11/8/2022**
7:30 PM OPEN SESSION, CLOSED SESSION 6:30 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.

**The November 9, 2022, Township Committee Meeting
will be conducted via ZOOM.**

To participate through Zoom webinar: <https://us02web.zoom.us/j/88444117558>

Or Telephone: +1 929 436 2866

Webinar ID: 884 4411 7558 Passcode: 381331

To watch on website please visit: <http://longhillnj.gov/LHT-TV.html>

To watch live on LHTV visit: Comcast channel 29, Verizon channel 38, Verizon channel 2137 (HD)

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:

22-281 EXECUTIVE SESSION

- Contract Negotiations – HR professional service
- Personnel – Investigation
- Attorney / Client Privilege

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 22-281 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

3. CALL MEETING TO ORDER:

4. ORDINANCE(S):

ORDINANCE 504-22 (FIRST READING / INTRODUCTION)

PROHIBITING WITH CERTAIN EXCEPTIONS THE DISCHARGE OF FIREARMS ANYWHERE IN THE TOWNSHIP OF LONG HILL AND AMENDING SECTION 3-7 OF THE TOWNSHIP CODE ENTITLED "FIREARMS" IN ITS ENTIRETY

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, November 9, 2022 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30

p.m. on Wednesday, December 14, 2022 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 December 14, 2022, public agenda, or email municipalclerk@longhillnj.gov.

MOVED by: _____, that Ordinance 504-22 be introduced and passed on first reading.
SECONDED by: _____, **ROLL CALL VOTE**

ORDINANCE 499-22 (SECOND READING / ADOPTION)
REGULATING THE PLAYING OF MUSIC IN OUTDOOR DINING VENUES AND AMENDING § LU-124.13 OF THE TOWNSHIP CODE ENTITLED “OUTDOOR DINING

PUBLIC HEARING

MOVED by: _____, that Ordinance 499-22 be adopted. **SECONDED** by: _____,
ROLL CALL VOTE

5. CONSENT AGENDA RESOLUTIONS:

Resolution No. 22-282 – 22-292 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.

- 22-282 APPROVAL AND RELEASE OF MINUTES
- 22-283 APPROVING PAYMENT OF BILLS
- 22-284 AUTHORIZING STIRLING FIRE COMPANY COIN TOSS
- 22-285 AUTHORIZING MILLINGTON FIRE COMPANY COIN TOSS
- 22-286 APPROVING SPECIAL EVENT LICENSE [MEYERSVILLE TREE LIGHTING ASSOCIATION]
- 22-287 APPROVING SPECIAL EVENT LICENSE [COMPUSCORE SERVICES - SPRING DISTANCE CLASSIC]
- 22-288 APPROVAL OF 2023 TRAIN STATION PARKING FEES
- 22-289 AUTHORIZING TRANSFER OF FUNDS
- 22-290 APPOINTING PROBATIONARY LABORER – UHRIG
- 22-291 AUTHORIZING AND APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF LONG HILL (“TOWNSHIP”) AND STIRLING SL URBAN RENEWAL LLC (“REDEVELOPER”)
- 22-292 **AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH PARKER McCAY P.A. TO CONDUCT AN INVESTIGATION**

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 22-282 through 22-292 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

6. LIAISON REPORTS:

7. ADMINISTRATOR'S REPORT:

8. DISCUSSION:

- Best Practice Inventory

22-293 AUTHORIZING THE TOWNSHIP CLERK TO FILE CERTIFICATION OF TOWNSHIP COMMITTEE REVIEW OF 2022 BEST PRACTICES INVENTORY

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 22-293 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

- Senior Bus Update
- Sidewalks
- Ordinance 496-22

ORDINANCE 496-22 (SECOND READING / ADOPTION)

AN ORDINANCE PERMITTING ADDITIONAL RESIDENTIAL USES IN THE VALLEY BUSINESS ZONE AND SUPPLEMENTING AND AMENDING SECTIONS LU-111 ENTITLED "GENERAL TERMS", LU-122.6 ENTITLED "B-D DOWNTOWN VALLEY COMMERCIAL ZONE DISTRICT", LU-131 ENTITLED "SCHEDULE OF BULK REQUIREMENTS", LU-138 ENTITLED "LOWER INCOME HOUSING REQUIREMENTS" AND LU-151 ENTITLED "OFF-STREET PARKING AND LIGHTING" OF THE TOWNSHIP CODE

