



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ  
TOWNSHIP COMMITTEE  
REGULAR SESSION AGENDA  
Wednesday, August 16, 2023  
7:30PM OPEN SESSION, 6:45PM CLOSED SESSION**

A draft of the Township Committee Regular Session Agenda is posted on the Township website at [www.longhillnj.gov](http://www.longhillnj.gov) on the Monday preceding the meeting.

**The August 16, 2023, Township Committee Meeting will be conducted VIRTUALLY.**

To participate through Zoom webinar: <https://us02web.zoom.us/j/86295827403>

Or Telephone: +1 929 436 2866

Webinar ID: 862 9582 7403 Passcode: 080618

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 Morris Daily Record 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.*

**2. EXECUTIVE SESSION:**

23-215 EXECUTIVE SESSION

- Attorney Client - Millington Station Café
- Public Safety - Fire Department
- Personnel - Assistant Foreman
- Contract Negotiations – PBA, Redevelopment, Shared Service
- Litigation - T.J.Maxx

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution 23-215 is hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

**3. CALL MEETING TO ORDER:**

**4. PRESENTATIONS**

- NJAW – Kyle Midthassel
- Audit Presentation

23-216 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution 23-216 is hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

23-217 AUDIT CORRECTIVE ACTION PLAN

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution 23-217 is hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

## **5. ORDINANCE(S):**

### **ORDINANCE 521-23 (FIRST READING / INTRODUCTION)**

#### **AN ORDINANCE CONCERNING LOCAL ENFORCEMENT OF THE UNIFORM FIRE CODE AND AMENDING CHAPTER 17 OF THE TOWNSHIP CODE ENTITLED "FIRE PREVENTION"**

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 16, 2023 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 13, 2023 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 13, 2023, public agenda, or email [municipalclerk@longhillnj.gov](mailto:municipalclerk@longhillnj.gov).

**MOVED by:** \_\_\_\_\_, that Ordinance 521-23 be introduced and passed on first reading.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

### **CAPITAL ORDINANCE 522-23 (FIRST READING / INTRODUCTION)**

#### **PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$587,500.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

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 16, 2023 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 13, 2023 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 13, 2023, public agenda, or email [municipalclerk@longhillnj.gov](mailto:municipalclerk@longhillnj.gov).

**MOVED by:** \_\_\_\_\_, that Ordinance 522-23 be introduced and passed on first reading.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

## **6. CONSENT AGENDA RESOLUTIONS:**

Resolution No. 23-218 – 23- 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.

- 23-218 APPROVAL AND RELEASE OF MINUTES
- 22-219 APPROVING PAYMENT OF BILLS
- 23-220 AUTHORIZATION TO CONDUCT BLOCK PARTY- WINDING WAY
- 23-221 AUTHORIZATION TO CONDUCT BLOCK PARTY- DEER RUN / HERITAGE ROAD
- 23-222 BANNER APPROVAL FOR PEDIATRIC CANCER AWARENESS MONTH
- 23-223 A RESOLUTION ACCEPTING THE CAPITAL IMPROVEMENTS FOR THE IMPROVEMENTS TO CROSS HILL ROAD PHASE 1, LONG HILL TOWNSHIP
- 23-224 A RESOLUTION ACCEPTING THE CAPITAL IMPROVEMENTS FOR THE MAIN AVENUE STREETScape AND MAIN/CENTRAL AVENUE RESURFACING PROJECT, LONG HILL TOWNSHIP
- 23-225 IN GRADE ADVANCEMENT – ROBERTS
- 23-226 EXTENSION OF 2023 THIRD QUARTER PROPERTY TAX GRACE PERIOD

- 23-227 AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR 2023-2024 TO COMMON THREAD HOSPITALITY LLC
- 23-228 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY OF LONG HILL TOWNSHIP
- 23-229 SOCIAL AFFAIR PERMIT [BPO ELKS NO 2392]
- 23-230 SOCIAL AFFAIR PERMIT [BPO ELKS NO 2392]
- 23-231 APPOINTING PROBATIONARY LABORER – PORTOCARRERO
- 23-232 APPROVING WAIVER REQUEST FOR A ROAD OPENING PERMIT SUBMITTED BY PSEG FOR 136 OAKS ROAD
- 23-233 ACCEPTING RESIGNATION - MORGAN
- 23-234 A RESOLUTION AWARDING A CELLULAR TOWER LEASE
- 23-235 AUTHORIZING REFUND OF OVERBILLED TAXES
- 23-236 AUTHORIZING CANCELLATION OF TAXES RECEIVABLE
- 23-237 APPROVING PROMOTION TO ASSISTANT FOREMAN - URSO
- 23-238 RESOLUTION TERMINATING 2002 INTERLOCAL SERVICES AGREEMENT WITH BERKELEY HEIGHTS FOR A SEWER JET
- 23-239 AWARD CONTRACT – KC SIGN & AWNINGS

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution 23- through 23- are hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

**7. LIAISON REPORTS:**

**8. ADMINISTRATOR'S REPORT:**

**9. DISCUSSION:**

- Property Maintenance Code
- PBA Run

**10. OLD/NEW BUSINESS:**

**ACCEPT RESIGNATION**

Phil Ponturo – Environmental Commission, Open Space

Scott Hain – Board of Adjustment

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_ **ALL IN FAVOR:**

**TOWNSHIP COMMITTEE APPOINTMENTS**

Board of Adjustment - Tom Flatley

TERM EXPIRES: 12/31/2025

Board of Adjustment ALT #1 – Anthony Opalka

TERM EXPIRES: 12/31/2024

Board of Adjustment ALT #2 – Randy Watts

TERM EXPIRES: 12/31/2023

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_ **ALL IN FAVOR**

**MAYORAL APPOINTMENTS**

Environmental Commission - Anna Rugolo

TERM EXPIRES: 12/31/2024

Environmental Commission ALT #1 - Robert Lin

TERM EXPIRES: 12/31/2024

**11. ANNOUNCEMENTS:**

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

13. **ADJOURNMENT**

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**RESOLUTION 23-215  
EXECUTIVE SESSION**

**BE IT RESOLVED**, pursuant to the Open Public Meetings Act, that the Township Committee of Long Hill Township meets in closed session to discuss the following matters:

