

Long Hill Township Committee Minutes February 8, 2012 Regular Meeting

The Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, convened in Regular Session at the Municipal Building, 915 Valley Road, Gillette, New Jersey, on Wednesday, **February 8, 2012** at 7:00 p.m.

Statement of Adequate Notice:

Mayor Mazzucco read the following statement:

“In compliance with the Open Public Meetings Law of New Jersey, adequate notice of this meeting was included in a list of meetings notice which was electronically sent to the Echoes Sentinel, Courier News and Daily Record on January 4, 2012; posted on the bulletin board in the Municipal Building on January 4, 2012 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.”

Executive Session:

RESOLUTION 12-080 EXECUTIVE SESSION

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

Personnel:

- Township Administrator Resumes

Contract Negotiations:

- None

Attorney Client Privilege:

- Housing Trust Fund

Collective Bargaining:

- None

Pending or Anticipated Litigation:

- Zoning Enforcement

Property Acquisition:

- Open Space

BE IT FURTHER RESOLVED that minutes of this executive session meeting will be released to the public in a timely fashion pursuant to the Open Public Records Act and other applicable laws and regulations.

Roll Call:

On roll call the following Committee members were present:

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Jerry Aroneo; Guy Piserchia; Guy Roshto; Cornel Schuler; Mayor Michael Mazzucco

Absent: None

Also present: John Pidgeon, Township Attorney; Richard Sheola, Township Administrator/CFO; Christine Gatti, Township Clerk

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Appointments to Boards and Commissions

Mayor Mazzucco made the following Mayoral appointments with approval by the Township Committee:

Library Board of Trustees
Nancy Burnnett

Expiration of Term
December 31, 2014

Administrator Report:

Community Day Committee/Fund

Mr. Sheola announced that this item will not be discussed this evening.

Relocation of Emergency Operation Center

Mr. Sheola pointed out that the township has an alternate Office of Emergency Management (OEM) center at the Department of Public Works (DPW) and it was difficult to get to during the last storm. He stated that the OEM will be moved to the Engineers Office and reviewed the details. Mr. Aroneo commented that he is glad they are moving to this building and asked that the township not spend too much money on the move. Mr. Sheola stated that the OEM will primarily be at town hall and their alternate will be at DPW. He added that the cost of the move should be no more than \$1,000.

Discussion:

Millington Schoolhouse/Old Town Hall Update

Michael Hanrahan, Associate Partner of Clarke Caton Hintz (CCH), reviewed the history of the work completed, the preservation plan and exterior and interior work. He pointed out that his company was hired for the renovation of the entire building. He reviewed the costs with the intent to secure additional grant funding. He reviewed the Morris County grant and the phasing of the project. He reviewed the renovation of the historic structure and their future preservation plans for the building.

Mr. Aroneo commented that the building looks great and the project has been on budget. He pointed out that he appreciates that they broke up the project into phases due to funding. Mayor Mazzucco indicated that the funding will be withdrawn from the Open Space Trust Fund. Mr. Aroneo agreed and voiced his support for moving forward. A discussion ensued among the Committee in regards to the plan for the building and available grant funding. The consensus of the Committee was to move forward as recommended by CCH.

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Mr. Roshto stated that we have dismantled the nine pews which are now available to the town. We made a good will gesture to give those pews to anyone in the town who might be interested. I would ask or propose that any resident or organization that may be interested in them could approach the Clerk and they maybe could figure out a way to provide them to the residents.

Long Hill Fire Department 100 year Anniversary Celebration

Al Pepe, President of Stirling Fire Company, reviewed their planned 100 year anniversary celebration. Both the Stirling and Millington Fire Companies were formed in 1913 and share the same anniversary date. He provided an overview of the proposed plan, the steps they have taken, an idea of where they are heading and ultimately what they are going to ask for. He indicated that they are looking for some financial assistance from the township, resources from DPW as well as some support from local businesses. From revenue prospective they are planning on selling mugs, tee shirts, ad book, 50/50 raffles and business sponsors. We would like to use DPW services, assistance promoting the event such as web site, TV station; will need some assistance with county officials regarding Valley Road and matching funds for the event. We are requesting \$35,000 to payout over this year and next year. As of today we are 354 business days away from the parade.

Mayor Mazzucco said it was suggested is that there be a coordinator in town hall who would take any requests for help for DPW or the Police. We would then know what resources are going toward this effort. Andrea Tsimboukis, Administrative Assistant, will assist them.

Mr. Aroneo thanked Mr. Pepe for his presentation and for involving the community and for the fire companies doing this together. He added that we owe the departments a debt of gratitude for their services. He commented that he is very supportive of their efforts.

Mayor Mazzucco said he had spoken with Mr. Sheola on the budget and felt it could be split up for half this year and half next year. The consensus of the Committee agreed to Mr. Pepe's recommendation. Mr. Pepe thanked the Committee for funding as proposed.

School Board Election

Rene Rovtar, School Board Superintendent, updated the Committee on the new legislation that permits moving the annual School Board Election to the General Election in November. The School Board appears to be supportive of that resolution. The resolution will be on our agenda for our February 13th meeting. During the course of the meeting we did discuss having the opportunity for the Township Committee to discuss or request additional information and that is why we are here this evening. I know you received the question/answer document that set forth the parameters for the change. We are certainly willing to answer any question that you might have.

Mayor Mazzucco stated that if you are staying under the 2% budget cap there is no issue.

Ms. Rovtar stated that if the school election is moved to November and the budget is at 2% or below there would be no vote. The election of the school board members would take place at the General Election in November. If the budget is over 2% that portion of the budget in excess of 2% would be voted on, not the base budget. She reviewed the timeline.

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Mr. Aroneo stated that in your Q&A it says that a capital override executed in November could cause you to merge the budgets between the current physical year and the next physical year.

Rene Rovtar indicated that they do not anticipate doing that but in terms of procedure and protocol that is how that would work. Our actual cost for the school election, under the current structure, has been in the neighborhood of about \$6,000. On the surface it would be the savings but we have also been told through unofficial channels that the districts that retain the April election have the possibility of having increased cost because there will not be the economy of scale that we currently have with all 41 districts in Morris County voting on the same day. At this point it appears only a handful of districts in Morris County will actually be retaining that April election date. I think the \$6,000 cost could be potentially higher for us if we were to retain the April election date. Watchung and Green Brook have already voted to move the election to November. Warren is meeting next Monday night.

A discussion ensued regarding moving the election to November. Mr. Rovtar reviewed participation at School Board Elections. Mr. Schuler pointed out that the School Board Elections may become partisan and party politics if moved to the General Election. Ms. Rovtar stated that that particular portion of the ballot will not be along party lines.