PUBLIC HEARING

MOVED by: _____, that Ordinance 496-22 be adopted. **SECONDED** by: _____, **ROLL CALL VOTE**

9. OLD/NEW BUSINESS:

RESIGNATION FROM BOARDS/COMMISSIONS

Environmental Commission – Matt Dionisio (effective - November 9, 2022)

MAYORAL APPOINTMENT

Environmental Commission

Joyce Koenig – from Alt #1 to regular member filling unexpired term ending 12/31/2023

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 22-281
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:

- Contract Negotiations – HR professional service
- Personnel – Investigation
- Attorney / Client Privilege

**ORDINANCE 504-22
PROHIBITING WITH CERTAIN EXCEPTIONS THE DISCHARGE OF FIREARMS ANYWHERE IN THE
TOWNSHIP OF LONG HILL AND AMENDING SECTION 3-7 OF THE TOWNSHIP CODE ENTITLED
“FIREARMS” IN ITS ENTIRETY**

WHEREAS, the Township Firearms Ordinance was first adopted by the Township Committee on September 5, 1973 as Ordinance #33-73 and amended in its entirety on October 7, 1974 by Ordinance #26-74; and

WHEREAS, in 1984, the Township Committee, recognizing that the Township had become more densely populated as a result of development during the previous ten years, adopted Ordinances Nos. 3-84 and 14-84 which prohibited the discharge of firearms and other weapons in certain designated areas of the Township; and

WHEREAS, there were no other amendments to the Ordinance after it was first adopted 48 years ago; and

WHEREAS, there has been a significant amount of new development in the Township during that time; and

WHEREAS, the Township Committee has determined that as a result of that development, the health, safety and welfare of the Township’s residents requires that, with certain exceptions, the discharge of firearms must be prohibited throughout the Township; and

WHEREAS, N.J.S.A. 40:48-1 provides that, “The governing body of every municipality may make, amend, repeal and enforce ordinances to . . . 18. Regulate and prohibit the sale and use of guns, pistols, firearms, and fireworks of all descriptions;”

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 3 of the Township Code entitled “Police Regulations” is hereby amended as follows:

Section 1. Section 3-7 entitled “Firearms,” consisting of subsections 3-7.1 through 3-7.7.7 inclusive, is hereby repealed in its entirety.

Section 2. There is hereby created a new section 3-7 entitled “Discharge of Firearms Prohibited” which reads as follows:

“3-7 Discharge of Firearms Prohibited

3-7.1 Discharge of Firearm Prohibited in the Township of Long Hill

"Except as permitted by section 3-7.3 below, no person shall discharge any firearm within the boundaries of the Township of Long Hill."

3-7.2 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

"Firearm" means any handgun, rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectable ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person.

3-7.3 Exceptions.

The prohibitions of § 3-7.1 and N.J.S.A. 2C:39-6 et seq. (as exist or may be amended to exist) shall apply but not be solely limited to the following:

- A. Law enforcement officers of any governmental agency, federal, state, county and/or municipal, at all times (N.J.S.A. 2C:39-6).
- B. Members of any legally recognized military organization while in the performance of their official duties (N.J.S.A. 2C:39-6).
- C. Privately employed security personnel who are authorized by law to carry firearms while in the performance of their official duties (N.J.S.A. 2C:39-6).
- D. Persons lawfully using firearms in the protection of their person or property for self-defense (N.J.S.A. 2C:39-6).
- E. Persons engaged in the discharge of firearms loaded only with blanks for commemorative events or historic pageants; provided, however, that such persons shall obtain a special permit from the Township Police Division upon application prescribed by the Director of the Department of Public Safety or designee (N.J.S.A. 2C:39-6).
- F. Members of any full-time paid or part-time paid Fire Department or force assigned full-time or part-time to a municipal or county arson investigation unit (N.J.S.A. 2C:39-6).
- G. Civilian employees of the state and federal government while in the performance of their official duties (N.J.S.A. 2C:39-6).
- H. Any representative of the Division of Fish, Game and Wildlife, Department of Environmental Protection (DEP), State of New Jersey, or deputy state conservation officer or full-time employee of the State Division of Parks and Forestry or a New Jersey transit police officer while in the performance of their official duties (N.J.S.A. 2C:39-6).
- I. A guard in the employ of any railway express company, banking or building and loan or savings and loan institution of the State of New Jersey while in the actual performance of official duties (N.J.S.A. 2C:39-6).
- J. An owner, tenant or lessee of a tract of land, including farmers, in excess of five acres while hunting in and upon said tract. Said tract shall not include any public lands owned and/or controlled by the Township of Long Hill or other designated

