



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ**  
**TOWNSHIP COMMITTEE**  
**REGULAR SESSION MEETING MINUTES**  
**Wednesday, August 10, 2022**  
**7:30 PM OPEN SESSION, CLOSED SESSION 6:30 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](http://www.longhillnj.gov). A public comment period will be held in the order it is listed on the meeting agenda.*

**EXECUTIVE SESSION:**

22-198 EXECUTIVE SESSION

- Personnel: Clerk Reappointment, Certified Recycling Professional
- Attorney Client Privilege – OPRA procedure, Cell Tower (AT&T), Planning Board Chair, Redevelopment Plan Car Wash Site
- Contract Negotiations – Professional Services Contract

**MOVED** by: Committeeman Lavender of the Township Committee of Long Hill Township, that Resolution 22-198 is hereby approved. **SECONDED** by: Committeeman Rae. **ROLL CALL VOTE:** Committeeman Lavender; yes, Committeeman Rae; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Dorsi; yes.

**CALL MEETING TO ORDER:**

Mayor Dorsi **opened the public session** of the meeting at 7:37 pm.

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

**ROLL CALL:** Committeeman Lavender, Committee Rae, Committeeman Verlezza, Deputy Mayor Piserchia, and Mayor Dorsi. Also present were Administrator Malool and Clerk Phillips.

**PROCLAMATION / PRESENTATIONS**

- Recreation Director Lisa Scanlon congratulated Spring Fever Photography Winners – Charles Arentowicz, Alina Belfield, Beiling Belfield and Lynne Vreeland.
- Mayor Dorsi asked for a **MOMENT OF SILENCE** for Michele (McGuire) Urbanski who passed away June 23, 2022 at the age of 81.

**DISCUSSION**

- Mayor Dorsi moved the DISCUSSION for the Shooting Range. Mayor Dorsi rescued himself at 7:44pm, Deputy Mayor Piserchia chaired the meeting. Attorney Pidgeon spoke about the history of the shooting ordinance and requirements. Bob Centamore, owner of 651 White Bridge Road spoke about the application for a private shooting range and rescinded his application. Mayor Dorsi returned at 7:57pm. The Township Committee opened the meeting to public discussion.
  - Nicole Voigt, spoke on behalf of Great Swamp Greenhouse. Ms. Voigt spoke about various issues and asked the Township Committee to reconsider the ordinance.

- Michael Beneduce, owner Great Swamp Greenhouses spoke about calling the police department and questioned why Mr. Centamore was allowed to continue without the Township Committee approval.
- Pamela Ogens – The Crescent – spoke about the Township Committee temporarily approving the gun range application at the July 13<sup>th</sup> meeting and spoke about prohibited uses in land use ordinance.
- Maryanne Noonan – spoke about the application being rescind and asked the Township Committee to redact any testimony that was given.
- Joe Ferrandino - 323 Chestnut Street – spoke about gun range for the police department and questioned the berm.
- Gary Pratt – 69 Lackawanna Blvd – spoke about residents being allowed to express their concerns about a gun range and asked the Township Committee to reconsider the ordinance.
- Committeeman Lavender spoke about revisiting the ordinance and the Township Committee agreed.

**ORDINANCE(S):**

**ORDINANCE 496-22 (FIRST READING / INTRODUCTION)**

**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**

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, August 10, 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, September 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 September 14, 2022, public agenda, or email [municipalclerk@longhillnj.gov](mailto:municipalclerk@longhillnj.gov).

**MOVED** by: Committeeman Rae, that Ordinance 496-22 be introduced and passed on first reading. **SECONDED** by: Committeeman Lavender. **ROLL CALL VOTE** Committeeman Lavender; yes, Committeeman Rae; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Dorsi; yes.

Ord 496-22 will be considered for final passage and adoption at a public hearing on Wednesday, September 14<sup>th</sup>.

**ORDINANCE 497-22 (FIRST READING / INTRODUCTION)**

**AN ORDINANCE REWRITING AND REORGANIZING VARIOUS TOWNSHIP PROPERTY MAINTENANCE CODES AND SUPPLEMENTING AND AMENDING CHAPTER XI OF THE TOWNSHIP CODE ENTITLED “PROPERTY MAINTENANCE CODE”**

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, August 10, 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, September 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 September 14, 2022, public agenda, or email [municipalclerk@longhillnj.gov](mailto:municipalclerk@longhillnj.gov).

- A discussion ensued about the height of grass and the Township Committee decided to amend the ordinance to say 6 inches instead of 5 inches.

**MOVED** by: Deputy Mayor Piserchia, that Ordinance 497-22 be introduced and passed on first reading. **SECONDED** by: Committeeman Verlezza. **ROLL CALL VOTE** Committeeman Lavender; yes, Committeeman Rae; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Dorsi; yes.

Ord 497-22 will be considered for final passage and adoption at a public hearing on Wednesday, September 14<sup>th</sup>

- Mayor Dorsi rescued himself at 8:28pm.

**ORDINANCE 498-22 (FIRST READING / INTRODUCTION)**  
**ADOPTING 1106-1122 VALLEY ROAD REDEVELOPMENT PLAN , BLOCK 11401, LOT 7 (A/K/A THE FORMER CARWASH SITE)**

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, August 10, 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, September 28, 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 September 28, 2022, public agenda, or email [municipalclerk@longhillnj.gov](mailto:municipalclerk@longhillnj.gov).

**MOVED** by: Committeeman Rae, that Ordinance 497-22 be introduced and passed on first reading. **SECONDED** by: Committeeman Lavender, **ROLL CALL VOTE** Committeeman Lavender; yes, Committeeman Rae; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Dorsi; abstain.

Ord 498-22 will be considered for final passage and adoption at a public hearing on Wednesday, September 28<sup>th</sup>

- Mayor Dorsi returned at 8:31pm.

**CONSENT AGENDA RESOLUTIONS:**

Resolution No. 22-199 – 22-213 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.