- Attorney Client - Millington Station Café
- Public Safety - Fire Department
- Personnel - Assistant Foreman
- Contract Negotiations – PBA, Redevelopment, Shared Service
- Litigation - T.J.Maxx

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**RESOLUTION 23-216  
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

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

**WHEREAS**, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

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**RESOLUTION 23-217  
AUDIT CORRECTIVE ACTION PLAN**

**WHEREAS**, the Long Hill Township Committee is in receipt of the 2022 Report of Audit for the period ending December 31, 2022; and

**WHEREAS**, the Mayor and Township Committee formally accepted said audit document on August 4, 2023; and

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

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

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

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**ORDINANCE 512-23**  
**AN ORDINANCE CONCERNING LOCAL ENFORCEMENT OF THE UNIFORM FIRE CODE AND AMENDING CHAPTER 17 OF THE TOWNSHIP CODE ENTITLED "FIRE PREVENTION"**

**WHEREAS**, Chapter 17 of the Township Code entitled, "Fire Prevention" has not been updated since 2002; and

**WHEREAS**, Township Fire Official Don Huber has totally rewritten Sections 17-1 through 17-3 of Chapter 17;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter 17 of the Township Code entitled "Fire Prevention" is hereby supplemented and amended as follows:

**Section 1.** Section 17-1 entitled, "Local Enforcement of Uniform Fire Code", Section 17-2 entitled, "Bureau of Fire Prevention", and Section 17-3 entitled "Local Regulations" are hereby repealed and replaced with a new Section 17-1 entitled, "Local Enforcement of Uniform Fire Code" , a new section 17-2 entitled, "Bureau of Fire Prevention; Local Regulations" and a new section 17-3 entitled, "Bureau of Fire Prevention: General Provisions" as set forth on the attached ordinance which is incorporated herein by reference, are hereby adopted.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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

## CHAPTER XVII FIRE PREVENTION

### 17-1 LOCAL ENFORCEMENT OF UNIFORM FIRE CODE.

#### 17-1.1 **Definitions.**

As used in this Chapter:

*Act* shall mean the Uniform Fire Safety Act. (N.J.S.A. 52:27D-192 et seq.).

*Code* shall mean the Uniform Fire Code adopted as N.J.A.C. 5:70.

*Department of Community Affairs* shall mean the State Department authorized by law to regulate the enforcement of the Uniform Fire Code.

*Division of Fire Safety* shall mean the State agency within the Department of Community Affairs responsible to oversee the statewide implementation and management of the Uniform Fire Code.

*Local Enforcing Agency* shall mean the Bureau of Fire Prevention established in Section 17-1.2 of this Chapter.

*Fire Official* shall mean a person certified by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the Code by the appointing authority of a local enforcing agency pursuant to N.J.A.C. 5:71-3.2. Pursuant to the provisions of N.J.A.C. 5:71-1.4 entitled "Definitions" (Chapter 71 of the Code entitled "Fire Code Enforcement") the term "fire official" used in this Chapter and throughout the Township Code shall be synonymous with the term "fire marshal".]

*Chief Administrative Official* shall mean the Township Administrator.

*Fire Inspector* shall mean a person working under the direction of the Fire Official who is certified by the Commissioner of the Department of Community Affairs and appointed or designated to enforce the Code by the Township Committee.

*Fire Subcode Official* shall mean the official appointed pursuant to the New Jersey Uniform Construction Code to enforce the Fire Protection Subcode.

*Life hazard use* shall mean any life hazard use designated by the Code as defined in N.J.A.C. 5:70-1.5.

*Owner* shall mean a person who owns, purports to own, manages, rents, leases, or exercises control over a building, structure, premises or use or any portion thereof.

(Ord. No. 19-85; 1967 Code § 34-29; Ord. No. 103-02 § 2)

*False/Nuisance Alarm* shall mean an active "no-cause" security, fire, smoke, carbon monoxide, or sprinkler system alarm/detector determined to be accidental, malfunctioning, nuisance, or purposefully false in nature and for which an alarm activation originating from a property within the Township of Long Hill is transmitted with the intention to be received by the Long Hill Police and/or Fire Department.

*Rapid Access Key Box a.k.a. Knox Box* shall mean an approved, small, wall-mounted safe that holds building keys and information for rapid, non-destructive entry into an occupancy by Township Police, Fire Department and/or Fire Official.

*Connection Security Caps* shall mean approved metal or plastic caps or plugs used to cover the inlets (to prevent debris from accumulating inside the inlets) on a Fire Department Connection (FDC) on the exterior or interior of a building that typically supplies a sprinkler or standpipe system to which the local fire department connects their fire hoses to during a fire, training exercise or other official action.

*Fire Department* shall mean the central local emergency response agency also known as the “Long Hill Township Fire Department” composed of the Millington Volunteer Fire Company and the Stirling Volunteer Fire Company and any other fire personnel, fire company or companies that may hereafter be incorporated into the Township Fire Department by approval of the Township Committee and established by the Township Committee for the purpose of providing fire suppression, rescue, ventilation, overhaul, salvage and other services that may include but not be limited to hazardous material response, fire prevention activities, providing fire mutual aid, assisting local Police, Public Works, Rescue Squad and other local agencies and special services as needed.

#### **17-1.1 Enforcement.**

Pursuant to the Uniform Fire Safety Act (N.J.S.A. 52:27D-202), the New Jersey Uniform Fire Code (N.J.A.C. 5:70) shall be locally enforced in the Township. (Ord. No. 19-85; 1967 Code § 34-29; Ord. No. 103-02 § 2).

#### **17-1.2 Creation.**

Pursuant to N.J.A.C. 5:71-2.3, there is hereby created the Long Hill Township Bureau of Fire Prevention which shall serve as the local enforcing agency. (Ord. No. 103-02 § 2).

#### **17-1.3 Composition.**

The Bureau of Fire Prevention shall consist of the Fire Official a.k.a. Fire Marshal, who shall be responsible for reporting directly to the Chief Administrative Official or designee. The Bureau may also be supported by how ever many fire inspectors and/or staff personnel as may be duly appointed by the Township Committee.