open spaces controlled by a homeowners/condominium association (N.J.S.A. 2C:39-6).

- K. Owner, tenant or lessee, the latter two having express written and dated permission of the owner, on file with the Township Police Division, when controlling woodchuck or other pests as legally defined, authorized and allowed by the hunting regulations promulgated by the Division of Fish, Game and Wildlife, Department of Environmental Protection, State of New Jersey. This subsection shall also apply to farmers (N.J.S.A. 2C:39-6).
- L. A person carrying a firearm for the purpose of hunting, provided that the firearm is legal and appropriate for hunting purposes in this State and the person has in possession a valid hunting license issued by the State of New Jersey, subject to the following conditions:
 - 1. No person shall discharge any firearm upon or across any State, County or municipal street, and no person except the owner or lessee of the property and persons specifically authorized by him in writing shall have in his possession a loaded firearm while within 450 feet of any occupied dwelling in the Township of Long Hill or while within 450 feet of a school playground.
 - 2. The discharge of any firearm shall be prohibited in the following areas of the Township:
 - a. The area south of Long Hill Road to its intersection with Meyersville Road and, from that intersection, the area south of Meyersville Road.
 - b. The area north of Valley Road and south of Long Hill Road.
 - c. The area west of Carlton Road and north of Long Hill Road.
 - d. The area east of South Main Avenue and south of Valley Road.
 - e. The area beginning at a point being the northeasterly corner of Lot 10-21 in Block 1-1 as shown on the tax maps of the Township of Long Hill; and, running thence in a generally southerly direction following the boundary line between Lot 10-21, Block 1-1 and Lot 11, Block 1, 1,000 feet to a point; and, thence running in a generally westerly direction approximately 2,500 feet to the southeasterly corner of South Northfield Road; and, running thence in a generally northerly direction following the easterly sideline of South Northfield Road, 1,000 feet to a point; and, thence running in a generally easterly direction approximately 2,500 feet to the point and place of beginning.
- M. Any person who holds a valid permit to carry a handgun issued pursuant to N.J.S.A. 2C:58-4, as supplemented and amended

3-7.4 Violations; Penalties

“Any person who is found to be in violation of the provisions of this section shall upon conviction thereof be subject to the penalty as stated in section 1-5 of this Code entitled “General Penalty.”

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 499-22
REGULATING THE PLAYING OF MUSIC IN OUTDOOR DINING VENUES AND AMENDING § LU-124.13 OF THE TOWNSHIP CODE ENTITLED “OUTDOOR DINING”

WHEREAS, § LU-124.13 of the Township Code entitled “Outdoor Dining” permits outdoor dining facilities in the B-1-5, B-1-20, M-M, M-H and B-D zones subject to certain conditions; and

WHEREAS, one of those conditions is that, “the outdoor dining use will not involve any outdoor speaker systems or outdoor music playing of any kind;” and

WHEREAS, the Township Committee feels that music should be permitted at outdoor dining facilities as long as it does not constitute a nuisance to the facility’s neighbors;

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 Code entitled “Supplemental Use Regulations” be amended as follows:

Section 1. Subparagraph “2” of paragraph “a” of § LU-124.13 entitled “Outdoor Dining” is amended to read as follows:

“2. Outdoor dining facilities may include outdoor speaker systems and music playing subject to the following conditions:

- i. No outdoor music playing shall be permitted *after 10:00 p.m. on Thursday, Friday and Saturday, or after 9:00 p.m. on Sunday, Monday, Tuesday and Wednesday*
- ii. The outdoor music shall not be unreasonably or unnecessarily loud so as to disturb neighbors of the facility.”