- 22-199 APPROVAL AND RELEASE OF MINUTES
- 22-200 APPROVING PAYMENT OF BILLS
- 22-201 AUTHORIZING REDEMPTION OF OUTSIDE LIEN - #19-0013

- 22-202 ACCEPTING RESIGNATION: DANIEL DISKIN
- 22-203 ACCEPTING RESIGNATION: MIKE KARLOK
- 22-204 APPOINTING PART-TIME PLUMBING SUBCODE OFFICIAL/PLUMBING INSPECTOR  
– WOERNER
- 22-205 APPROVING SPECIAL EVENT LICENSE [2022 BIKE MS: COUNTRY CHALLENGE]
- 22-206 AMENDING MOTION OF 2022 STANDING COMMITTEE APPOINTMENTS
- 22-207 APPLICATION FOR GYSPY MOTH SURVEY
- 22-208 CERTIFYING JUNIOR MEMBERSHIP WITH THE MILLINGTON VOLUNTEER FIRE  
COMPANY
- 22-209 EXTENSION OF 2022 THIRD QUARTER PROPERTY TAX GRACE PERIOD
- 22-210 AWARDING CONTRACT FOR JANITORIAL SERVICES
- 22-211 AUTHORIZING THE USE OF THE PUBLIC RIGHTS-OF-WAY BY ZAYO
- 22-212 AUTHORIZING EXECUTION OF RIGHT-OF-WAY RELEASE
- 22-213 RESOLUTION REFERRING THE 1106-1122 VALLEY ROAD REDEVELOPMENT  
PLAN, BLOCK 11401, LOT 7 (A/K/A THE FORMER CARWASH SITE) TO THE  
TOWNSHIP PLANNING BOARD
- 22-214 BANNER APPROVAL FOR PEDIATRIC CANCER AWARENESS MONTH
- 22-215 SOCIAL AFFAIR PERMIT [BPO ELKS 2392]

**MOVED** by: Deputy Mayor Piserchia of the Township Committee of Long Hill Township, that Resolution 22-199 through 22-215, with Mayor Dorsi abstaining from 22-213 and Committeeman Lavender abstaining from 22-215 are hereby approved. **SECONDED** by: Committeeman Rae. **ROLL CALL VOTE:** Committeeman Lavender; yes, Committeeman Rae; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Dorsi; yes.

**LIAISON REPORTS:**

- Committeeman Lavender gave a police liaison report and thanked everyone for coming to National Night out. Committeeman Lavender also gave a recreation update.
- Mayor Dorsi spoke about different projects being completed by DPW.

**ADMINISTRATOR'S REPORT:**

- Administrator Malool gave an update for the Meyersville ballfield project. Administrator Malool and Township Engineer, Mark Kataryniak gave an update on Main/Central Ave project. Administrator Malool spoke about delays due to heat for the municipal paving schedule. Lastly, announced 2<sup>nd</sup> annual Cleanup Day is scheduled for September 17<sup>th</sup>.

**DISCUSSION:**

- **White Bridge Road Bridge Replacement** – Administrator Malool spoke about the county replacing a part of White Bridge Road in 2023 and needing DEP approval which requires tree

replacement mitigation. The Township Committee tabled the conversation to a September meeting.

- **Trees Kantor Park** – Administrator Malool spoke about a previous approval to clear and grade a portion of Kantor Park. The Township completed the first phase last year and approved \$21,200 from open space trust fund to complete the second phase.
- **Police Department Traffic Vehicle** – Committeeman Lavender spoke about a request from Chief Naga to use a retired 1998 ambulance to transport traffic equipment. A discussion ensued and the Township Committee agreed.
- **NJ Transit** – Committeeman Lavender spoke about a previous discussion about fatalities on NJ Transit railroad tracks. Committeeman Lavender and Committeeman Verlezza met with Senator Bramnick who has reached out to NJ Transit. Deputy Mayor Piserchia requested Berkely Heights be apart of the meeting as the tracks are on the border.
- **Emergency Purchasing** – Mayor Dorsi spoke about revisiting the emergency purchasing protocols and a discussion ensued. The Township Committee decided not to change.
- **Outdoor Music** – Mayor Dorsi spoke suspending the outdoor music ordinance. A discussion ensued and the Township Committee will ask Planning Board to review and give recommendations for time limits and amplification.
  - **MOTION:** Committeeman Lavender, hold the ordinance in obeyance pending consideration of a revised ordinance. **SECOND:** Committeeman Verlezza. **ROLL CALL VOTE:** Committeeman Lavender; yes, Committeeman Rae; yes, Committeeman Verlezza; yes, Deputy Mayor Piserchia; yes, Mayor Dorsi; yes.

#### **ANNOUNCEMENTS:**

- Morris County Documenting Veterans of the “Forgotten Wars”- Public Invited to Submit Names of Those Who Served in the Endless Korean Conflict
- Community Blood Drive at St Vincent DePaul – Thursday, August 11<sup>th</sup> 1-7pm
- Honor our Heros Day – Stirling Elks – September 10<sup>th</sup> – 10am – 6pm
- B Street Band – Thursday, August 18th 7-8:30pm

#### **OLD/NEW BUSINESS:**

- Committeeman Rae asked Administrator Malool about the JIFFs policy and spoke about becoming aware of a hostile work environment for Chief Naga. Mayor Dorsi and Attorney Pidgeon interrupted and said personnel matters could not be discussed in public. Mayor Dorsi also spoke about proper protocol to report and a conflict of interest.

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

- **Mayor Dorsi** reported that the Township Committee would not be discussing the MRI police study. **Deputy Mayor Piserchia** spoke about what would be released to the township pending the study being completed.
- **Joe Ferrandino – 323 Chestnut Street**– spoke about a previous study conducted for the town and nominated himself for consulting in future studies.