#### **17-1.4 Life Hazard Uses.**

The local enforcing agency shall carry out the periodic inspections of life hazard uses required by the Code on behalf of the Commissioner of Community Affairs. (Ord. No. 19-85; 1967 Code § 34-29; Ord. No. 103-02 § 2)

#### **17-1.4A Non-Life Hazard Uses.**

In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected periodically and pay an annual fee. The fee is not to be applied for life hazard uses as defined in the Uniform Fire Code.

##### **a. Assembly.**

A-1	Eating establishment under 50	\$50.00
A-2	Take-out food service (no seating)	\$50.00



A-3	Church or synagogue	\$25.00
A-4	Recreation centers, multi-purpose rooms, etc. fewer than 50	\$50.00
A-5	Courtrooms, libraries, fraternal organizations, condominium centers fewer than 50	\$50.00
A-6	Senior citizen centers fewer than 50	\$50.00

b. *Business/Professional.*

B-1	Professional use 1 & 2 story less than 5,000 sq. ft. per floor	\$50.00
B-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$50.00
B-3	1 & 2 story more than 10,000 sq. ft.	\$75.00
B-4	3 to 5 story less than 5,000 sq. ft. per floor	\$100.00
B-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$150.00
B-6	3 to 5 story over 10,000 sq. ft. per floor	\$200.00

c. *Retail (mercantile).*

M-1	1 & 2 story less than 5,000 sq. ft. per floor	\$125.00
M-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$150.00
M-3	1 & 2 story more than 10,000 sq. ft. per floor	\$175.00

M-4	3 to 5 story less than 5,000 sq. ft. per floor	\$200.00
M-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$225.00
M-6	3 to 5 story over 10,000 sq. ft.	\$250.00
M with the exception of hardware store 3,000 sq. ft., retail store over 12,000 sq. ft. are life hazard uses.		

d. *Manufacturing (factory)*

F-1	1 & 2 story less than 5,000 sq. ft. per floor	\$75.00
F-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$100.00
F-3	1 & 2 story more than 10,000 sq. ft.	\$150.00
F-4	3 to 5 story less than 5,000 sq. ft. per floor	\$175.00
F-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$200.00
F-6	3 to 5 story over 10,000 sq. ft.	\$250.00
F exception life hazard uses.		

e. *Storage S-1 (moderate hazard S-1, low hazard S-2)*

S-1	1 & 2 story less than 5,000 sq. ft. per floor	\$50.00
S-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$100.00
S-3	1 & 2 story more than 10,000 sq. ft.	\$150.00

S-4	3 to 5 story less than 5,000 sq. ft. per floor	\$175.00
S-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$200.00
S-6	3 to 5 story over 10,000 sq. ft.	\$250.00
S exception life hazard uses.		

f. *Residential (LEA listed with multi-family) BHI*

Fee is for each building

Res-1	1 to 6 units	\$25.00
Res-2	7 to 12 units	\$50.00
Res-3	13 to 20 units	\$75.00
Res-4	21 to 50 units	\$100.00
Res-5	for each additional unit	\$2.00

(Ord. No. 192-06 § 1; Ord. No. 335-2014; Ord. No. 339-2014)

**17-1.5 Fire Official.**

a. *Appointment.* At its annual reorganizational meeting, the Township Committee shall appoint a certified Fire Official to serve as the chief administrator of the Bureau of Fire Prevention.

b. *Certification.* No person shall be appointed as Fire Official unless that person is certified pursuant to the provisions of N.J.A.C. 5:71-4.3.

c. *Salary.* The salary of the Fire Official shall be set by the Township Committee by ordinance.

d. *Term.* The Fire Official shall serve for a term of one (1) year or until the appointment of a qualified successor.

e. *Duties.* The Fire Official shall serve as the chief administrator of the agency and shall establish the day-to-day operating routines of the agency and shall coordinate the activities of any inspectors or other staff. The Fire Official shall perform those duties set forth in N.J.A.C. 5:71-3.3(a) and (b) as follows:

1. The Fire Official shall enforce the Code and the regulations and shall:
  - (a) Maintain certification with the Division of Fire Safety pursuant to N.J.A.C. 5:71-4;
  - (b) Ensure that notices of violations are served whenever inspections reveal violations;

- (c) Provide that permit applications are available and assist the public on preparing them when necessary;
- (d) Review all permit applications for completeness as to form;
- (e) Ensure that the inspection required for the issuance of a permit is performed in a timely manner;
- (f) Ensure that no activity or use which requires a permit is carried out without one;
- (g) Ensure that all life hazard uses are registered;
- (h) Assist the Division of Fire Safety when requested, with any registration survey;
- (i) Coordinate with the fire subcode official where work to be done to comply with the Fire Code requires a construction permit;
- (j) Collect all fees and penalties due the local enforcing agency and ensure that they are properly accounted for;
- (k) Ensure that all requests for variances are properly prepared, documented and approved or denied in a timely manner;
- (l) Ensure that all appeals are promptly referred to the Construction Code Board of Appeals;
- (m) Record all notices of violation and determine the amount of all penalties for noncompliance;
- (n) Ensure that a report of every inspection is completed and properly filed;
- (o) Take reasonable measures to determine when imminent hazards exist and enforce the law as provided for by the Code;
- (p) File such reports as the Division of Fire Safety may from time to time require;
- (q) Supervise the work of any assigned inspectors or enforcement personnel to ensure compliance with the Code, completeness and accuracy;
- (r) Ensure that any agency staff members requiring certification have been certified;
- (s) Ensure that the procedures of the local enforcing agency conform to the requirements of the Code and the regulations;
- (t) Prepare and obtain reports required by the regulations;
- (u) Attend meetings and hearings as required by the Code and the regulations;
- (v) Coordinate the activities of the local enforcing agency with other Code enforcement agencies and State agencies having a related interest or responsibility;
- (w) Carry out such other functions as are necessary and appropriate to the position of fire officials;
- (x) Respond to and cause to be investigated any complaints brought under the State Fire Code;
- (y) Investigate, or cause to be investigated, every reported fire or explosion occurring within the jurisdiction that involves the loss of life or serious injury or causes destruction or damage to property. Such investigation shall be initiated immediately upon the occurrence of such fire or explosion; and if it appears that such an occurrence is of a suspicious nature, the fire official shall

take charge immediately of the physical evidence, and in order to preserve any physical evidence relating to the cause or origin of such fire or explosion, take means to prevent access by any person or persons to such building, structure or premises until such persons designated by law to pursue investigations into such matters become involved and shall further cooperate with such authorities in the collection of evidence and prosecution of the case.