Section 2. In all other respects, § LU-124.13 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.

**RESOLUTION 22-282
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 Meeting Minutes of October 26, 2022;

BE IT FURTHER RESOLVED that the Township Committee hereby approves October 26, 2022, Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 22-283
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 22-284
AUTHORIZING STIRLING FIRE COMPANY COIN TOSS**

WHEREAS, the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey received a request from the Stirling Volunteer Fire Company to conduct a coin toss at the intersection of Valley Road and Mountain Avenue in Gillette on November 25, 2022 from 9:30 am to 4:00 pm.

WHEREAS, Application was sent to Morris County Board of Chosen Freeholders and has been approval,

BE IT FURTHER RESOLVED that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, authorizes the Stirling Volunteer Fire Company to conduct a coin toss on Valley Road on November 25, 2022.

**RESOLUTION 22-285
AUTHORIZING MILLINGTON FIRE COMPANY COIN TOSS**

WHEREAS, the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey received a request from the Millington Volunteer Fire Company to conduct a coin toss at the corner of Basking Ridge Road and Long Hill Road in Millington on December 3, 2022, from 9:00 am to 2:00 pm.

WHEREAS, Application was sent to Morris County Board of Chosen Freeholders and awaiting approval,

BE IT FURTHER RESOLVED that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, authorizes the Millington Volunteer Fire Company to conduct a coin toss on Valley Road on December 3, 2022.

**RESOLUTION 22-286
APPROVING SPECIAL EVENT LICENSE [MEYERSVILLE TREE LIGHTING ASSOCIATION]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, when all documents have been reviewed

and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve the license for the event to the "Sponsor" Meyersville Tree Lighting Association, for their Special Event to be held on December 4, 2022 at the Meyersville Circle for the annual Christmas Tree Lighting event; and

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Fire Official, that all documents have been reviewed and are in good order, does hereby approve fireworks conducted by Garden State Fireworks of Millington on December 4, 2022, at the Meyersville Ball Field on New Vernon Road and that all necessary permits have been approved; and

BE IT FURTHER RESOLVED that the Police Department approves the application and will provide the appropriate manpower for the event.

**RESOLUTION 22-287
APPROVING SPECIAL EVENT LICENSE [COMPUSCORE SERVICES - SPRING DISTANCE CLASSIC]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve the license S-23-01 for the "Sponsor" CompuScore Service., for their Special Event to be held on March 19, 2023 starting on Lord Stirling Road in Basking Ridge from 9:00 AM – 1:00 PM.

**RESOLUTION 22-288
APPROVAL OF 2023 TRAIN STATION PARKING FEES**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the following are the fees for the 2023 Train Station Parking Permits of the Township of Long Hill:

Millington Train Station	Yearly \$240.00	After July 1 st \$120.00
Stirling Train Station	Yearly \$290.00	After July 1 st \$145.00
Gillette Train Station	Yearly \$340.00	After July 1 st \$170.00
Daily	\$ 5.00	

BE IT RESOLVED, that the Township shall sell on a first come, first served basis 150 parking permits for Millington Train Station, 65 parking permits for Stirling Train Station and 140 parking permits for the Gillette Train Station

BE IT FURTHER RESOLVED, that the Township will conduct the sale on **Monday, December 5, 2022** online with the option to submit an application at Town Hall.

**RESOLUTION 22-289
AUTHORIZING TRANSFER OF FUNDS**

WHEREAS, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the Current Year; and

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand necessary for the balance of the Current Year;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provision R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account mentioned as being insufficient, to meet the current demands, and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following transfers:

ACCOUNT	TRANSFER FROM	TRANSFER TO
Group Health Benefits- OE	\$52,500.00	
Municipal Court- OE		\$ 1,500.00
Gasoline, OE		30,000.00
Electricity, OE		15,000.00
Fire Prevention- OE Fire Hydrant		<u>6,000.00</u>
Totals	\$52,500.00	\$52,500.00

**RESOLUTION 22-290
APPOINTING PROBATIONARY LABORER – UHRIG**

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, Harry Uhrig be appointed as Truck Driver/Laborer Class 4.
2. This appointment shall be effective on December 5, 2022, at an hourly rate of \$21.50.
3. Mr. Uhrig’s employment is contingent upon a satisfactory background check.
4. Mr. Uhrig will be a member of the Long Hill Public Works Association and a copy of the Agreement shall be provided.