Mr. Roshto questioned Mr. Rovtar that as a practical matter does she foresee that the budget is going to be at or near the cap or if she thinks that they have enough safe guards in place to bring it down when it needs to come down. Ms. Rovtar indicated that the board members are very concerned and it is reiterated every year as we go through the budget process. They are committed to providing strong instructional programs but also have the interest of the tax payers at heart. They have not made a practice of going to cap and try to get a feel for what the traffic will bear, what is reasonable and what is prudent. She indicated that the Board intends to take action on moving the election next Monday night. She pointed out that the move is for a four year period and at the end of the four years there is an option to move the election back by petition. The Board, as well as the Committee can also change it.

The Committee reviewed the matter.

Lisa Scanlon, Board of Education President, stated that when the budget was defeated in the past it was incredibly disruptive. The moral within the school system, everyone gets very concerned. What we went through April of 2010 was difficult. We had felt that we had spent an enormous amount of time on that budget. We have several people on the Board with a financial background and it is kind of a double edged sword. She pointed out that 90% of our budget is fixed and our health insurance costs are going up 11% this year. She added that managing at 2% is difficult. The Committee along with Ms. Scanlon reviewed the matter

Mr. Piserchia commented that the danger when you have such a small turnout in anything is that a much smaller group can influence the decision relative to what may be what the majority would want because not everyone voted. The Governor's main point, which struck me, was a greater participation has a greater likelihood of representing what people truly want. Mr. Aroneo added that the current process allows change. Mr. Roshto commented that our voters and residents are getting more say with this process than they were getting before. I think they will show up in November and will have the opportunity to vote it down if it's above the 2% cap. That is something immediate and direct for them. He added that he appreciated Ms. Rovtar

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coming out to talk to the Committee. I am all about efficiency and I think this is a more efficient process and will save our taxpayers money.

Public Broadcast System

Mr. Roshto stated that we had two significant events and significant problems communicating with our public. The Emergency Planning Committee met and went through the issues and did not have all the technical capability to make a decision on what was the best solution for emergency communications. He pointed out that before the Committee is a proposal to install a communication system in town for emergency and/or non-emergency communication to residents or group of residents. This system will allow us to call out the CERT team; allow DPW to call the workers in and would allow the police department to reach the officers when and if needed. He stated that it is a comprehensive plan. He pointed out that a sub-committee was formed which has met several times. They reviewed many vendors and the finalists were Honeywell and Global Connect. The prices ranged from \$0 to \$15,000 -16,000 dollars and up. The Long Hill School Board elected to use the Honeywell system for schools only. The County's system does not have the capability of that we need. The recommendation from the sub-committee of the Communication Advisory and the Emergency Planning Committees is to sign on with Global Connect. Global Connect will train everyone and will do all of the maintenance on the system. They will pull in the 911 data base and the OEM data base. They will put it all together for us this year for \$3,178 dollars. The \$0 option was sub-par and all it would give us was the ability for someone to register on a website which would not reach all of our residents. One downside to Global Connect is they are not yet connected to social media but indicated that they would be connected in a year or so. This quote does not include \$500 for text messaging which I think we should consider.

Mr. Mazzucco stated that once the county upgrades their system it is possible we could go with them.

Mr. Roshto indicated that this is a three year contract with a three month trial period. We will have to identify someone in OEM as a contact person. Emergency Management needs to be the first ones up and running and everyone on the system will need to be trained. He indicated that there will be different levels of authorization for its use. If we move forward on this the sub-committee is already talking about getting the word out to have people sign up.

A discussion ensued among the Committee in regards to the available communication systems.

Mr. Roshto said he would like to have a resolution on the agenda for the next meeting.

Mr. Sheola stated that he did not think a resolution was needed if the majority of the Committee was in favor and funding would be put into the budget. Mayor Mazzucco agreed with Mr. Roshto that the text messaging be included.

Larry Fast, member of the Sub Committee, indicated that Global Connect is looking to do their own custom apps and works on wireless right now.

Mr. Pidgeon commented that the School Board Election matter and stated that the process is the same after the four year period. The election can be moved back by any of the procedures including by a resolution approved by the Township Committee.

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The consensus of the Committee was to move forward with Global Connect as proposed by the Sub Committee and Mr. Roshto.

Ordinance Public Hearing / Consideration of Adoption:

ORDINANCE #292-12 AN ORDINANCE CREATING A FLOODPLAIN ADVISORY COMMITTEE AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION" – AS AMENDED

Mayor Mazzucco read the ordinance by title and opened the public hearing. No one wished to be heard therefore Mayor Mazzucco closed the public hearing.

He asked for comments from the Committee. Mr. Aroneo stated that he was glad that we were updating the Committee and giving it some clear direction. Mr. Roshto agreed and added that he felt that we owed it to the residents to get going on this.

A motion was made by Mayor Mazzucco and seconded by Mr. Schuler to adopt Ordinance 292-12 as amended. Roll Call Vote: All Ayes

**ORDINANCE #292-12
AN ORDINANCE CREATING A FLOODPLAIN ADVISORY COMMITTEE AND
SUPPLEMENTING AND AMENDING CHAPTER II OF THE TOWNSHIP CODE ENTITLED
"ADMINISTRATION"**

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that Chapter II of the Township code entitled "Administration" is hereby supplemented and amended as follows:

Section 1. There is hereby created a new Section 2-40 entitled "Floodplain Advisory Committee" which reads as follows:

"2-40 FLOODPLAIN ADVISORY COMMITTEE"

2-40.1 Establishment.

There is hereby established a Long Hill Floodplain Advisory Committee composed of between seven (7) and ten (10) members as follows: One (1) or two (2) member(s) of the Township Committee, the Township Administrator or his designee, one (1) member of the Office of Emergency Management and between four (4) and seven (7) residents-at-large. All appointments shall be made by the Township Committee.

2-40.2 Terms of Office and Vacancies.

The terms of the Township Committee member(s), Township Administrator and Office of

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Emergency Management member shall be for one (1) year or terminate at the completion of their respective terms of office, whichever occurs first. The terms of the resident-at-large members shall be three (3) years. Any vacancy shall be filled for the unexpired term by the Township Committee.

2-40-4 Organization

The Township Committee shall establish the Committee's charge for the ensuing year. The Floodplain Advisory Committee shall fix the time and place for holding its regular meetings. Regular meetings shall be scheduled not less than once a month and shall be held as scheduled unless there is no business before the Committee. The Committee may provide for special meetings at the call of the Chair or on the request of any two (2) members, which shall be held on notice to its members and the public in accordance with the Open Public Meetings Act.

No action shall be taken at any meeting without a quorum being present. All elections shall be taken by a majority vote of the members of the Committee present at the meeting. All regular meetings and all special meetings shall be open to the public. The Committee may establish subcommittees as necessary to undertake specific projects and report back to the Committee as a whole.

2-40.4 Duties

The Floodplain Advisory Committee shall identify and make recommendations to reduce damages from floods, enhance emergency response and preparedness efforts.