- **Maryann Noonan - 110 Lackawanna Blvd**– spoke about various studies and fair share housing.
- **Joe Bartolotta – 263 Union Street**– spoke about an ad in the Echoes Sentinel and asked if anyone on the committee made inappropriate or racist comments regarding the Chiefs ethnic or religious background.
- **Mark DiGiovanni – Heritage Road** – spoke about Morris County dispatch contract and documents that were released.
- **Marianne Noonan** – spoke about the experience that people had with the professionals of MRI.
- **Frank Liberato** – spoke about best purchasing practices and received clarification from Attorney Pidgeon that it is only required to seek two quotes for purchases between \$6,600 and \$44,000. Mr. Liberato also spoke about the Chief of Police.
- **Charles Arentowicz – Heritage Road** – spoke about supporting the Long Hill Township Police and gave the Township Committee a support sign. Mr. Arentowicz also discussed receiving ARP funds and police budgeting. Administrator Malool and Committeeman Lavender spoke about increasing the police budget and funding accreditation until the end of 2022. Lastly, Mr. Arentowicz asked for an update on the land diversion and spoke about heights of buildings.
- **Mark DiGiovanni – Heritage Road** – asked for clarification about securing the Rodgers group to help with accreditation. A discussion ensued about accreditation.
- **Carol Prasa** – spoke about the TV system and Administrator Malool spoke about technical issues and upgrading the system. Ms. Prasa also asked who is responsible for content and received clarification from Administrator Malool.
- **Katie McLennan - 342 Chestnut Street** – spoke about an observation regarding what is seen on Facebook and the police department.
- **Charles Arentowicz** – spoke about researching the Rodgers group and Michael Peoples being on apart of the company.
- **Donna Ruggerio** – thanked Chief Naga and his department.
- **Gary Pratt** – spoke about not being able to hear audience reactions. Mr. Pratt also spoke about concerns about residents asking questions and not receiving answers from the Township Committee and the police study.
- **Donna Fucci – 350 Mercer** - spoke about the police department and National Night Out questions from the MRI study.
- **Al Pepe** - spoke about a bike accident he was involved in and thanked the First Aid Squad and the police department and asked what prompted the beginning of the police department study. Deputy Mayor spoke about the study and thanked the police department.
- **Joe Bartolotta - 263 Union Street** – spoke about Mr. Pepes comments and asked concerns from residents about the police department.
- **Marianne Noonan** – spoke about OPRA request and historical data and scope of the police study. Ms. Noonan also spoke about redactions.
- **Committeeman Rae asked Chief Naga** to speak - Chief Naga thanked Committeeman Rae and asked Mayor Dorsi and Committeeman Lavender in what capacity he would be allowed to speak due to labor council stipulations. Committeeman Lavender said to speak freely. Chief Naga spoke about a report from Director Michael Peoples and a discussion ensued.
- **Joe Ferrandino** – spoke about issues with dispatch and adjusting to a plan that would work.
- **Olena Zaruba - 1938 Valley Road** – spoke about a zoning issue that she became aware of and asked the Township Committee to extend allowing the storage container until October 6<sup>th</sup> as it's housing donations for Ukraine. The Township Committee agreed and thanked her for her efforts.

**ADJOURNMENT**

On motion by Committeeman Lavender and seconded by Committeeman Verlezza and carried unanimously to adjourn at 10:51pm.

Respectfully submitted,

*Megan Phillips*

Megan Phillips

Approved: September 14, 2022

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**RESOLUTION 22-198  
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: Clerk Reappointment, Certified Recycling Professional
- Attorney Client Privilege – OPRA procedure, Cell Tower (AT&T), Planning Board Chair, Redevelopment Plan Car Wash Site
- Contract Negotiations – Professional Services Contract

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**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.

**EXTENDED STAY HOTEL**

A commercial establishment providing lodging for a fee for guests, generally marketed to long-term visitors on a temporary basis, which contain furnishings and facilities for sleeping, bathing, food preparation and cooking. Kitchen facilities within individual units may include, but are not limited to, counters, refrigerators, stoves, and ovens.

**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, nursing homes, and extended stay hotels. 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 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 5.** 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 6.** 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 extended stay hotels, 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 7.** 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 units in each development being affordable to low-income households including 13 percent in rental developments 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 and Extended Stay Hotels are not subject to this section."

**Section 8.** 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>
Apartments ( <u>other</u> )	2 per unit
<u>Nursing and group homes</u>	<u>Peak shift staff + 0.3 per unit</u>
<u>Extended Stay Hotel</u>	<u>Peak shift staff + 1 per unit</u>
<u>Assisted Living</u>	<u>Peak shift staff + 0.5 per unit</u>

**Section 9.** 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 10.** 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 11.** This ordinance shall take effect immediately upon final passage and publication as required by law.

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**ORDINANCE 497-22  
AN ORDINANCE REWRITING AND REORGANIZING VARIOUS TOWNSHIP PROPERTY  
MAINTENANCE CODES AND SUPPLEMENTING AND AMENDING CHAPTER XI OF THE TOWNSHIP  
CODE ENTITLED “PROPERTY MAINTENANCE CODE”**

**WHEREAS,** the existing Township Property Maintenance Codes are inconsistent and difficult to follow;

**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 XI of the Township Code Entitled “Property Maintenance Code” is hereby supplemented and amended as follows:

**Section 1.** The following subsections of section 16-1 entitled “Property Maintenance Code” are hereby repealed:  
16-1.1 through 16-1.3;16-1.4; 16-1.5; 16-1.8 and16-1.9.

**Section 2.** Subsection 16-1.3A entitled “Registration and Maintenance of Properties Pending Foreclosure” is redundant with Section 16-7 entitled, “Registration and Maintenance of Vacant and Abandoned Residential Properties Including Those in Foreclosure” and is, therefore, repealed.

**Section 3.** There is hereby created a new section 11-1 entitles “Property Maintenance” which reads as follows:

## **“PROPERTY MAINTENANCE**

### **11-1.1. Definitions.**

The following words, wherever used in this chapter, shall have the meanings set forth:

**OPERATOR** — Any person who has charge, care or control of a building or premises or a part thereof, whether with or without the consent and knowledge of the owner.