**RESOLUTION 22-291
AUTHORIZING AND APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE
TOWNSHIP OF LONG HILL (“TOWNSHIP”) AND STIRLING SL URBAN RENEWAL LLC
 (“REDEVELOPER”)**

WHEREAS, on June 9, 2021, the Township Committee of the Township of Long Hill (the “Committee” or “Township Committee”) adopted Resolution 21-166, authorizing the Township Planning Board (“Planning Board”) to undertake a preliminary investigation of the Property (defined hereafter) to determine whether it was an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et. seq (“LRHL”); and

WHEREAS, on December 14, 2021, following a duly noticed public hearing held on November 23, 2021, the Planning Board adopted Resolution 2021-12-PB memorializing its determination to accept

and adopt the findings of the investigative report entitled “Area in Need of Redevelopment Study for Block 11401, Lot 7” prepared by Jessica Caldwell, PP, AICP of J. Caldwell & Associates, LLC and recommending that the Property be designated as a non-condemnation redevelopment area; and

WHEREAS, on January 19, 2022, the Township Committee adopted resolution 2022-043 designating the Property as a non-condemnation redevelopment area in accordance with the LRHL; and

WHEREAS, on August 10, 2022, the Township Committee introduced on first reading Ordinance 498-22, “Adopting 1106-1122 Valley Road Redevelopment Plan, Block 11401, Lot 7 (A/K/A the Former Carwash Site),” a redevelopment plan to govern the redevelopment of the Property pursuant to the LRHL (the “Redevelopment Plan”); and

WHEREAS, on September 28, 2022, after complying with all procedural requirements required under the LRHL and MLUL (defined hereafter), the Township Committee held a public hearing concerning the Redevelopment Plan, and following same adopted the Redevelopment Plan; and

WHEREAS, the Redeveloper is under contract (“Purchase Agreement”) to purchase the Property from the current title owner for the purpose of constructing the Project (defined herein) as described more fully within this Agreement, and the Township is also willing to make certain statutorily authorized tax exemptions or incentives available to Redeveloper in connection with the Project; and

WHEREAS, the Township has determined that the redevelopment of the Property in accordance with the applicable provisions of the Redevelopment Plan and this Agreement will contribute to the reinvigoration of the Township, as well as to further the social and economic improvement of the Township in accordance with the legislative intent, goals and objectives of the LRHL; and

WHEREAS, the Township has determined that the Redeveloper possesses the proper qualifications, financial resources and capacity to implement and complete the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Township believes the Project to be in the vital and best interests of the Township of Long Hill, and that it promotes the health, safety, morals and welfare of the Township’s residents; and

WHEREAS, to effectuate the purposes of the Act, the Township and Redeveloper agree to enter into a Redevelopment Agreement attached hereto as Exhibit “A” in order to further the Project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey that it does hereby authorize and approves the Redevelopment Agreement between Stirling SL Urban Renewal LLC (“Redeveloper”), and the Township of Long Hill, attached hereto as Exhibit “A;” and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement on behalf of the Township and the appropriate Township officials are hereby authorized to take the necessary action in furtherance of the Redevelopment Agreement

**RESOLUTION 22-292
AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH PARKER McCAY P.A. TO CONDUCT
AN INVESTIGATION**

WHEREAS, the Township of Long Hill has a need to acquire the services of an attorney to conduct an investigation; and

WHEREAS, contracts for professional services may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(l); and

WHEREAS, this contract is for less than the bid threshold; and

WHEREAS, the Chief Financial Officer has certified in writing the availability of adequate funds to pay the maximum amount of this contract; and

WHEREAS, the contractor will be required to submit a Business Entity Disclosure Certification

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

1. A professional services contract is hereby awarded to Parker McCay P.A. for John C. Gillespie to conduct an investigation of an employee complaint for the following consideration: \$225.00/hour (not to exceed \$5,000, unless increased by resolution of the Township Committee).
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
3. The Contractor shall secure and maintain insurance with the following minimum limits:

Professional Liability/Malpractice	\$1,000,000.00
Comprehensive General Liability	\$1,000,000.00
Comprehensive Automobile Liability	\$1,000,000.00
Workmen’s Compensation	Statutory

The certificates of insurance shall be acceptable to the Township Risk Manager and the Township Attorney.