2. Whenever a fire death occurs within the jurisdiction of a local enforcing agency, the Fire Official shall notify the Division of Fire Safety via telephone within forty-eight (48) hours of the death. A Fire Incident and Casualty report shall be forwarded to the Division of Fire Safety within thirty (30) days.

(N.J.A.C. 5:18A-3.3; 1967 Code § 34-34; Ord. No. 19-85; Ord. No. 103-02 § 2)

#### **17-1.6 Fire Inspectors.**

a. *Appointment.* At its annual reorganizational meeting, the Township Committee may appoint a certified person to serve as a Fire Inspector.

b. *Certification.* No person shall be appointed as Fire Inspector unless that person is certified pursuant to the provisions of N.J.A.C. 5:71-4.

c. *Salary.* The salary of the Fire Inspector shall be set by the Township Committee by ordinance.

d. *Term.* The Fire Inspector shall serve for a term of one (1) year or until the appointment of a qualified successor.

e. *Duties.* The Fire Inspector shall enforce the Code and the regulations under the direction of the Fire Official and shall:

1. Maintain certification with the Division of Fire Safety pursuant to N.J.A.C. 5:71-4;
2. Conduct field surveys to identify and register life hazard uses;
3. Conduct fire inspections to ensure compliance with the Code;
4. Where authorized to do so by the Fire Official, prepare violation notices and orders to abate and serve to the public;
5. Witness the testing of installed detection and protection systems as required by the Code;
6. Read, interpret and apply codes, standards and regulations, including issuing permits;
7. Meet with owners and occupants to explain violations and hazards; and
8. Carry out such other functions as are necessary and appropriate to the position of Fire Inspector.

(Ord. No. 103-02 § 2)

#### **17-1.7 Fees.**

a. *Uniform Fire Code Fees.* Permit fees shall be determined pursuant to 5:70-2.9 of the Uniform Fire Code and shall be amended to be as follows:

Type 1 \$54.00

Type 2 \$214.00

Type 3 \$427.00

Type 4 \$641.00

- b. *Fees for Inspection and Certificate of Smoke Alarm and Carbon Monoxide Alarm and Portable Fire Extinguisher Compliance.* The application fee for a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

1. Requests for a CSACMAPFEC
 

received more than 10 business days prior to the change of occupant:	\$100.00
Reinspection fee	\$25.00 each
2. Requests for a CSACMAPFEC
 

received 4 to 10 business days prior to the change of occupant:	\$140.00
Reinspection fee	\$50.00 each
3. Requests for a CSACMAPFEC
 

received fewer than 4 business days prior to the change of occupant:	\$211.00
Reinspection fee	\$100.00 each
No-Show Reinspection Fee	\$50.00

- c. *Fees for Carnival Registrations.* The annual application fee for a carnival registration fee shall be as follows:

1. For 10 or fewer locations: \$77.00
2. For 11 to 25 locations: \$116.00
3. For 26 or more locations: \$155.00

- d. *Additional Fees for Weekend and Holiday Inspections.* In addition to the fees set forth above, there shall be an additional fee of forty (\$40.00) dollars per hour or any part thereof for any inspections conducted outside of normal business hours or on any Saturday, Sunday or Township holiday.

(Ord. No. 19-85; Ord. No. 26-91 § 1; 1967 Code § 34-36; Ord. No. 62-00 § 1; Ord. No. 103-02 § 2; Ord. No. 130-03 § 1; Ord. No. 139-03 § 1; Ord. No. 334-2014); Ord. No. 407-2017)

## **17-2 BUREAU OF FIRE PREVENTION: LOCAL REGULATIONS**

### ***17-2.1 Blocking Fire Hydrants and Connections Unlawful.***

a. It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes or on private property.

b. If, upon the expiration of the time mentioned in a Notice of Violation, obstructions or encroachments are not removed, the Fire Official shall proceed to remove the same. Cost incurred in the performance of

necessary work shall be paid from the municipal treasury on certificate of the Fire Official and with the approval of the Chief Administrative Official; and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

(Ord. No. 77-20; 1967 Code § 34-18)

**17-2.2 Permit Required for Use of Hydrant; Exception.**

A person shall not use or operate any fire hydrant intended for use of the Fire Department for fire suppression purposes unless such person first secures a permit for such use from the Fire Official and the water company having jurisdiction. This subsection shall not apply to the use of such hydrants by a person employed by and authorized to make such use by the water company having jurisdiction. (Ord. No. 77-20; 1967 Code § 34-19)

**17-2.3 Public Water Supply.**

In consultation with the local Volunteer Fire Chiefs, the local Subcode Official and the serving water utility, the Fire Official shall recommend to the Chief Administrative Official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the Fire Official. (Ord. No. 77-20; 1967 Code § 34-20)

**17-2.4 Yard Systems.**

All new and existing shipyards, oil storage plants, lumberyards, amusement or exhibition parks and educational or institutional complexes and similar occupancies and uses involving high fire or life hazards and which are located more than one hundred fifty feet (150') from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Fire Official and shall be connected to a water system in accordance with accepted engineering practices. The Fire Official shall designate and approve the number and location of fire hydrants. The Fire Official may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Fire Official. (Ord. No. 20-77; 1967 Code § 34-21)

**17-2.5 Maintenance of Fire Appliances.**

A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code, pursuant to the Uniform Construction Code and/or maintained pursuant to the Uniform Fire Code, except for the purpose of extinguishing fire, training or testing purposes, recharging or making necessary repairs or when permitted by the Fire Official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire Official. (Ord. No. 20-77; 1967 Code § 34-22)

**17-2.6 Sale of Defective Fire Extinguishers.**

A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Fire Official or which is not in proper working order or the contents of which do not meet the requirements of the Fire Official. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk, and these units are to be permanently disfigured or marked with a permanent sign identifying the unit as junk. (Ord. No. 20-77; 1967 Code § 34-23)

**17-2.7 Mandatory Rapid Access Key Boxes for Fire Suppression and Standpipe Systems.**

When a building within the Township is protected by an automatic fire suppression or standpipe system it shall be equipped with a rapid access key box. The key box shall be at a location approved by the Fire