The specific duties of the Floodplain Advisory Committee are as follows:

a. Advise the Township Committee regarding the creation, operation and ongoing maintenance of an annual clearing, desnagging and shoal dredging program for the Passaic River and all tributaries and waterways having an impact to properties within Long Hill Township. The program should consider permit expedition, and seek commitments from local, county, state and Federal governments as appropriate. The program should also consider inclusion of volunteer organizations such as Boy or Girl Scout, the Passaic River Coalition and encourage the creation of a Long Hill Township non-profit focused on this effort.

b. Assist in the development of background studies that help in the decision making

process for buyouts, elevation of structures, open space acquisition, public safety and health management. Studies include identification of critical areas and properties, flood risk maps and inundation maps that are based on various flood levels.

c. Establish and maintain a public outreach program that includes notification and education of property owners regarding flood mitigation, insurance resources, and safety preparedness and evacuation procedures.

d. Propose a flood warning system.

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- f. Work with neighboring jurisdictions and organizations to identify regional flood damage reduction solutions and to ensure other regional actions are in the best interest of property owners within Long Hill Township.
- g. Regularly monitor the most current flood damage reduction best practices and recommend to the Township Committee appropriate policies or regulations.
- h. Perform such other duties and functions as requested by the Township Committee.
- i. Report to the Township Committee on or before November of each year submitting budget requests for ongoing activities and setting forth a summary of the prior year's accomplishments.

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.

ORDINANCE 293-12 AN ORDINANCE AMENDING COMMUNICATIONS ADVISORY COMMITTEE

Mayor Mazzucco read the ordinance by title and opened the public hearing. No one wished to be heard therefore Mayor Mazzucco closed the public hearing.

A motion was made by Mr. Piserchia and seconded by Mr. Schuler to adopt Ordinance 293-12.
Roll Call Vote: All Ayes

**ORDINANCE #293-12
AN ORDINANCE CONCERNING THE COMMUNICATIONS ADVISORY COMMITTEE AND
AMENDING CHAPTER II OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION"**

BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that Chapter II of the Township code entitled "Administration" is hereby amended as follows:

Section 1. Subsection 2-38.1 entitled "Establishment," in Section 2-38 of the Township Code entitled "Communications Advisory Committee" is hereby amended to read as

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follows:

“2-38.1 Establishment.

There is hereby established a Communication Advisory Committee composed of between (8) and eleven (11) members as follows:

~~The Mayor, One (1) or two (2) member(s) of the Township Committee, the Township Administrator, the Township Webmaster and between (8) and eleven (11) residents-at-large, at least three (3) of who shall have experience in either communications, IT, web site design/management or other technical areas. One other member of the Township Committee shall serve as an alternate member in the absence of the regular Township Committee member.~~

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.

Ordinance Introduction:

ORDINANCE #297-12 AN ORDINANCE CONCERNING PARK RULES AND REGULATIONS AND AMENDING CHAPTER XI OF THE TOWNSHIP CODE ENTITLED “PARKS AND RECREATIONAL AREAS”

Mr. Pidgeon commented that before this is introduced there are several decisions that need to be made. A provision was added giving the Township Committee the right to adopt additional rules and regulation and the township can make them more general.

Mr. Aroneo commented that he looks at some of these things and say why. I would not want to discourage camping. Large groups may need a permit with time limits.

Mr. Roshto agreed with Mr. Aroneo and agreed that there actually two-three things that are redundant. He added that simple is better.

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Mr. Pidgeon said he was fine with that and suggested that we leave in 2.3 - reservation in use of fields. What it does is gives teeth to the Recreation Directors scheduling. He reviewed the new language.

Lisa Scanlon, Recreation Director, stated that by putting in the language allows us to keep operating the same way as we have in the past year. If there is a situation requiring a permit that goes outside the established ordinances then I do not have the authority to grant it anyway. It would go to Ms. Gatti and to the Board. This just preserves our right to keep it going as we have in the past. We have a routine process for requesting use of the fields and we have the facility use request form posted on the website. The Township is already establishing fees for rental of the properties and it is just a matter of the Recreation Department following the guidelines. If I am not here and we need 48 hours' notice and we get applications by seasons or three months prior to the season start is when organizations are contacting us for space. I have spoken to Chief Hedden as well. She added that what typically happens is an organization gets to the field and someone is on it and they refuse to leave even though they are showing them their permit they are not necessarily going to call me, they will probably call the police. I did talk to him about a system that we could work on so that he has my spreadsheet each week and knows who is supposed to be where. Currently we hand out our rules and they are posted.

Mr. Pidgeon suggested introducing the ordinance as discussed this evening.

Mayor Mazzucco opened the meeting to the public.

Dennis Sandow, resident of Millington, commented that the ordinance has always historically had the section now titled 11 3-2 but every time we put something on the website or produce a form we call it a reservation and charge a fee. Listening tonight I do not feel that anyone understands the difference between a permit and a reservation. He reviewed his concerns and pointed out that he thinks that the Committee should step back again and think about the difference between permit and reservation and what it is that the Committee wants to reserve to itself, what it is willing to delegate to the Recreation Director and what is pure administration like maintaining the schedule.

Mr. Pidgeon commented that he thought that all references to permits were coming out in the revised version. Mr. Sandow disagreed. Mr. Pidgeon explained that only three sections are staying in and reviewed the language.

Mr. Aroneo said what was being done now was the introduction of the ordinance so that we could make the changes and have it ready for the next meeting.

Mr. Sandow asked how the public would know what it was that your discussing and voting on at the next session because they have an agenda published on Monday which has one version and a handout version here which is not on the agenda or website and now there is a third version. The Committee reviewed the matter and discussed the notification process.

There were no further comments from the public. Mayor Mazzucco announced that the public hearing is scheduled for March 14th.

Mr. Aroneo made a motion to introduce Ordinance 297-12 as discussed; seconded by Mr. Piserchia.

Roll Call Vote: All Ayes

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**ORDINANCE #297-12
AN ORDINANCE CONCERNING PARK RULES AND REGULATIONS AND AMENDING
CHAPTER XI OF THE TOWNSHIP CODE ENTITLED "PARKS AND RECREATIONAL
AREAS"**

STATEMENT OF PURPOSE: *To update the rules and regulations for Township parks and recreational areas and to authorize their adoption by resolution.*

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

Section 1. Chapter XI of the Township Code entitled "Parks and Recreational Areas" is hereby amended in its entirety to read as follows:

CHAPTER XI PARKS AND RECREATIONAL AREAS

11-1 Reservation and Use of Fields and Facilities.

Fields and other parks facilities may be reserved by teams, clubs and other organizations or Township residents by filing the appropriate application with the Township Recreation Director. Fields and other parks facilities shall be utilized in accordance with the schedule and rules established by the Recreation Director. The Director may give preference to Township organizations and residents in allocating field and facility usage, subject to State law and policies adopted by the Township Committee. Any person who refuses to leave a field or other facility reserved by someone else in accordance with this section, or who refuses to vacate a field or other facility when ordered to do so by the Recreation Director shall be in violation of this ordinance and shall be subject to the penalties set forth in Section 11-3 below.