**OWNER** — Any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises, with or without accompanying actual possession thereof; or shall have charge, care or control of any property, as owner or agent of the owner, or as fiduciary, including but not limited to: executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate or as a mortgagee entitled to possession or in possession regardless of how such possession was obtained. Any person who is a lessee subletting or reassigning any part or all of any dwelling or dwelling unit shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by said lessee.

**PERSON** — Any actual living person, or any corporation, partnership or other legal entity.

**REFUSE** – Shall mean putrescible and non-putrescible solid waste, including, but not limited to: garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and industrial waste.

**RUBBISH**- Shall mean non-putrescible solid waste consisting of both combustible and non-combustible waste such as paper, wrappings, cigarettes, cardboard, cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

**RUBBLE** – shall mean all debris from the construction, demolition, or alteration of building, earth, rocks, or incinerator ashes, brick, mortar, concrete, and similar solid material.

### **11-1.2. Title; purpose.**

- A. This chapter shall be known as the ‘Property Maintenance Code of the Township of Long Hill.’
- B. The purpose of this chapter is to:
  - (1) Provide for the public health, safety and welfare.
  - (2) Avoid, prevent and eliminate the maintenance or creation of hazards to the public health or safety.

- (3) Avoid, prevent and eliminate conditions which, if permitted to exist or continue, will depreciate or tend to depreciate the value of adjacent or surrounding properties.
- (4) Prevent the creation, continuation, extension or aggravation of blight.
- (5) Preserve property values in the Township.
- (6) Maintain the value and economic health of the commercial property and businesses that serve and help to support the Township and its citizens.

#### **11-1.3. Compliance required.**

- A. The owner of every building, structure, or lot and the premises on which it is situated within the Township shall comply with the provisions of this chapter, whether or not any such building or structure shall have been constructed, altered or repaired before or after the enactment hereof and irrespective of any permits or licenses which may have been issued for the use or occupancy of such building or for the installation or repair of equipment or facilities prior to the effective date hereof.

#### **11-1.4. Maintenance of property.**

All property in the Township of Long Hill shall meet the following standards:

- A. Sanitation. All exterior property areas and premises shall be maintained in a clean, safe and sanitary condition, free from any accumulation of rubbish or garbage.
- B. Containers. The operator of every establishment producing garbage, vegetable wastes or other putrescible materials shall provide, and at all times cause to be used, leakproof containers, provided with close-fitting covers, for the storage of such materials until removed from the premises for disposal.
- C. Grading and drainage. All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon or within any structure located thereon that causes a public health problem affecting abutting property owners.
- D. Traffic safety maintenance. All traffic flow and control signs on private property and/or required by an approved site plan, whether painted on pavement or vertical structures, shall be properly maintained in a functional condition. Bent and leaning sign poles shall be replaced and/or straightened. Painted directional and parking-bay stripes shall be maintained in a readable condition. Bent and broken traffic control guardrails and fencing shall be replaced.
- E. Litter and maintenance of solid waste disposal facilities for

nonresidential sites. All industrial and commercial sites shall be kept free from noticeable accumulation of paper and solid waste debris. Common refuse storage areas shall be kept in a clean and repaired state in full conformance with the site plan provisions for such facilities.

- F. Litter and maintenance of solid waste disposal facilities for residential sites. All residential sites shall be kept free from noticeable accumulation of paper and solid waste debris. Refuse storage areas shall be kept in a clean and repaired state in full conformance with the Health and Sanitation Code of the Township.
- G. Insect and rat control. An owner of a structure or property shall be responsible for the extermination of insects, rats, vermin or other pests in all exterior and interior areas of the premises. Whenever infestation exists in the shared or public parts of the premises, extermination shall be the responsibility of the owner.
- H. Site improvements. All sidewalks, steps, driveways, parking spaces and similar paved areas for public use shall be kept in a proper state of repair including those on public right of way adjacent to the site.
- I. Site vegetation.
  - (1) All brush, shrubs, grass and trees shall be maintained so as not to obstruct public access to sidewalks and roadways and so as not to obstruct the necessary line of sight from any roadway. Brush, shrubs, grass and trees shall be kept trimmed so that they do not cross the line of the sidewalk from the ground to a height of seven feet. Poison ivy, poison sumac and similar noxious vegetation shall be removed from the vicinity of any public sidewalk or roadway.
  - (2) Grass, Weeds. All premises and exterior property shall be maintained free from grass, weeds or plant growth in excess of six (6") inches from the front of the structure to the edge of the street/curb and all side yards and rear yards that are visible from the street or adjoining properties. "Grass" and "weeds" shall include all grasses, annual plants and vegetation, other than trees and shrubs, but shall not include maintained cultivated flowers and gardens.
  - (3) Trees and shrubs. On-site dead and dying trees, limbs, and leaves, or other natural growth which, by reason of rotting or deteriorating conditions or storm damage, constitute a hazard to persons on adjacent properties or the adjoining public rights-of-way shall be kept pruned, trimmed, or removed to prevent such conditions. The properties on which such natural growth is located shall be kept clean so as not to constitute a hazard to persons in the vicinity thereof.
- J. Exhaust vents. A person shall not construct, maintain or operate pipes, ducts, conductors, fans or blowers discharging gases, steam, vapor, hot air, grease, smoke, odors of other gaseous or particulate wastes so as to discharge directly upon abutting or adjacent public and private

property or that of another tenant.