Subcode Official and/or Fire Official. The key box shall be a UL type and size approved by the Fire Subcode Official and/or Fire Official. (Ord. No. 231-08 § 1)

**17-2.7A Discretionary Rapid Access Key Boxes for Automatic Alarm Systems.**

When a building is protected by an automatic alarm system and/or access to or within a building, or an area within that building, is unduly difficult because of secured openings, and where immediate access is necessary for life saving or firefighting purposes, the Fire Subcode Official and/or Fire Official may require a rapid access key box to be installed at a location approved by the Fire Subcode Official and/or Fire Official. The key box shall be a UL type and size approved by the Fire Subcode Official and/or Fire Official. (Ord. No. 231-08 § 1)

**17-2.7B Contents of Rapid Access Key Boxes.**

The rapid access key boxes shall contain the following:

- a. Keys to locked points of egress, whether in interior or exterior of such buildings;
- b. Keys to the locked mechanical rooms;
- c. Keys to the locked elevator rooms;
- d. Keys to the elevator controls;
- e. Keys to any fence or secured areas;
- f. Keys to any other area that may be required by the Police Department, Fire Department, Fire Official, or other emergency response personnel;
- g. A card containing the key legend, emergency contact people and phone numbers for such persons.

In addition, a floor plan of the rooms within the building may be required.

(Ord. No. 231-08 § 1)

**17-2.7C Security Padlock Key Boxes.**

When a property is protected by a locked fence or gate and where immediate access to the property is necessary for life saving or firefighting purposes, the Fire Subcode Official and/or Fire Official may require a security padlock key box to be installed at a location approved by the Fire Subcode Official and/or Fire Official. The padlock key box shall be UL type and size approved by the Fire Subcode Official and/or Fire Official. (Ord. No. 231-08 § 2)

**17-2.7D Key Box Tamper Switch.**

The Fire Subcode Official and/or Fire Official may require a key box tamper switch connected to the building's fire/security alarm system. (Ord. No. 231-08 § 2)

**17-2.7E Connection Security Caps.**

When a building is protected by an automatic sprinkler system or standpipe system and the Fire Department connection is exposed to undue vandalism the Fire Subcode Official and/or Fire Official may require that a Fire Department connection security cap(s) be installed. The Fire Department connection security cap(s) shall be a type approved by the Fire Subcode Official and/or Fire Official. (Ord. No. 231-08 § 1)

**17-2.7F Non-applicability to Certain Dwellings.**

The term "building" used herein means any building or structure located in the Township, whether privately or publicly owned, including, without limitation, any building owned by the Township of Long Hill, the Long Hill Board of Education, or any other public, quasi-public, or private entity or person provided however that this section shall not apply to owner occupied one- and two-family dwellings. (Ord. No. 231-08 § 1)

**17-2.7G Time for Compliance.**

All affected existing buildings shall comply with this section within six (6) months from its effective date. All newly constructed affected buildings, not yet occupied or buildings currently under construction and all affected buildings or businesses applying for a certificate of occupancy, shall comply immediately. (Ord. No. 231-08 § 1)



**17-2.8 False/Nuisance Alarm Conditions.**

In the event the Long Hill Police, Fire Department or Fire Official responds to an active “no-cause” security, fire, smoke, carbon monoxide, or sprinkler system alarm/detector within the Township limits that is determined to be accidental, malfunctioning, nuisance, or purposefully false in nature, the responsible party shall be subject to a service fee to be paid to the Township of Long Hill by the person, persons, corporation, owner, lessee or entity responsible for the occupancy or property in which an alarm/detector system has been installed and by which the false alarm signal has been transmitted from said property in the Township of Long Hill intended to alert the Long Hill Police, Fire Department or Fire Official.

There will be no penalty for the first and second false alarm in a calendar year (January 1 to December 31). For all subsequent false alarms in that same calendar year, the owner of the property at which the device is located or at which the false alarms otherwise occur, shall pay a penalty in accordance with the following schedule:

	RESIDENTIAL	COMMERCIAL & INSTITUTIONAL
3 <sup>rd</sup> false alarm	\$100.00	\$100.00
4 <sup>th</sup> & succeeding	\$250.00	\$500.00

Nothing contained in this section shall limit or restrict the Fire Official’s authority to cite additional Violation Notices, Orders to Correct, and issue penalties in accordance to the tenets of the Uniform Fire Code and the Municipal Code of the Township of Long Hill.

**17-3 BUREAU OF FIRE PREVENTION: GENERAL PROVISIONS**

**17-3.1 Penalty.**

Any individual, individuals, corporations, owners, lessees or other responsible parties who violate the terms of this section may be subject to fines and penalties in accordance with the penalties set out in the Uniform Fire Code and the regulations promulgated by the Department of Community Affairs. In addition, any individual, corporation or other entity who violates the terms of this section shall upon conviction be liable to the penalties stated in Chapter I, Section 1-5 of this Code. (Ord. No. 231-08 § 1)

**17-3.2 Appeals.**

Pursuant to N.J.S.A. 52:27D-206 and 208 and N.J.A.C. 5:70-2.19, any person who feels aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of Morris County. (Ord. No. 19-85; 1967 Code § 34-35; Ord. No. 103-02 § 2)

**17-3.3 Separation Clause.**

In the event any portion of this Chapter is determined unlawful by an appropriate legal authority having jurisdiction, that provision shall either be removed or made legally compliant and binding. In any such case, the remaining sections of this Chapter shall remain in force and unaffected by a finding of this nature.

**17-3.4 Effective Date and Supersession.**

The provisions of this Chapter shall be effective immediately upon approval and final adoption by the Township Committee and shall supersede any previously standing portions of the Municipal Code with regard to Fire Prevention services that are found to be inconsistent with the provisions of this Chapter.

\*\*\*\*\*

**CAPITAL ORDINANCE 522-23  
PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE  
COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$587,500.00 THEREFOR FROM THE  
CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:**

**Section 1** The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Long Hill, in the County of Morris, in the

State of New Jersey. For the said improvement or purpose stated in said Section 2, there is hereby appropriated the sum of \$587,500.00 from the Capital Improvement Fund.