11-2 Rules & Regulations

Rules and regulations applicable to Township parks and recreational facilities may be adopted by the Township Committee by resolution. Those rules and regulations are incorporated herein by reference and are enforceable pursuant to Section 11-3 below..

11-3 Violations And Penalties.

Any person who violates any provision of this chapter, including any rules and regulations adopted by the Township Committee by resolution pursuant to Section 11-2 above, shall be liable to the penalties stated in Chapter I, Section 1-5 of this Code.

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

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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.

ORDINANCE 298-12 TECHNICAL REVIEW COMMITTEE AND NEW CHECKLIST ORDINANCE

Mr. Aroneo made a motion to introduce Ordinance 298-12; seconded by Mr. Piserchia

Mr. Pidgeon reviewed the ordinance and pointed out that it creates the Technical Review Committee and added that at the next meeting the Committee will have the checklist. The check list has been approved by the Township Planner, Kevin O'Brien. He pointed out that the information sent to me from the Planning Board was to replace the entire checklist and would be a separate ordinance to adopt the check list but it may be introduced in title only tonight.

Mr. Roshto was in favor of introducing both simultaneously. Mr. Pidgeon advised that they could both be done tonight. The check list is not part of this ordinance.

Mr. Roshto stated this was an excellent example of doing the right thing for our town. It will improve the process and allow our residents who have to go before the Board of Adjustment or Planning Board to do it more efficiently and possibly save them a considerable amount of money. There are technical questions in the ordinance as written that I feel uncomfortable passing it without having some answers.

A discussion ensued among the Committee and Mr. Pidgeon regarding Mr. Roshto's concerns regarding the language.

Mayor Mazzucco opened the meeting to the public.

Mr. Sandow said he was troubled by this not because it is supposed make it easier for the public but because the TRC does not include any member of the Board and is strictly consultants to the Boards. The Planner and the Engineer are on the applicants' clock. It is possible to believe that since this is off budget, simply a matter of how much the applicant must put into escrow to pay the Engineer and Planner, they could become extremely touchy and pushy about how much information that they will require. He reviewed his concerns and added that there is no hand by a Board member that may say something is not really needed. On the surface this Committee adds precision to the documents that go to the board but leaves room for mischief.

Mr. Roshto commented that they had his concerns as well and that is why he was asking that this be an option to the applicant whereby they can bypass this Committee to give themselves some control. He suggested that the applicant have a choice. Mr. Sandow pointed out that the value is that if in fact complete applications are presented to the boards they won't fumble as easily in trying to move the application through.

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Mr. Piserchia wanted to point out that the TRC is not only made up of paid professionals, but also includes our Zoning Officer and Planning/Zoning Board Administrator. The paid professionals do not control that meeting.

Mr. Sandow stated that he understood that but his impression is that any one of them can add burden to the application. I doubt that they would take a vote and say that they would ignore the Engineer's recommendation for more information. Every time an application does come to the Board multiple committees are invited to do a pile on to see how many ways they can pick apart the application.

John Bangs, resident of River Road, stated that instead of a TRC perhaps there should be a committee that would basically go over the paperwork and make sure everything is correct. I can say from my own personal point of view that I can see why you are streamlining it and I can see the necessities for a check list. Make it where it the applicants choice.

Mr. Aroneo commented that there are review committees that do not charge.

Mr. Piserchia stated that maybe at the next meeting the Planning/Zoning Administrator or Planning Board Chair could come and explain it. All the members of the Planning Board and the Board of Adjustment were always efficient and the intent was always to lessen the cost to the applicant.

Mr. Sheola said the whole purpose is to meet the technical requirements of the application. The Engineer would look at the entire site. There have been cases where an applicant had his plan together, said they needed no variances but when looked at in a TRC meeting variances were found. From my experience it's is worthwhile.

Mr. Pidgeon suggested considering introduction at the next meeting seeing there were so many questions that need to be answered.

Ordinance 298-12 was not introduced.

ORDINANCE 299-12 AN ORDINANCE CREATING THE POSITION OF PURCHASING OFFICER AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION"

Mayor Mazzucco asked for a motion to introduce Ordinance 299-12 which creates the position of Purchasing Officer and supplementing and amending Chapter II of the Township Code entitled "Administration". A motion was made by Mr. Aroneo and seconded by Mr. Piserchia to introduce the ordinance.

There were no comments Committee or Public. The public hearing is scheduled for March 14th.

Roll Call Vote: All Ayes

**ORDINANCE 299-12
AN ORDINANCE CREATING THE POSITION OF PURCHASING OFFICER AND
SUPPLEMENTING AND AMENDING CHAPTER II OF THE TOWNSHIP CODE
ENTITLED "ADMINISTRATION" [Public hearing scheduled for March 14, 2012]**

STATEMENT OF PURPOSE: *To create the position of Township Purchasing Agent.*

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BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, as follows that Chapter II of the Township Code Entitled "Administration" is hereby supplemented and amended as follows:

Section 1. Section 2-21 entitled "Establishment of Municipal Officers and Employees," is supplemented and amended by adding a new subsection 2-25 entitled "Purchasing Agent," which reads as follows:

"2-25 PURCHASING AGENT

2-25.1. Position Created. There is hereby created the position of Purchasing Agent for the Township of Long Hill. This position may be filled in the sole discretion of the Township Committee, or it may remain vacant. If the position is vacant, the Township shall be subject to the statutory bid threshold set forth in N.J.S.A. 40A:11-3.

2-25.2. Appointment. The Purchasing Agent shall be appointed by the Township Committee.

2-25.3. Qualifications. The Purchasing Agent is required to possess a valid qualified Purchasing Agent certificate as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.

2-25.4. Responsibilities. The Purchasing Agent shall have, on behalf of the Township Committee, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to recommend to the governing body the awarding of contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by State regulatory agencies and to award specific contracts when that authority is delegated to the Purchasing Agent by the governing body."

Section 2. When a qualified purchasing agent has been appointed and if the Township desires to take advantage of the supplemental authority of N.J.S.A. 40A:11-3 and 40A:11-4.3, the Township Committee shall pass a resolution in accordance with N.J.A.C. 5:34-5.2 authorizing the amount of a higher bid threshold, the amount of which shall not exceed the statutory maximum bid threshold. In such case the Township Clerk shall file a certified copy of the resolution with the Director of Community Affairs and enclose:

- i. A certification from the Mayor that the purchasing agent of the contracting unit exercises the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and
- ii. A copy of the purchasing agent's qualified purchasing agent certification;

Section 3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

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Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This ordinance shall take effect immediately upon final passage and publication as required by law.