- K. Swimming pools. All on-site swimming pools shall be maintained and secured as provided for in Chapter 199, Swimming Pools, of the Long Hill Township Code of Ordinances. When the property is vacant, water in the swimming pool must be treated or removed to prevent the pool from becoming a breeding site for mosquitos.
- L. Prohibited conditions. The exterior of all premises shall be kept free of the following matter, materials or conditions:
  - (1) Abandoned, uncovered or structurally unsound walls, shafts, towers, exterior cellar openings, basement hatchways, foundations or excavations.
  - (2) Abandoned iceboxes/freezers, refrigerators, heaters, television sets and other similar major appliances.
  - (3) Animal excrement.
  - (4) Hidden or uncovered ground or surface hazards, such as holes, sudden depressions, sharp or jagged projections or obstructions.
  - (5) Buried rubble, refuse or rubbish.
  - (6) Dangerously loose and overhanging objects, including, but not limited to, dead trees or tree limbs, accumulations of snow, ice or any object, natural or man-made, which could threaten the health and safety of persons if caused to fall or other similar dangerously loose and overhanging objects, which, by reason of their location above ground level, constitute an actual hazard to persons or vehicles in the vicinity thereof.
  - (7) Structurally unsound, loose, dangerous, crumbling, missing, broken, rotten or unsafe exterior portions of buildings or structures, including but not limited to porches, landings, balconies, stairways, handrails, steps, walls, overhangs, roofs, fences, supporting members, timbers, abutments, fire escapes, signs or loose, crumbling or falling bricks, stones, mortar or plaster.
  - (8) Exterior surfaces or parts of buildings or structures containing sharp, rough or projecting surfaces or objects which might cause injury to persons coming in contact therewith.
  - (9) Peeling paint, broken glass or windows or rotted, missing or substantially destroyed window frames and sashes, door frames, exterior doors or other major exterior component parts of buildings or structures.

**11-1.5. Maintenance of exterior of structures.**

- A. General. The exterior of a structure shall be maintained structurally

sound and sanitary so as not to pose a threat to the health and safety of the occupants and so as to protect the occupants from the environment.

- B. Structural members. All supporting structural members of all structures shall be kept structurally sound, free of deterioration and maintained capable of safely bearing the dead and live loads imposed upon them.
- C. Exterior surfaces (foundations, walls and roof). Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in a workmanlike state of maintenance and repair.
- D. Foundation walls. All foundation walls shall be maintained so as to carry the safe design and operating dead and live loads and shall be maintained plumb and free from open cracks and breaks so as not to be detrimental to public safety and welfare.
- E. Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface-coated when required to prevent deterioration.
- F. Roofs. The roof and gutters shall be structurally sound and tight and shall not have defects which might admit rain, and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building.
- G. Chimneys. All chimneys, cooling towers, smokestacks and similar appurtenances shall be maintained structurally safe, sound and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint, or similar surface treatment where necessary.
- H. Stairs and porches. Every stair, porch and balcony, and all appurtenances attached thereto, shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected and shall be kept in sound condition and good repair.
- I. Any awnings or marquees and accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a safety hazard. In the event such awnings or marquees are not maintained in accordance with the foregoing they shall, together with their supporting members, be removed forthwith. In the event said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic where exposed to public view shall not show evidence of excessive weathering, discoloration, ripping, tearing or holes.



### **11-1.6. Outdoor Storage.**

a. Except as permitted by Subsection b below, all lots shall be kept free of accumulations of trash, garbage waste, rubbish, refuse, junk or noxious or offensive materials or substances.

b. Construction debris shall be removed within 30 days of the completion of a construction project. For long-term construction projects, trash and debris shall be removed on a not less than three month interval during the course of the project.

c. The outdoor storage of goods, merchandise, usable lumber, usable building materials and other similar materials (excluding trash, garbage, waste, rubbish, refuse and junk) shall be permitted in all zones subject to the following restrictions:

1. No such material shall be stored in any front yard.

2. Materials stored pursuant to this section, shall be screened from view from the street and all adjoining properties by appropriate fences, walls or landscaping.

3. No such materials may be stored within 10 feet of any property line.

d. The outdoor storage of one inoperable vehicle shall be permitted on a lot in any zone subject to the following restrictions:

1. It must be screened from view from the street and all adjoining properties by fences, walls or landscaping.

2. It may not be stored in any front yard.

3. It may not be stored within 10 feet of any property line.

e. Except as permitted by Subsection g below, the outdoor storage of junk vehicles is prohibited in all zones.

f. The outdoor dismantling, major repair, rebuilding or demolition of one passenger automobile or one boat of not more than 35 feet in length or one major household appliance shall be permitted on a lot in any zone subject to the following restrictions:

1. Such activities shall be screened from view from the street and all adjoining properties by fences, walls or landscaping.

2. No such activities shall be permitted to take place within 10 feet of any property line.

g. The outdoor storage of one recreational vehicle not exceeding 35 feet in length and one boat not exceeding 35 feet in length shall be permitted on a lot in any zone district. No boat or recreational vehicle shall be stored in a front yard or within 10 feet of any property line. The outdoor storage of more than one boat or more than one recreational vehicle or any boat in excess of 35 feet or any recreational vehicle in excess of 35 feet is prohibited in all zone districts.

h. The storage of firewood is permitted as long as it is cut and neatly stacked.

This section shall not be construed to allow any use or activity that violates any provisions of t

#### **11-1.7. Access to properties.**

When the lack of maintenance of a property results in violations of the Township's Property Maintenance Code which are obvious from adjacent public rights-of-way or from adjoining property whose owners have provided access for the purpose of inspecting the property containing the violations, the property maintenance enforcement officer shall send a notice to the owner of record for the subject property citing the visible violations and demanding access to the property to conduct a more thorough inspection. The notice shall specify a time frame for the correction of the visible violations as provided for in this Property Maintenance Code. Said notice may also set forth a day and time for the more thorough inspection, which time shall be no less than 10 days after the mailing of the notice. If owner of the property or his designated agent are not present for this inspection and/or do not object to the enforcement officer making the inspection, the enforcement officer can conduct an inspection of the exterior of the property and shall send to the owner of record a statement indicating the findings of said inspection and any required repairs or violations. If the property owner refuses to allow the inspection, the enforcement officer shall file a complaint with the Municipal Court citing the violations visible from the public right-of-way or adjacent properties seeking not only the abatement of the violations cited but also authority to conduct a more thorough inspection.

#### **11-1.8. Enforcement officer.**

The provisions of this chapter shall be enforced by the Zoning Officer and the Zoning Enforcement Officer, with the assistance of the Construction Office, the Police Department, the Fire Prevention Bureau, and the Health Department.