4. These contracts shall be charged to budget line item(s) 2-01-0020-00155-2-00201. The certification of available funds by the Financial Officer shall be attached to the original of this resolution and shall be maintained in the files of the Township Clerk.

**RESOLUTION 22-293
AUTHORIZING THE TOWNSHIP CLERK TO FILE CERTIFICATION OF TOWNSHIP COMMITTEE
REVIEW OF 2022 BEST PRACTICES INVENTORY**

WHEREAS, in accordance with the State of New Jersey Fiscal Year Appropriations Act, (PL 2011, c.85), the Division of Local Government Services has distributed the 2022 Best Practices Inventory to municipalities; and

WHEREAS, a component of the inventory is a public review of the completed inventory by the respective governing body's;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey the inventory has been completed by the Chief Finance Officer on November 3, 2022 and the Township Clerk is hereby authorized to file the necessary certification to the Division of Local Government Services.

ORDINANCE 496-22

AN ORDINANCE PERMITTING ADDITIONAL RESIDENTIAL USES IN THE VALLEY BUSINESS ZONE AND SUPPLEMENTING AND AMENDING SECTIONS LU-111 ENTITLED “GENERAL TERMS”, LU-122.6 ENTITLED “B-D DOWNTOWN VALLEY COMMERCIAL ZONE DISTRICT”, LU-131 ENTITLED “SCHEDULE OF BULK REQUIREMENTS”, LU-138 ENTITLED “LOWER INCOME HOUSING REQUIREMENTS” AND LU-151 ENTITLED “OFF-STREET PARKING AND LIGHTING” OF THE TOWNSHIP CODE

WHEREAS, the Downtown Valley Commercial Zone (B-D) as set forth in Township Code § LU-122.6 is based on the standalone element of the Master Plan adopted in 2016-2017; and

WHEREAS, since then a number of changes have occurred in the economic and judicial environment and the Township has been reacting in piecemeal fashion; and

WHEREAS, the Township Committee recognizes that these changes are likely to continue and that the land use ordinance should embrace the piecemeal changes in order to simplify development applications in process for developers and affected property owners; and

WHEREAS, the Township Committee recognizes that these ordinance changes are needed despite the fact that the Master Plan Housing and Zoning Elements have not yet been updated to reflect these changed circumstances;

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 the Township Land Use Ordinance is hereby supplemented and amended as follows:

Section 1. Section LU-111 entitled “General Terms” is hereby supplemented and amended by adding the following definitions in alphabetical order:

ASSISTED LIVING RESIDENCE

A residential facility which is licensed by the Department of Health to provide rooms, meals, and personal care. Residential units offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance. Assisted living residences may provide other services to residents such as recreational activities, financial services, and transportation. "Assisted living" is a level of care between nursing home care and independent living and includes a coordinated array of supportive personal and health services, available 24 hours per day, to residents who have been assessed to need these services. Assisted living is intended to promote resident self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.

CONTINUING CARE RESIDENTIAL COMMUNITY (“CCRC”)

A residential community for older adults which provides a continuum of living accommodations and care including provisions for health care for individuals from independent living to assisted living to nursing care. A contract with a CCRC is an agreement to purchase service and the right

to live in a specific place; it is not an agreement to lease or purchase property. The CCRC must be registered with the New Jersey Department of Community Affairs.

NURSING HOME-

A facility that is licensed by the Department of Health to provide health care under medical supervision and continuous nursing care for 24 or more consecutive hours to two or more patients who do not require the degree of care and treatment which a hospital provides and who, because of their physical or mental condition, require continuous nursing care and services above the level of room and board.