**Section 2** The improvement hereby authorized and the several purposes for the financing of which the appropriation is made as provided in Section 1 of this Ordinance are as follows: (a) Police Equipment to include Drone purchase, computer server and facility cameras: (b) Equipment and apparatus for the Stirling and Millington Fire Companies to include turn out gear, Communications equipment and MDT Replacement: (c) Recreation improvements to do Engineering work for Tennis Court repairs in Kantor Park and replace retaining wall in Kantor Park: (d) Public Works equipment and Improvements to include a Wash Recycler at DPW building, replace wood chipper and demolition of structure on Township property. All work shall be performed according to plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

**Section 3** The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

**Section 4** This ordinance shall take effect after final adoption, as provided by law.

\*\*\*\*\*

**RESOLUTION 23-218  
APPROVAL AND RELEASE OF MINUTES**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby approved and release the Township Committee Minutes of July 12, 2023.

**BE IT FURTHER RESOLVED** that the Township Committee hereby approves July 12, 2023, Executive Session Meeting Minutes as redacted by the Township Attorney.

\*\*\*\*\*

**RESOLUTION 23-219  
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 23-220  
AUTHORIZATION TO CONDUCT BLOCK PARTY- WINDING WAY**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill does hereby approve the request for a block party on Winding Way on Saturday, August 19, 2023, from 3:00 p.m. until 8:00 p.m., with a rain date of August 20, 2023, as noted in an email received on July 18, 2023.

**BE IT FURTHER RESOLVED** that the Township Committee does hereby approve the request for the road closure(s) with the provision that barricades are obtained from the Department of Public Works.

\*\*\*\*\*

**RESOLUTION 23-221  
AUTHORIZATION TO CONDUCT BLOCK PARTY- DEER RUN / HERITAGE ROAD**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill does hereby approve the request for a block party at the cul de sac on Deer Run / Heritage Road on Saturday, August 19, 2023, from 3:00 p.m. until 6:00 p.m., as noted in an email received on July 7, 2023.

**BE IT FURTHER RESOLVED** that the Township Committee does hereby approve the request for the road closure(s) with the provision that barricades are obtained from the Department of Public Works.

\*\*\*\*\*

**RESOLUTION 23-222  
BANNER APPROVAL FOR PEDIATRIC CANCER AWARENESS MONTH**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey that by recommendation of the Code Enforcement Officer as per Ordinance 3-12.4 Temporary Sign and based on the approval of the Morris County Freeholders and JCP&L that the Township Committee does hereby approve a banner to be hung across Valley Road, County Route 512 from September 1, 2023 to September 30, 2023 to promote WITH Grace Initiative and Pediatric Cancer Awareness.

\*\*\*\*\*

**RESOLUTION 23-223  
A RESOLUTION ACCEPTING THE CAPITAL IMPROVEMENTS FOR THE IMPROVEMENTS TO  
CROSS HILL ROAD PHASE 1, LONG HILL TOWNSHIP**

**WHEREAS**, on August 16, 2021, the Township Committee of the Township of Long Hill awarded a contract to Crossroads Paving (Contractor) for the Improvements to Cross Hill Road Phase 1 within the township in the amount of \$448,237.00; and

**WHEREAS**, the Contractor has completed the work required under the contract; and

**WHEREAS**, the Long Hill Township Engineer has confirmed that the Contractor has satisfactorily completed the required work prescribed in the contract; and

**WHEREAS**, the final costs for the project, reflecting the as-built quantities for the contract, resulted in a **decrease** in the total contract amount of \$7,845.85, representing a Final Contract Amount of \$440,391.15; and

**WHEREAS**, the constructed improvements have been accepted through the period of the acceptance and maintenance required by the contract.

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

1. That the Township accept the Final Price Adjustment and reduction in Contract Amount.
2. That the Township issues Final Acceptance of the Improvements to Cross Hill Road Phase 1 Project.
3. That the Township considers the terms of the contract for the Improvements to Cross Hill Road Phase 1 Project satisfied.

\*\*\*\*\*

**RESOLUTION 23-224  
A RESOLUTION ACCEPTING THE CAPITAL IMPROVEMENTS FOR THE MAIN AVENUE  
STREETSCAPE AND MAIN/CENTRAL AVENUE RESURFACING PROJECT, LONG HILL  
TOWNSHIP**

**WHEREAS**, on June 8, 2022, the Township Committee of the Township of Long Hill awarded a contract to Topline Construction, Inc. (Contractor) for the Main Avenue Streetscape and Main/Central Avenue Resurfacing Project within the township in the amount of \$1,126,435.58; and

**WHEREAS**, this project is funded by the New Jersey Department of Transportation

(NJDOT), in whole or in part, and is subject to NJDOT approval; and

**WHEREAS**, the Contractor has completed the work required under the contract; and

**WHEREAS**, the Long Hill Township Engineer has confirmed that the Contractor has satisfactorily completed the required work prescribed in the contract; and

**WHEREAS**, the NJDOT had conducted a final inspection of the project and concurred, on April 13, 2023, that the project has been constructed in substantial compliance with the plans, specifications, and applicable design standards and has therefore been accepted as final; and

**WHEREAS**, the Contractor has submitted Change Order Number 1, reflecting the as-built quantities for the contract and a Final Contract Price Adjustment for a **decrease** in the total contract amount of \$1,281.11, representing a Final Contract Amount of \$1,125,154.47; and

**WHEREAS**, the Contractor has posted the necessary and required Maintenance Bond, No. CA-4366982M by the Great American Insurance Company, which remains in effect through May 5, 2025.

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

1. That the Township accept Change Order No. 1 for the Final Price Adjustment and reduction in Contract Amount.
2. The Township authorizes and directs the Township Engineer to execute the final Change Order (#1) for the project.
3. That the Township issues Final Acceptance of the Main Avenue Streetscape and Main/Central Avenue Resurfacing Project.
4. That the Township accepts the Maintenance Bond for the project.
5. That the Township considers the terms of the contract for the Main Avenue Streetscape and Main/Central Avenue Resurfacing Project satisfied.

\*\*\*\*\*

**RESOLUTION 23-225  
IN GRADE ADVANCEMENT – ROBERTS**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, does hereby approve the grade advancement of Sergeant John Roberts to Sergeant Grade II, retroactively effective August 26, 2023, at an annual salary of \$ 133,004.00.