#### **11-1.9. Violations and penalties.**

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction, be liable to the general penalties set forth in Section 1-5 of this Code, and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

#### **11-1.10. Township intervention.**

- A. Filing of report with governing body. If, within the time permitted, the owner shall fail to abate the nuisance, correct the defect or defects or put the premises in proper condition so as to comply with the requirements of applicable ordinances and state laws or conditions of approval received from any board or agency of the Township, after notice thereof and opportunity to do so as provided elsewhere in this chapter, the enforcement official shall forthwith file a report with the governing body of the Township of Long Hill, which said report shall set

forth in detail the condition or conditions constituting the nuisance or the defect or defects and shall contain a copy of the notice served upon the owner and the date and the manner thereof and a certification that such condition or conditions still exist.

**B. Hearing; resolution to abate; expenditure of municipal funds.**

- (1) Upon the filing of the report by the enforcement official, a hearing shall be held upon at least five days' notice to the owner, served in the same manner as is provided elsewhere. At such hearing, the enforcement official shall submit a report of his findings and recommendations to the Township Committee. If the governing body is of the opinion that such action is in the public interest, the governing body may adopt a resolution in the public's interest to abate the nuisance, to correct the defect or defects or to put the premises in proper condition so as to comply with the requirements of applicable ordinances and state laws or conditions of approval received from any board or agency of the Township, at the cost and expense of the owner.
- (2) The governing body may, by such resolution, also authorize the expenditure of municipal funds and fix the amount thereof for the purpose of correcting such conditions, and, in such cases where the nuisance or defect falls within a category for which there is statutory authority for the creating of a tax lien, such expenditure shall be charged against the premises, and the amount thereof shall be a lien collectible as provided in this chapter.
- (3) The enforcement official or the Public Works Manager, depending upon the volume of the work performed in accordance with the resolution at Township's expense, not to exceed the amount specified in the resolution, shall, upon completion thereof, submit a report of the monies expended and costs to the Township Committee.
- (4) After review of the report, the Township Committee may approve the expenses and costs whereupon the same shall become a lien against the premises, collectible as provided by law. A copy of the resolution approving the expenses and costs, whereupon the same, shall be certified by the Township Clerk and filed with the Tax Collector of the Township, who shall be responsible for the collection, and a copy of the report and resolution for the collection, and a copy of the report and resolution shall be sent by certified mail, return receipt requested, to the owner."

**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 become effective immediately upon final passage and

publication as required by law.

\*\*\*\*\*

**ORDINANCE 498-22**

**ADOPTING 1106-1122 VALLEY ROAD REDEVELOPMENT PLAN , BLOCK 11401, LOT 7 (A/K/A THE FORMER CARWASH SITE)**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (The “Redevelopment Law”) authorizes municipalities to determine pursuant to subsection b of

section 6 of *N.J.S.A. 40A:12A-6* that an area is in need of redevelopment; and

**WHEREAS**, the Township Committee adopted Resolution 21-166 on June 9, 2021, authorizing the Township Planning Board to undertake a preliminary investigation of property located at 1106-1122 Valley Road and known as Block 11401, Lot 7 (the Former Car Wash) (the “Study Area”), to determine whether that parcel constitutes a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, the Township Committee authorized Jessica Caldwell, PP, AICP of J.Caldwell & Associates, LLC (the “Planning Consultant”), to conduct a preliminary investigation to determine whether the study area should be designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, Jessica Caldwell, PP, AICP prepared an investigative report dated November 1, 2021, and entitled “Area in Need of Redevelopment Study” for Block 11401, Lot 7 in the Township of Long Hill, Morris County, New Jersey; and

**WHEREAS**, after complying with all the procedural requirements of the Redevelopment Law, the Planning Board conducted a public hearing on November 23, 2021, to determine whether the proposed area qualifies as a non-condemnation redevelopment area meeting the criteria set forth in *N.J.S.A. 40A:12A-5*; and

**WHEREAS**, the Planning Board accepted the findings of the Planning Consultant that 1106-1122 Valley Road, Block 11401, Lot 7 should be designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, after conducting the public hearing described above, the Planning Board adopted Resolution 2021-12-PB on December 14, 2021, memorializing the conclusions set forth above and recommending that 1106-1122 Valley Road, Block 11401, Lot 7 be designated as a non-condemnation redevelopment area and; and

**WHEREAS**, the Township Committee thereafter adopted Resolution 2022-043 on January 19, 2022, designating 1106-1122 Valley Road, Block 11401, Lot 7 as an area in need of redevelopment without the power of eminent domain pursuant to the provisions of §§ 5 and 6 of the Redevelopment Law, and directed Township Planner Jessica Caldwell to draft a redevelopment plan for the Non-Condensation Redevelopment Area and to submit her report to the Township Committee pursuant to the provisions of *N.J.S.A. 40A:12A-7f*; and

**WHEREAS**, Township Planner Jessica Caldwell has submitted a proposed 1106 – 1122 Valley Redevelopment Plan (Block 11401, Lot 7) dated August 3, 2022; and

**WHEREAS**, the Township Committee has determined that this Redevelopment Plan is in the best interest of the Township and its residents;

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

1. The Redevelopment Plan attached hereto as Exhibit "A" is hereby adopted.
2. The Zoning Map adopted by reference in Section LU-121.3 of the Township Code is hereby amended to include the Redevelopment Area as set forth in the Redevelopment Plan.
3. This ordinance shall take effect immediately upon final passage and publication as required by law.

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**RESOLUTION 22-199  
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 July 13, 2022;

**BE IT FURTHER RESOLVED** that the Township Committee hereby approves July 13, 2022, Executive Session Meeting Minutes as redacted by the Township Attorney.