Appointments to Boards and Commissions for 2012

Mayor Mazzucco announced the following appointments made by the Township Committee to the Flood Plain Advisory Committee:

| <u>Flood Plain Advisory Committee</u> | <u>Expiration of Term</u> |
|---|---------------------------|
| <i>Michael Nole</i> | <i>December 31, 2012</i> |
| <i>Ashish Moholkar</i> | <i>December 31, 2013</i> |
| <i>Walter Carell</i> | <i>December 31, 2013</i> |
| <i>Jennifer Lamson-Romano</i> | <i>December 31, 2014</i> |
| <i>Felix Ruiz</i> | <i>December 31, 2014</i> |
| <i>Ken Fullagar, OEM Director</i> | <i>December 31, 2012</i> |
| <i>Richard Sheola, Township Administrator</i> | <i>December 31, 2012</i> |
| <i>Jerry Aroneo, Township Committee</i> | <i>December 31, 2012</i> |
| <i>Guy Roshto, Township Committee</i> | <i>December 31, 2012</i> |

Resolutions:

Consent Agenda Resolutions:

Mr. Aroneo excused himself from discussion regarding Resolution 12-089 pertaining to Bodnar.

Mr. Piserchia requested that Resolution 12-089 be pulled, Bonder Development, as there were concerns about this property. He pointed out that there were questions as to whether the engineering work was being done properly. Our Township Engineer has now said everything has been completed to his satisfaction. I will except that as true, however, there were quite a few trees on Township owned right of way that had been damaged. The developer had agreed to plant a set number of trees and I am not sure that they have been planted. I would say the Shade Tree Committee should confirm that it has been done before the money is released to the developer. He pointed out that he had received a call from residents expressing concerns about the trees not having been placed properly.

Mr. Pidgeon said he did recall something the Shade Tree may have approved the trees and their locations but I believe the planting of the trees was a condition of the CO.

Mayor Mazzucco thought this should be clarified and asked that resolution be pulled until the next meeting.

Mr. Aroneo requested clarification on the bills list pertaining to ATON Computing for the police server in the amount of \$7,400. Was that just for the server or full installation? He was advised it was for the server.

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Mr. Aroneo questioned the Township of Randolph entry and was advised that it was a co-operative buying group. Mr. Sheola advised that the township purchased just about everything from Rock Salt, Police Car Bars, DPW trucks, etc. It's a long list. They have substantial discounts.

Mr. Roshto questioned Wastewater Department fuel was \$7,000 for heating? What are they using the fuel for? Mr. Sheola advised that it is used for the generator at the pump stations and heating equipment at the plant.

Mr. Piserchia questioned Resolutions 12-105 and 12-106 for the Recreation Department. Mr. Sheola and Ms. Scanlon reviewed the resolutions.

A motion was made to introduce Consent Agenda Resolutions 12-081 through 12-108 excluding 12-089 by Mr. Roshto, seconded by Mr. Piserchia.

Roll Call Vote: All Ayes

**RESOLUTION 12-081
CALLING FOR IMPROVED STORM RESPONSE FROM JCP&L AND COMMITMENT TO
DEVELOP A BETTER STORM ACTION PLAN**

WHEREAS, Hurricane Irene in August 2011 and the Nor'easter in October, 2011, exposed great shortcomings in the Jersey Central Power and Light's (JCP&L) response to outages; and

WHEREAS, residents of Long Hill Township expressed anger and frustration over this response from the utility; and

WHEREAS, the Long Hill Township Office of Emergency Management notified JCP&L about blocked roadways and life threatening downed power lines; and

WHEREAS, JCP&L took in excess of 72 hours to address these life threatening situations; and

WHEREAS, a copy of this resolution will be provided to the New Jersey Board of Public Utilities; and

WHEREAS, the intent of this resolution is to share with JCP&L the constructive observations of our residents of the company's shortcomings in the most recent storm; and

WHEREAS, a detailed response is requested from the company that takes into account the suggestions outlined herein and provides for a better storm response action plan for the future.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill that the following actions, if taken by JCP&L, would improve the strained relationship between JCP&L and their customers:

1. Provide an improved system for tracking outages/power restoration activities.
2. Deploy manpower with an agreement to protect the public from dangerous conditions within 4 hours of notification from the township.
3. Maintain greater coordination of manpower in the field – broader flexibility for line crews to address issues as they arise in the field.

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4. Provide reliable, real-time information to municipal officials and the public regarding power restoration and outages.
5. Provide an enhanced local presence by utility management – in the field and at Regional Emergency Coordination Centers.
6. Make greater use of social media to provide real time updates to customers on power restoration activities.
7. Give customer service professionals the information and authority to address customer questions and concerns in order to alleviate the public's tendency to contact Town Hall on outages.
8. Provide for better coordination and communication between field crews and Long Hill Township Emergency Responders.
9. Increase local staffing levels to lessen reliance on outside crews in emergency situations.
10. Complete a full field evaluation of existing infrastructure and develop a proactive plan for mitigating future threats to continuous electric service in the community.
11. JCP&L management will coordinate with the Long Hill Township Office of Emergency Management and the Long Hill Township Police Department to establish a priority listing consisting of dangerous or hazardous situations and critical facilities for power restoration.

BE IT FURTHER RESOLVED, that JCP&L, upon receiving these suggested action items, in conjunction with its own internal post storm review, provide the Township with a copy of its plan of action for future storm emergencies.

**RESOLUTION 12-082
APPROVING PAYMENT OF BILLS**

E 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 12-083
AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES**

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

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

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

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

| Account | <u>From</u> | <u>To</u> |
|---|--------------------|------------------|
| 1-01-31-455-455-250 Sewer System Other Expenses | \$4,300 | |

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| | |
|---|---------|
| Total | \$4,300 |
| 1-01-21-180-180-237 Planning Board Other Expenses | \$2,300 |
| 1-01-28-370-371-292 Recreation Other Expenses | \$2,000 |
| Total | \$4,300 |

**RESOLUTION 12-084
APPROVAL OF TAX REFUND**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund of 2012 1st quarter tax overpayment due to a sale of a property in the amount of \$692.16 on Block: 13003 Lot: 16 to the estate of Helen Krupski c/o Carol Kuz, 1037 Robin Court Green Brook, NJ 08812.

**RESOLUTION 12-085
APPROVAL OF TAX REFUND**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund of 2012 1st quarter tax overpayment due to a sale of a property in the amount of \$757.20 on Block: 10901 Lot: 45 to the estate of Thomas De Graff c/o Eileen Delia, 431 Valley Road, Gillette NJ 07933.

**RESOLUTION 12-086
APPROVAL OF TAX AND SEWER REFUND**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund check which represents 2010 tax and sewer taxes paid at a 2011 Tax Sale on Block: 11204 Lot: 10 in the amount of \$5,650.04 and the refund of premium in the amount of \$10,000.00 to US Bank Trust for Phoenix, 2 Liberty Place – TLGS, 50 South 16th Street, Suite 1 Philadelphia, PA 19102.

**RESOLUTION 12-087
APPROVAL OF SEWER REFUND**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund check which represents 2010 sewer taxes paid at a 2011 Tax Sale on Block: 10104 Lot: 6 in the amount of \$977.07 to FWDSL & Associates, LP 290 US Highway 22 Green Brook, NJ 08812.