**BE IT FURTHER RESOLVED**, that this advancement is consistent with the current PBA 322 Superior Officer's Collective Bargaining Agreement.

\*\*\*\*\*

**RESOLUTION 23-226  
EXTENSION OF 2023 THIRD QUARTER PROPERTY TAX GRACE PERIOD**

**WHEREAS**, per N.J.S.A. 54:4-67 the Collector of Taxes is designating an extension for the 2023 third quarter grace period to be extended from the statutory (10) days to twenty-five (25) days from the date of mailing due to a delay in receiving the 2023 certified tax rate.

**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 2023 Third Quarter Property Tax payment be extended to September 5, 2023. Payments received after that date will accrue interest from August 1, 2023, as mandated by the State of New Jersey.

\*\*\*\*\*

**RESOLUTION 23-227**  
**AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR 2023-2024 TO COMMON THREAD HOSPITALITY LLC**

**BE IT FURTHER RESOLVED** that the applicant is in good order and the required **\$250.00 (10% of \$2,500.00)** fee having been paid, tax clearance has been obtained and a 12.39 ruling by Division of ABC granted on August 1, 2023, the Township Committee of the Township of Long Hill does hereby grant the following Pocket License (Plenary Retail Consumption Licenses) for the year beginning July 1, 2023, and ending June 30, 2024

Truheaven LLC  
632 Meyersville Road  
Gillette, NJ 07933  
License No. 1430-33-007-0009

\*\*\*\*\*

**RESOLUTION 23-228**  
**AUTHORIZING DISPOSAL OF SURPLUS PROPERTY OF LONG HILL TOWNSHIP**

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

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

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

1. The sale of the surplus property shall be conducted through MUNICIBID pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15, The terms and conditions of the agreement entered into with Municibid is available online at [www.municibid.com](http://www.municibid.com).
2. The sale will be conducted online August 17, 2023 through September 14, 2023 and the address of the auction site is [www.municibid.com](http://www.municibid.com)
3. A list of the surplus property to be sold is as follows:
  - 2016 Ford Explorer Next Gen Police Interceptor - VIN #1FM5K8AR4GGD04943 - mileage: 75473 - Not operational
  - 2014 Ford Explorer Police Interceptor - VIN #1FM5K8AR0E9A55263 - mileage: 93410 - Not operational
  - 2007 Jeep Grand Cherokee White - VIN# 1J8HR48P77C611145 - mileage: 163792 - Runs.
4. The surplus property shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
5. Long Hill Township reserves the right to accept or reject any bid submitted.

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**RESOLUTION 23-229**  
**SOCIAL AFFAIR PERMIT [BPO ELKS NO 2392]**

**WHEREAS**, BPO Elks No 2392 has submitted an Alcoholic Beverage Control Application to the State of New Jersey for a Cornhole Tournament to be held on September 16, 2023, at 1138 Valley Road with a rain date of September 17, 2023; and

**WHEREAS**, Officer in Charge approval is subject to the review of the application and that there is no objection to the granting of a social affair permit to be issued to the applicant to sell alcoholic beverages at the affair to be held on the date and premises noted, subject to, however, the following conditions:

1. The consumption of alcoholic beverages shall be restricted to the area as outlined in the site plan supplied with the application. No alcoholic beverages shall be possessed or consumed in any area not designated on this site plan.

2. No person under the age of 21 shall be served alcoholic beverages. BPO Elks 2392 members or designee shall be responsible for verifying the ages of those patrons who wish to consume alcoholic beverages and monitor the area to prevent "hand off's."

3. No person assumed to be under the influence of alcohol shall be served, permitted to walk, or allowed to drive from 1138 Valley Road, or the designated area.

4. Alcoholic beverages shall only be served and/or consumed between the hours of 10:00am and 7:00pm on September 16, 2023

**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, the licensing authority of the municipality, has no objection to the granting of a special permit subject to the approval of the Officer in Charge as well.
2. The Township Clerk is hereby authorized to approve the municipal certification on the application and submit to NJ ABC electronically.

\*\*\*\*\*

**RESOLUTION 23-230  
SOCIAL AFFAIR PERMIT [BPO ELKS NO 2392]**

**WHEREAS**, BPO Elks No 2392 has submitted an Alcoholic Beverage Control Application to the State of New Jersey for Elktoberfest to be held on October 7, 2023, at 1138 Valley Road with a rain date of October 8, 2023; and

**WHEREAS**, Officer in Charge approval is subject to the review of the application and that there is no objection to the granting of a social affair permit to be issued to the applicant to sell alcoholic beverages at the affair to be held on the date and premises noted, subject to, however, the following conditions:

1. The consumption of alcoholic beverages shall be restricted to the area as outlined in the site plan supplied with the application. No alcoholic beverages shall be possessed or consumed in any area not designated on this site plan.

2. No person under the age of 21 shall be served alcoholic beverages. BPO Elks 2392 members or designee shall be responsible for verifying the ages of those patrons who wish to consume alcoholic beverages and monitor the area to prevent "hand off's."

3. No person assumed to be under the influence of alcohol shall be served, permitted to walk, or allowed to drive from 1138 Valley Road, or the designated area.

4. Alcoholic beverages shall only be served and/or consumed between the hours of 2:00pm and 11:00pm on October 7, 2023

**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, the licensing authority of the municipality, has no objection to the granting of a special permit subject to the approval of the Officer in Charge as well.

- 3. The Township Clerk is hereby authorized to approve the municipal certification on the application and submit to NJ ABC electronically.

\*\*\*\*\*

**RESOLUTION 23-231  
APPOINTING PROBATIONARY LABORER – PORTOCARRERO**

**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, Carlos Portocarrero be appointed as Truck Driver/Laborer Class 4.
- 2. This appointment shall be effective on August 1, 2023, at an hourly rate of \$21.50.
- 3. Mr. Portocarrero’s employment is contingent upon a satisfactory background check.
- 4. Mr. Portocarrero will be a member of the Long Hill Public Works Association and a copy of the Agreement shall be provided.