\*\*\*\*\*

**RESOLUTION 22-200  
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.

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**RESOLUTION 22-201  
AUTHORIZING REDEMPTION OF OUTSIDE LIEN - #19-0013**

**WHEREAS**, funds have been remitted by COMERICA BANK to redeem tax sale certificate #19-0013 for Block 12101 Lot 3.13, 27 COOPER LN purchased by CC1NJ II LLC, and assigned to TRYSTONE CAPITAL ASSETS, LLC, assessed in the name CAROL DONAHUE 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 \$766.94 plus a premium of 3,000.00 for a total of \$3,766.94 to the lienholder:

**Make Redemption check payable to:**  
TRYSTONE CAPITAL ASSETS, LLC  
570 ROUTE 70 SECOND FL  
BRICK, NJ 08723

\*\*\*\*\*

**RESOLUTION 22-202  
ACCEPTING RESIGNATION: DANIEL DISKIN**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill accepts the resignation of Daniel Diskin as Truck Driver/Laborer Class 4 effective July 22, 2022.

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**RESOLUTION 22-203  
ACCEPTING RESIGNATION: MIKE KARLOK**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill accepts the resignation of Michael Karlok as Fire Sub Code Official effective August 29, 2022.

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**RESOLUTION 22-204  
APPOINTING PART-TIME PLUMBING SUBCODE OFFICIAL/PLUMBING INSPECTOR – WOERNER**

**WHEREAS**, N.J.S.A. 52:27d-126 provides that:

“The appointing authority of any municipality shall appoint a Construction Official and any necessary Subcode Officials to administer and enforce the [uniform construction] code. The appointing authority may by resolution or order as appropriate, set the total number of weekly hours of operation of the Construction Official’s office and the total number of weekly work hours of the Construction Official, commensurate with the compensation paid to the Construction Official. The appointing of authority shall not set the specific work hours of the Construction Official.

. . . .

A Construction Official or Subcode Official in a non civil service municipality shall be appointed for a term of four years and shall, upon appointment do a second consecutive term . . . be granted tenure and shall not be removed from office except for just cause after a fair and impartial hearing.

A Construction or Subcode Official to be eligible for appointment in civil service or non civil service municipalities shall be certified by the state of New Jersey. . . .;” and

**WHEREAS**, N.J.A.C. 5:23-4.4 provides that:

The construction official shall serve as the chief administrator of the enforcing agency. He shall establish the day to day operating routines of the agency and shall coordinate the activities of the subcode officials. . . .

Subcode Officials shall enforce the provisions of those subcodes for which they are responsible . . . [E]ach Subcode Official shall have exclusive decision-making authority with respect to the technical provisions of the subcode for which he has been appointed the official . . . .;” and

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Long Hill in accordance with the provisions of N.J.S.A. 52:27d-126 and N.J.A.C. 5:23-4.4 that it does hereby appoint the following individual(s) to the position(s) indicated:

POSITION	NAME	TERM	SALARY
Part-time Plumbing Subcode Official/ Plumbing Inspector	Mike Woerner	July 14, 2022 - July 13, 2026	\$22,650

\*\*\*\*\*

**RESOLUTION 22-205  
APPROVING SPECIAL EVENT LICENSE [2022 BIKE MS: COUNTRY CHALLENGE]**

**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 License Number S22-12 for the event to the “Sponsor” National Multiple Sclerosis Society, for their Special Event 2022 Bike MS: Country Challenge to be held 8:30 AM – 11:00AM on September 17, 2022

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**RESOLUTION 22-206  
AMENDING MOTION OF 2022 STANDING COMMITTEE APPOINTMENTS**

**WHEREAS**, the Township Committee made a motion at the January 5, 2022, for the Township Committee Standing Appointments for 2022

**BE IT RESOLVED** Committeeman Verlezza standing committee appointments will be as follows Beautification, Negotiations, Visionary Comm. - Central Park Vision Committee, Board of Health, Planning Board and Board of Education

\*\*\*\*\*

**RESOLUTION 22-207  
APPLICATION FOR GYSPY MOTH SURVEY**

**WHEREAS**, the Municipal Clerk received a letter on July 25<sup>th</sup> from the NJ Department of Agriculture asking if Long Hill Township would want to have the Department of Agriculture to conduct a LDD egg mass survey

**BE IT RESOLVED** by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey that the Township of Long Hill would like to participate in the survey

\*\*\*\*\*

**RESOLUTION 22-208  
CERTIFYING JUNIOR MEMBERSHIP WITH THE MILLINGTON VOLUNTEER FIRE COMPANY**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby certify that **CARMINE FAMILLETTI** is a Junior Member of the Millington Volunteer Fire Company, No. 1.

\*\*\*\*\*

**RESOLUTION 22-209  
EXTENSION OF 2022 THIRD QUARTER PROPERTY TAX GRACE PERIOD**

**WHEREAS**, the Collector of Taxes recommends that the grace period for the 2022 third quarter be extended from the usual ten (10) days to twenty five (25) days due to a delay in receiving the 2022 certified tax rate and tax bills mailing.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey that the grace period for the 2022 Third Quarter Property Tax be extended until September 1, 2022. Payments received after that date will accrue interest from August 1, 2022, as mandated by the State of New Jersey.

\*\*\*\*\*

**RESOLUTION 22-210  
AWARDING CONTRACT FOR JANITORIAL SERVICES**

**WHEREAS**, the Township Administrator sought two quotations to provide “Janitorial Maintenance of Public Facilities”; and

**WHEREAS**, a quotation was received from Vanguard Cleaning Systems in the amount of \$42,873; and

**WHEREAS**, Township Administrator has recommended that the contract be awarded to Vanguard Cleaning Systems in accordance with its quotation; 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 “Janitorial Maintenance of Public Facilities” is hereby awarded to Vanguard Cleaning Systems in accordance with its quotation dated July 12, 2022, in the amount of \$42,873.
2. The Mayor and Clerk are hereby authorized and directed to execute the contract for the Janitorial Maintenance of Public Facilities in accordance with the quotation documents.
3. This contract will be properly charged to the following line item appropriation of the official Township budget. 2-01-0020-00210-2-00211.