**RESOLUTION 12-088
APPROVAL OF SEWER REFUND**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorize a refund check which represents 2010 sewer taxes

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paid at a 2011 Tax Sale on Block: 10201 Lot: 10.02 in the amount of \$64.06 to FNA Jersey BOI, LLC, P.O.B. 1030 Brick, NJ 08723.

**RESOLUTION 12-090
AUTHORIZING THE RETURN OF
PERFORMANCE BOND – MONTEBELLO, LLC**

WHEREAS, Anthony Giuliano of Block: 10401, Lot: 5, in regards to Application No. 10-08P, has requested that the Performance Bond be returned; and

WHEREAS, the Township Engineer has certified that there are no outstanding invoices, all work has been completed and has approved the release of the Performance Bond;

WHEREAS, the Chief Financial Officer has determined that \$18,600 is the correct amount account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Performance Bond in the total amount of \$18,600 to Anthony Giuliano – 81 Milito Way Basking Ridge, NJ 07920.

**RESOLUTION 12-091
AUTHORIZING CHANGE ORDER NO. 14 TO THE
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company under a locally bid contract for the Rehabilitation of 5 Pump Stations.

WHEREAS, it is necessary to adjust the contract to reflect emergency service work performed at Skyline Pump station due to pump failures

| Change Order # | Description | Amount | Net Amount of Contract |
|----------------|--|----------|------------------------|
| 14 | Emergency work at Skyline Drive pump station | \$610.80 | \$1,023,855.57 |

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. Change Order Number 14 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 12-092
AUTHORIZING CHANGE ORDER NO. 15 TO THE
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company under a locally bid contract for the Rehabilitation of 5 Pump Stations.

WHEREAS, it is necessary to adjust the contract to reflect emergency service work performed at Skyline Pump station due to pump failures

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| Change Order # | Description | Amount | Net Amount of Contract |
|----------------|--|----------|------------------------|
| 15 | Installation of valves – Pump #2 – Skyline Dr Pump Station | \$471.00 | \$1,024,326.57 |

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. Change Order Number 15 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 12-093
APPROVING IN-GRADE ADVANCEMENT - SCALA**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Police Chief Daniel Hedden, does hereby approve the advancement of Officer Jeffery Scalla to Officer Grade II, effective February 15, 2012 at an annual salary of \$85,195.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the P.B.A. Superior Officer's Association Collective Bargaining Agreement.

**RESOLUTION 12-094
APPROVING IN-GRADE ADVANCEMENT - NAGA**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, upon the advice and recommendation of Police Chief Daniel Hedden, does hereby approve the advancement of Sergeant Ahmed Naga to Sergeant Grade II, effective March 9, 2012 at an annual salary of \$102,868.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the P.B.A. Superior Officer's Association Collective Bargaining Agreement.

**RESOLUTION 12-095
CONFIRMING TERMINATION OF SENIOR BUS DRIVER**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that Barry Bushell was terminated from employment as Senior Bus Driver on November 18, 2011.

**RESOLUTION 12-096
AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH
THE COUNTY OF MORRIS FOR WATCHUNG HILLS MUNICIPAL ALLIANCE**

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, hereby authorizes the Mayor to sign the Letter of Agreement with the County of Morris in regards to the 2012 Watchung Hills Municipal Alliance Grant in the amount of \$8,519.00

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**RESOLUTION 12-097
AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH THE STATE OF NEW JERSEY
FOR 2012 GREEN COMMUNITIES GRANT**

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, hereby authorizes the Mayor and Municipal Clerk to sign the Grant Agreement with the State of New Jersey for a grant in the amount of \$3,000 for the 2012 Green Communities Grant and hereby agrees to match 50% of the total project amount in compliance with the match requirements of the agreement.

BE IT FURTHER RESOLVED that the grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

**RESOLUTION 12-098
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL
SERVICES – HAWKINS DELAFIELD & WOOD LLP**

WHEREAS, the Township of Long Hill requires professional legal services for bond related matters, which shall include but not limited to drafting and reviewing correspondence, attendance at meetings and providing advice as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract may exceed (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Law Firm of Hawkins Delafield & Wood, One Gateway Center, 24th Floor, Newark, New Jersey 07102, is appointed to serve as Bond Counsel for Long Hill Township for the year 2012; and

WHEREAS, the Law Firm of Hawkins Delafield & Wood, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Firm of Hawkins Delafield & Wood, LLC, has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Law Firm of Hawkins Delafield & Wood, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount 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:

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1. A professional services contract with the Law Firm of Hawkins Delafield & Wood, LLC, One Gateway Center, 24th Floor, Newark, New Jersey 07102 is hereby authorized
2. The Mayor and Clerk are authorized to sign a professional service contract with Law Firm of Hawkins Delafield & Wood, in accordance with the following terms and conditions:
 - A. Term: from January 1, 2012 – December 31, 2012
 - B. Rate: Written quote for services to be performed dated January 18, 2012.
 - C. Services: The firm shall provide professional legal services related to financing.
3. The Township Clerk in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes Sentinel stating the nature, duration, service and amount of this contract.
4. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract amount will be usually charged to the debt being authorized. But shall supply a written hourly rate for such services. The certification of available funds by the Township Chief Financial Officer shall be made if such fees are not charged to the debt being authorized.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution

**RESOLUTION 12-099
APPOINTING MUNICIPAL PROSECUTOR - LISA CHADWICK THOMPSON**

WHEREAS, N.J.S.A. 2B:25-4 provides that “each municipal court . . . shall have at least one municipal prosecutor appointed by the governing body”; and

WHEREAS, N.J.S.A. 2B:25-4 further provides that “Municipal prosecutors shall be compensated either on an hourly, per diem, annual or other basis as the . . . municipality provides”; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, Lisa Chadwick Thompson has submitted a proposal to serve as municipal prosecutor during 2012 for an annual fee of \$20,783.00 as per schedule established by the Municipal Court; and

WHEREAS, the Lisa Chadwick Thompson has completed and submitted a Business Entity Disclosure Certification which certifies that neither she nor the firm of Nuzzi & Mason, LLC has made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit her and her law firm from making any reportable contributions through the term of the contract; and

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WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount 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. Lisa Chadwick Thompson is hereby appointed Long Hill Township Municipal Prosecutor for a term effective January 1, 2012.
2. A professional services contract with Lisa Chadwick Thompson, Esq. to serve as Municipal Prosecutor is hereby authorized. Ms. Thompson shall be an independent contractor and not an employee of the Township.
3. The Mayor and Clerk are authorized to sign a professional services contract with Lisa Chadwick Thompson in accordance with the following terms and conditions:
 - A. Term: A period of not to exceed 366 days
 - B. Rate: \$20,783.00 as per schedule established by the Municipal Court .
 - C. Services: Lisa Chadwick Thompson shall serve as Municipal Prosecutor
3. The Township Clerk in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes Sentinel stating the nature, duration, service and amount of this contract.
4. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract shall be charged to 2-01-20-155-155-201. The certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Township Clerk.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

**RESOLUTION 12-100
APPOINTING MUNICIPAL PUBLIC DEFENDER – MICHELLE WELSH**

BE IT RESOLVED by the Township Committee of the Township of Long Hill that Michelle Welsh is hereby appointed Municipal Public Defender for 2012 in accordance with the provisions of Township Code Section 2-28B and N.J.S.A. 2B-24, and shall be paid \$1,158.25 quarterly. In addition, the Public Defender shall be paid at the same hourly rate as the Township Attorney for interlocutory appeals to the Superior Court.