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**RESOLUTION 23-232  
APPROVING WAIVER REQUEST FOR A ROAD OPENING PERMIT SUBMITTED BY PSEG FOR 136  
OAKS ROAD**

**WHEREAS**, the Township of Long Hill, County of Morris, State of New Jersey, has received a request from PSEG for a road opening permit for 136 Oaks Road, Millington, New Jersey (the “property”); and

**WHEREAS**, the Township Committee has reviewed the application request from the applicant; and

**WHEREAS**, the Township finds that the request of the applicant under these circumstances is reasonable and appropriate; and

**NOW, THEREFORE, BE IT RESOLVED**, the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, approves the road opening permit subject to the terms and conditions of Ordinance #470-21.

\*\*\*\*\*

**RESOLUTION 23-233  
ACCEPTING RESIGNATION - MORGAN**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill accepts the resignation of Christine Morgan as Administrative Assistant effective August 7, 2023.

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**RESOLUTION 23-234  
A RESOLUTION AWARDING A CELLULAR TOWER LEASE**

**WHEREAS**, the Township accepted bids on July 19, 2023, in accordance with the provisions of the Local Lands and Buildings Law, for the leasing of one (1) parcel for the placement of an antenna on the cellular tower (and appurtenant ground facilities) at the Township public works site located at 1223 Valley Road, Stirling, NJ 07980, and known as Block 10411, Lot 6 on the Township tax maps; and

**WHEREAS**, the only bid in the amount of \$5,000 per month for the initial five-year term was submitted by New Cingular Wireless PCS, LLC (“AT&T”); and

**WHEREAS**, AT&T listed several exceptions to the bid specifications all of which are acceptable

to the Township; and

**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. A lease is hereby awarded to New Cingular Wireless PCS, LLC (“AT&T”) for a portion of the Township’s Warren Avenue Department of Public Works site, also known as part of lot 6 in block 10411, for an initial term of five (5) years with five 5-year options, at a monthly rent of \$5,000 for the first five-year term.
2. The annual rental for the first (1st) year of the first five (5) year extension and each year of each extension term shall be increased by five (5%) over the prior year's annual rent.
3. Except for those exceptions noted by AT&T in its bid which are acceptable to the Township, the lease agreement shall comply with the bid specifications.
4. AT&T’s lease shall be maintained in the Office of the Township Clerk and shall be available for public inspection during normal business hours.

\*\*\*\*\*

**RESOLUTION 23-235  
AUTHORIZING REFUND OF OVERBILLED TAXES**

**WHEREAS**, due to a reduction of the assessed value on the following parcels, the amount of taxes paid in the first half of 2023 exceeded the total for the year.

Owner	Property Location	Block	Lot	Overbilled Amount	Refund
Cindy R. Gallagher	Homestead Rd.	13514	1	-\$ 352.50	\$352.50
Benjamin Alleman	743 White Bridge Rd.	14601	4	-\$ 132.66	\$132.66

**WHEREAS**, the Township Committee of the Township of Long Hill does hereby authorize refunds made payable to Cindy R. Gallagher and Benjamin Alleman for the overbilled amounts.

**NOW, THEREFORE BE IT RESOLVED**, the Tax Collector has verified the assessed value with the Extended Tax Duplicate and the Finance Director is hereby authorized to refund:

Make checks payable: Cindy R. Gallagher  
10 Boulder Run  
Oakland NJ, 07436

Benjamin Alleman  
743 White Bridge Rd.  
Millington NJ 07946

\*\*\*\*\*

**RESOLUTION 23-236  
AUTHORIZING CANCELLATION OF TAXES RECEIVABLE**

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



**WHEREAS**, the remainder of taxes due for 2023 shall be cancelled as a result of the exemption effective as detailed below; and

Owner	Property Location	Block	Lot	Amount	Effective Date
Rafael A. Hernandez	338 Mercer St. Stirling	11602	27	\$ 530.40 Q1	3-08-2023
				\$ 1,989.86 Q2	
				\$ 2,108.39 Q3	
				\$ 2,108.39 Q4	
Stephen Pardales	1590 Valley Rd. Millington	11801	2	\$ 2,018.01 Q2	4-19-2023
				\$ 2,951.83 Q3	
				\$ 2,951.82 Q4	

**WHEREAS**, the Township Committee of the Township of Long Hill does hereby authorize cancellation of taxes receivable for \$14,658.70 for 2023

**NOW, THEREFORE BE IT RESOLVED**, the Tax Collector is hereby authorized to cancel the amount of \$14,658.70 from the records for the tax year 2023.

\*\*\*\*\*

**RESOLUTION 23-237  
APPROVING PROMOTION TO ASSISTANT FOREMAN - URSO**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill upon the advice and recommendation of Al Gallo, Director of Public Works, and Randy Bahr, Township Administrator that Dominic Urso be promoted to Assistant DPW Foreman at an hourly rate of \$35.10 per hour, effective August 14, 2023.

\*\*\*\*\*

**RESOLUTION 23-238  
RESOLUTION TERMINATING 2002 INTERLOCAL SERVICES AGREEMENT WITH BERKELEY HEIGHTS FOR A SEWER JET**

**WHEREAS**, as authorized by Resolution 02-357 adopted September 25, 2002, the Township entered an interlocal services agreement with Berkeley Heights to purchase and share a sewer jet; and

**WHEREAS**, the Township of Long Hill wishes to terminate the interlocal services agreement with Berkeley Heights for the sewer jet;

**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 2002 interlocal services agreement with Berkeley Heights for the joint use of sewer jet is hereby terminated effective immediately.
2. Berkeley Heights is to pay Long Hill Township a sum of \$5,000.
3. Neither party to that agreement shall have any further obligations or liabilities to the other party.

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**RESOLUTION 23-239  
AWARD CONTRACT – KC SIGN & AWNINGS**

**WHEREAS**, the Township Committee of the Township of Long Hill, that the following contract is awarded to KC Sign & Awnings; and

**WHEREAS**, the purchase is hereby authorized under cooperative purchasing HCESC-SER-21-08; and

**WHEREAS**, based on a proposal the Township Committee approves KC Sign & Awnings for electronic message sign for \$49,995.00; and

**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 Administrator is authorized to prepare purchase order for the above project to purchase.
2. The Chief Finance Officer has certified sufficient funds are available and this contract will be properly charged to C-04-2021-47421-2-02225 & C-04-2023-52023-2-02224.

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