\*\*\*\*\*

**RESOLUTION 22-211  
AUTHORIZING THE USE OF THE PUBLIC RIGHTS-OF-WAY BY ZAYO**

**WHEREAS**, Zayo is a provider of telecommunications services that is authorized by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout New Jersey; and

**WHEREAS**, Zayo has petitioned the municipality for consent to use the public rights-of-way to place new aerial fiber optic cables via pole attachments on existing utility poles along Johnson Ave, Mountain Ave, Valley Rd, Stirling Rd and Plainfield Rd.; and

**WHEREAS**, Zayo has or will enter into agreements with the utility companies for the use of their poles; and

**WHEREAS**, N.J.S.A. 48:3-19 provides that "[t]he consent of the municipality shall be obtained for the use by a person of the poles of 'another person unless each person has a lawful right to maintain poles in such street, highway or other public place;



**NOW, THEREFORE, BE IT RESOLVED THAT:**

1) That the governing body does hereby grant permission and authority to Zayo, Inc. to install fiber optic cables on existing utility poles within the public right-of-way, upon the following terms and conditions:

- a) Zayo shall adhere to all applicable federal, State, and local laws in connection with its use of the public right-of-way.
- b) Zayo shall obtain any applicable permits in connection with the installation of its facilities;
- c) Zayo shall indemnify, defend and hold harmless the municipality, its officials, agents, and employees, from and against any claim of liability, damages or loss resulting in bodily injury or property damage arising out of Planet Network's use of the public right-of-way, except to the extent such loss, injury or property damage resulting from the acts or omissions of the municipality.
- d) Zayo shall procure and maintain, at its cost and expense, commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence and shall include the municipality as an additional insured on said insurance policy.
- e) Zayo shall be responsible for the repair of any damage to pavement or any structure arising from its construction, installation or maintenance of its facilities.
- f) That the Mayor is hereby authorized to execute and the Clerk to attest to any other documents necessary to effectuate the terms of this resolution.

\*\*\*\*\*

**RESOLUTION 22-212  
AUTHORIZING EXECUTION OF RIGHT-OF-WAY RELEASE**

**WHEREAS**, the Township of Long Hill has a 10' pedestrian right-of-way traversing land owned by Adam Lackey, and known as 1631 Long Hill Road, Millington (Block 12901, Lot 5) as set forth in a Right-of-way Agreement and Easement between Robert T. Cosgrove and Catherine Ann Cosgrove, Grantors and the Township of Passaic (now known as the Township of Long Hill), dated August 5, 1970, and recorded in the Morris County Clerk's office, on October 26, 1970, in deed book 2156, page 333; and

**WHEREAS**, the Township has never utilized the 10' pedestrian right-of way, does not anticipate ever using it and, accordingly, desires to release, cancel and annul said right-of-way;

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

- 1. It does hereby release and quitclaim to Adam Lackey the 10' pedestrian easement described in the preamble above.
- 2. The Mayor and Township Clerk are hereby authorized to execute a release of the right-of-way that has been approved by the Township Attorney.

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**RESOLUTION 22-213  
RESOLUTION REFERRING THE 1106-1122 VALLEY ROAD REDEVELOPMENT PLAN , BLOCK 11401, LOT 7 (A/K/A THE FORMER CARWASH SITE) TO THE TOWNSHIP PLANNING BOARD**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (The

“Redevelopment Law”) authorizes municipalities to determine pursuant to subsection b of section 6 of *N.J.S.A. 40A:12A-6* that an area is in need of redevelopment; and

**WHEREAS**, the Township Committee adopted Resolution 21-166 on June 9, 2021 authorizing the Township Planning Board to undertake a preliminary investigation of property located at 1106-1122 Valley Road and known as Block 11401, Lot 7 (the Former Car Wash) (the “Study Area”), to determine whether that parcel constitutes a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, the Township Committee authorized Jessica Caldwell, PP, AICP of J. Caldwell & Associates, LLC (the “Planning Consultant”), to conduct a preliminary investigation to determine whether the study area should be designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, Jessica Caldwell, PP, AICP prepared an investigative report dated November 1, 2021, and entitled “Area in Need of Redevelopment Study” for Block 11401, Lot 7 in the Township of Long Hill, Morris County, New Jersey; and

**WHEREAS**, after complying with all the procedural requirements of the Redevelopment Law, the Planning Board conducted a public hearing on November 23, 2021 to determine whether the proposed area qualifies as a non-condemnation redevelopment area meeting the criteria set forth in *N.J.S.A. 40A:12A-5*; and

**WHEREAS**, the Planning Board accepted the findings of the Planning Consultant that 1106-1122 Valley Road, Block 11401, Lot 7 should be designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, after conducting the public hearing described above, the Planning Board adopted Resolution 2021-12-PB on December 14, 2021, memorializing the conclusions set forth above and recommending that 1106-1122 Valley Road, Block 11401, Lot 7 be designated as a non-condemnation redevelopment area and; and

**WHEREAS**, the Township Committee thereafter adopted Resolution 2022-043 on January 19, 2022, designating 1106-1122 Valley Road, Block 11401, Lot 7 as an area in need of redevelopment without the power of eminent domain pursuant to the provisions of §§ 5 and 6 of the Redevelopment Law, and directed Township Planner Jessica Caldwell to draft a redevelopment plan for the Non- Condemnation Redevelopment Area and to submit her report to the Township Committee pursuant to the provisions of *N.J.S.A. 40A:12A-7f*; and

**WHEREAS**, Township Planner Jessica Caldwell has submitted a proposed Redevelopment Plan dated August 3, 2022; and

**WHEREAS**, the Township Committee desires to refer the proposed Redevelopment Plan to the Township Planning Board for its review and comment, in accordance with *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

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

1. The Township Committee hereby refers the proposed Redevelopment Plan to the Planning Board for review and recommendation in accordance with *N.J.S.A. 40A:12A-7(e)*.
2. The Planning Board is authorized and directed to prepare a report of its recommendations to the proposed Redevelopment Plan in accordance with the requirements set forth in the Redevelopment Law
3. The Township Clerk shall immediately forward a certified copy of this Resolution and the Redevelopment Plan to the Planning Board for review in accordance with the requirements set forth in the Redevelopment Law.
4. This Resolution shall take effect immediately.

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