**RESOLUTION 12-101
AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES –
FERRIERO ENGINEERING, INC.**

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WHEREAS, the Township of Long Hill requires professional engineering services which shall include but not limited to design of projects, reviewing plans, planning capital projects, attendance at meetings and providing advice as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Paul Ferriero of Ferriero Engineering, Inc. was appointed Township Engineer on March 9, 2009;

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract will exceed (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Engineering Firm of Ferriero Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the Engineering Firm of Ferriero Engineering, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Engineering Firm of Ferriero Engineering, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount 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. A professional services contract with Ferriero Engineering, Inc. 180 Main Street, Chester, NJ 07930 is hereby authorized
2. The Mayor and Clerk are authorized to sign a professional service contract with Ferriero Engineering, Inc., in accordance with the following terms and conditions:
 - A. Term: A period of not to exceed 12 months
 - B. Rate: \$120 per hour – Principal [as per proposal dated January 1, 2012].
 - C. Services: The firm shall provide professional engineering services
3. The Township Clerk in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes Sentinel stating the nature, duration, service and amount of this contract.
4. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.

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7. This contract shall be charged to 2-01-20-165-165-277. The certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Township Clerk.
8. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution

**RESOLUTION 12-102
AUTHORIZING THE AWARD OF AN EXTRAORDINARY UNSPECIFIED SERVICE
CONTRACT FOR RISK MANAGEMENT SERVICES – JOHN MOORE OF WILLIS OF NEW
JERSEY, INC.**

WHEREAS, the Township of Long Hill is a member of the Morris County Joint Insurance Fund (MCJIF); and

WHEREAS, the Township of Long Hill requires professional Risk Management Services for insurance related matters, which shall include but not limited to reviewing and recommending appropriate insurance coverage's for the Township of Long Hill; and

WHEREAS, the bylaws of said Fund requires that each Governing Body appoint a Risk Management Consultant to perform various professional services as detailed in the by-laws; and

WHEREAS, the Board of fund Commissioners established a fee equal to six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, John Moore of the firm Willis of New Jersey, Inc., 14 Commerce Drive, Cranford, NJ 07106 is appointed to serve as Risk Management consultant for Long Hill Township for the year 2012; and

WHEREAS, the firm of Willis of New Jersey, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Willis of New Jersey, Inc., has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the firm of Willis HRH from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); 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 Risk Management services contract with John Moore of the firm of Willis of New Jersey, Inc., 14 Commerce Drive, Cranford, NJ 07106 is hereby authorized

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2. The Mayor and Clerk are authorized to sign a professional service contract with John Moore of the firm of Willis of New Jersey, Inc., in accordance with the following terms and conditions:
 - A. Term: A period of not to exceed 12 months
 - B. Rate: To be paid by MCJIF
 - C. Services: The firm shall provide professional risk management services
3. The Township Clerk in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes Sentinel stating the nature, duration, service and amount of this contract.
4. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
9. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

**RESOLUTION 12-103
AUTHORIZING THE APPOINTMENT AND AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL PLANNING SERVICES – SHAMROCK ENTERPRISES/KEVIN
O'BRIEN**

WHEREAS, the Township of Long Hill requires professional planning services for planning related matters, which shall include but not limited to drafting and reviewing correspondence, attendance at meetings and providing advice as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract may exceed (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Planning Firm of Shamrock Enterprises/Kevin O'Brien, 866 Madison Avenue, Rahway, NJ 07065 is appointed to serve as Professional Planner for Long Hill Township for the year 2011; and

WHEREAS, the Planning Firm of Shamrock Enterprises, LTD/Kevin O'Brien 866 Madison Avenue, Rahway, NJ 07065 has completed and submitted a Business Entity Disclosure Certification which certifies that the Planning Firm of Shamrock Enterprises/Kevin O'Brien, 866 Madison Avenue, Rahway, NJ 07065 has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Planning Firm of Shamrock Enterprises LTD/Kevin O'Brien 866 Madison Avenue, Rahway, NJ 07065 making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

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WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount 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. A professional services contract with the Planning Firm of Shamrock Enterprises, LTD/Kevin O'Brien, 866 Madison Avenue, Rahway, NJ 07065 is hereby authorized
2. The Mayor and Clerk are authorized to sign a professional service contract with Planning Firm of Shamrock Enterprises/Kevin O'Brien, 866 Madison Avenue, Rahway, NJ 07065 in accordance with the following terms and conditions:

RESOLUTION 12-104

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ACCOUNTING (MUNICIPAL AUDITOR) SERVICES – NISIVOCIA & COMPANY

WHEREAS, the Township of Long Hill requires professional auditing services which shall include the annual audit for Long Hill Township as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Administrator serving as the Purchasing Agent has determined and certified in writing that the value of the amount of the contract will exceed (\$17,500) seventeen thousand five hundred dollars; and

WHEREAS, the anticipated term of this contract is (1) one year; and

WHEREAS, the Accounting Firm of Nisivoccia & Company, has completed and submitted a Business Entity Disclosure Certification which certifies that the Accounting Firm of Nisivoccia & Company has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Accounting Firm of Nisivoccia and Company from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount 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. A professional services contract with the Accounting Firm of Nisivoccia & Company, 200 Valley Road – Suite 300, Mt. Arlington, NJ 07856 is hereby authorized per proposal dated January 1, 2012;
2. The Mayor and Clerk are authorized to sign a contract with the Accounting Firm of Nisivoccia & Company in accordance with the following terms and conditions:

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- A. Term: A period of not to exceed 12 months.
- B. Rate: per proposal dated January 1, 2012.
- C. Services: The firm shall provide professional accounting (auditing) services.

- 3. The Township Clerk in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes Sentinel stating the nature, duration, service and amount of this contract.
- 4. The Township Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
- 10. This contract shall be charged to 2-01-20-130-130-212. The certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Township Clerk.
- 11. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

**RESOLUTION 12-105
APPROVAL OF 2012 FEE SCHEDULE FOR STIRLING LAKE**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, establish fees for 2012 as follows:

| | |
|--------------------------------|----------|
| Stirling Lake Badge | |
| Resident Family Membership | \$290.00 |
| Single Adult (18 or over) | \$120.00 |
| Student (13-17) | \$ 85.00 |
| Child (12 & under) | \$ 65.00 |
| Senior/Handicap | \$ 45.00 |
| Non-Resident Family Membership | \$510.00 |
| Non-Resident Adult | \$210.00 |
| Non-Resident Student | \$140.00 |
| Non-Resident Child | \$105.00 |
| Non-Resident Senior/Handicap | \$ 75.00 |
| Guest (Daily) | \$ 5.00 |
| Guest Fee – Family Day | \$ 10.00 |
| Replacement Badge | \$ 5.00 |

BE IT FURTHER RESOLVED that if Lake Membership is received prior to June 1, 2012, each membership will receive two (2) free guest passes and any guest passes purchased after 5:00PM will be 5.00.