Section 2. Subparagraph “9” in paragraph “a” entitled “Permitted Primary Uses” in Section LU-122.6 entitled “B-D Downtown Valley Commercial Zone District” is supplemented and amended to read as follows:

a. Permitted Primary Uses.

9. Small hotel, inn or bed & breakfast establishments and assisted living facilities, continuing care residential communities and nursing homes. Density to be determined by the Approving Authority.

Section 3. Section 122.6 is further supplemented and amended by adding the following new subparagraph “3” in paragraph “c” entitled “Permitted Conditional Uses:”

c. Permitted Conditional Uses.

3. Residential apartments in accordance with the provisions of Subsection 124.1, not to exceed 15 units per acre. This use requires that a percentage of the units be designated as “Affordable Housing” and subject to Section 138 of this ordinance.

Section 4. Section LU-122.6 is further amended by deleting paragraph “d” entitled “Prohibited Uses” in its entirety. The existing paragraph “e” is hereby re-lettered paragraph “d”.

Section 5. Section LU-122.6 is further amended by adding a new paragraph “e”, entitled, “ , which reads as follows:

“e. Emergency Medical Services

All assisted living facilities, continuing care residential communities and nursing homes, shall make emergency medical services available to or arranged for residents requiring these services. Each such facility shall develop a written plan for arranging for emergency transportation of residents at the facility’s sole expense for medical care and returning them to the facility.”

Section 6. Section LU-124.1 entitled “Apartments in Business Zones” is supplemented and amended to read as follows:

Apartments permitted in the B-1-5, B-1-20, M-H and M zones shall be at least 500 square feet in gross floor area, and shall be no more than 1,000 square feet. Apartments shall not be located on the ground floor of any building, and the gross density of all apartments on the lot shall not exceed five units per acre.

Apartments permitted in the B-D zone shall be at least 500 square feet in gross floor area. Apartments shall not be located on the ground floor of any building, and the gross density of all apartments on the lot shall not exceed fifteen units per acre.

Section 7. Section LU-131 entitled “Schedule of Bulk Requirements” is supplemented and amended by adding footnote “17” to the column entitled “Maximum Height of Building (stories/feet)” in the cell for Zone B-D to read as follows:

“(17) For assisted living facilities, continuing care residential communities, nursing homes, and mixed uses, increase the maximum height to 3/45. For buildings with in-building ground level parking, increase the maximum height to 4/55”

Section 8. Section LU-138 entitled “Lower Income Housing Requirements and subsection LU-138.1 are amended to read as follows:

“All residential developments in the R-MF-2 and B-D zone shall meet the following lower income housing requirements:

138.1

~~All developments shall provide 13% of all dwelling units to be affordable for low income households and 7% of all dwelling units to be affordable for moderate income households as those terms are defined in the Fair Housing Act (N.J.S.A. 52:27D-304) and the regulations promulgated by the Council On Affordable Housing (COAH).~~

For any future multifamily and independent living facility developments of five (5) or more units, at least fifteen (15%) percent of the all units in rental developments as affordable, and 20 percent of all units in for-sale developments as affordable, with at least 50 percent of the affordable units in each development being affordable to low-income households including 13 percent affordable to very-low-income households, with all such affordable units including the required bedroom distribution, be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls (“UHAC”), N.J.A.C. 5:80-26.1 et. seq. or any successor regulation, and all other applicable law.

Assisted Living facilities are subject to NJ Medicaid requirements.

Nursing Homes are not subject to this section.”

Section 9. Paragraph “c” in section LU-151.1 entitled “Off-Street Parking” is supplemented and amended by adding/amending the number of required parking spaces as set forth in the table (in alphabetical order) as follows

c. Add/Modify in table

<u>Apartments as conditional uses in the B-D Zone</u>	<u>1.5 per unit</u>
<u>Apartments (other)</u>	<u>2 per unit</u>
<u>Nursing and group homes</u>	<u>Peak shift staff + 0.3 per unit</u>
<u>Assisted Living</u>	<u>Peak shift staff + 0.5 per unit</u>

Section 10. 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 11. 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 12. This ordinance shall take effect immediately upon final passage and publication as required by law.