**RESOLUTION 12-106
APPROVING 2012 FEE SCHEDULE FOR SUMMER RECREATION**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, establish fees for 2012 as follows:

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Recreation Programs:

| | |
|--|----------|
| Summer Recreation Program - Resident | \$260.00 |
| Summer Recreation Program – Non-resident | \$520.00 |

RESOLUTION 12-107

AUTHORIZING A NON-OPEN AND FAIR CONTRACT WITH CLARKE CATON HINTZ TO PREPARE AND FILE A GRANT FOR INTERIOR CONSTRUCTION AT THE MILLINGTON SCHOOLHOUSE

WHEREAS, the Township awarded a contract for the professional services without competitive bids in accordance with the requirements of N.J.S.A. 40A:11-5(1)(dd) to the above captioned firm on November 9, 2011; and

WHEREAS, there exists a need for grant preparation services; and

WHEREAS, the Morris County Historic Preservation Trust has issued its grant guidelines for 2012 with a preliminary submission date of March 31, 2012; and

WHEREAS, the Historic Preservation Advisory Committee is satisfied with the work of Clarke Caton Hintz on the first phase of the preservation of the Millington Schoolhouse and wishes to have them prepare a grant application for construction work; and

WHEREAS, it has been determined by the Historic Preservation Advisory Committee that Clarke Caton Hintz, Architects/Planners has the necessary experience, education and background to prepare a grant application for the Old Millington Schoolhouse; and

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

1. That Clarke Caton Hintz are hereby authorized to complete and file on the Township's behalf all necessary information relative to an Interior Construction Grant for the Millington School House Restoration.

RESOLUTION 12-108

AUTHORIZING FILING OF DECLARATION OF INTENT TO THE MORRIS COUNTY HISTORIC PRESERVATION TRUST

BE IT RESOLVED that the Township Committee of the Township of Long Hill does hereby authorize the Township Administrator/CFO to file a Declaration of Intent for a grant request for the Millington Schoolhouse – Old Town Hall to the Morris County Historic Preservation Trust.

RESOLUTION 12-109

AMENDMENT TO THE 2012 TEMPORARY BUDGET

WHEREAS, 40A:4-19 Local Budget Act provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations in the 2011 budget, less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

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General - Total General Appropriation \$ 12,283,762

WHEREAS, 25.25% of the total appropriations in the 2011 Budget less appropriations made for Capital Improvement Fund, Debt services and relief of the poor are as follows:

General - \$ 3,224,487

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the temporary appropriations be amended and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

Municipal Services Act (NJSA 40:67-23.2 et seq.)

Other Expenses \$ 3,100.00

Old Business:

Mr. Piserchia commented on the Community Day Fund and pointed out that he was advised that it is part of the budget.

Mr. Roshto said he had some business and wasn't sure if it would be considered old business. In his commitment to keep things moving from the Planning Board we do have six more ordinances and I am asking if we want to start to consider the next one.

Mr. Piserchia said that the Chairman of the Planning Board will be here to discuss the TRC and suggested to have one of them on the agenda.

Mayor Mazzucco suggested that Mr. Roshto chose what he feels is appropriate. We can put it on and if it takes too long we could say it will be on for two meetings. Mr. Aroneo agreed.

Mr. Roshto said he would go through them and will do his best to find the easiest one.

New Business:

Mr. Piserchia asked if the township has a Green Team in the Township. Mr. Roshto noted that Mr. Aroneo had recommended that the Green Team be a part of the Environmental Committee. Mr. Piserchia commented that Warren already has what they call a Green Team and Green Brook and Watchung are introducing one. They contacted us to see if we would be interested. Perhaps the Environmental Commission would want to step up and take part in this. They had been talking about something similar. They said we could join in without any commitment. I would like to say yes.

Mr. Aroneo thought it would be great if the Environmental Commission could handle it.

Mr. Roshto was concerned about the Green Team as the focus is a bit different than the Environmental Commission. I feel that if the Green Team is part of the Environmental Commission it could get swallowed up and will not get the focus it deserves.

Mayor Mazzucco asked if we needed another Committee or should we let it go to the Environmental Commission and see if it comes back with a yes or no.

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Mr. Roshto would like to see a real commitment with a Green Team because it has cutting edge ideas.

Meeting Open to the Public

Mr. Sandow stated that now that you have passed a fee resolution for Stirling Lake I would suggest that you compare fees against 2003. The rates for non-residents have gone up 70%. The rates for Long Hill Senior Citizens have gone up 200%. He reviewed his concerns with the increase in fees.

Mr. Sandow commented on the Resolution that was passed to engage the Town Planner for another year. I looked for his rates and his statement of work and they are not in the Resolution are in his proposal. Do you know if he is giving Technical Review Committee time for free or is charging? Mr. Pidgeon said that was part of the Planning Board contract with him. Mr. Sandow indicated that we should know what he is charging.

Mr. Bangs said he was putting together a package regarding the wetlands that will be posted on a site known as longhillnjpack.org. If you have any comments/questions there is a blog section in the back which allows you to add your comment etc. He also had spoken with a number of people who had many questions one of which was "do you think they will do or move ahead in a more organized fashion"? I did tell them that I was pleased with what you have done.

Mayor Mazzucco said there will always be criticism but I think that the previous Committee was doing a fine job and I think we will as well. I think this Committee is very efficient and working toward getting things done.

Mr. Aroneo commented that getting things done is very important but doing them correctly is the most important thing. I cannot guarantee that I will act quickly but I will do what I think is in the best interest of the town.

Mr. Bangs as a point of information there is something we can do right now. Looking at Stirling Lake, at this time of year it should be lowered to its minimum of water capacity so that if we do have a heavy snow fall it will be able to retain some of the water running off of Long Hill. Right now it is at an overflow level.

Mayor Mazzucco said he would ask the Flood Plain Advisory to look into it. He extended his thanks to Mr. Bangs for all that he does.

A discussion ensued regarding Stirling Lake water levels. Ms. Scanlon explained what had not been done this year pointing out that the October storm and the mild winter played a good part. She added that it will be drained and cleaned this spring.

Adjournment

There being no further business, a motion was made by Mr. Schuler and seconded by Mr. Aroneo to adjourn the meeting at 11:10 p.m. Vote: All Ayes

Respectfully submitted,

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Christine A. Gatti
Township Clerk
/mf/

Approved: June 27, 2012