



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

**TOWNSHIP OF LONG HILL  
REGULAR SESSION AGENDA  
Wednesday, September 12, 2012  
7:00 PM EXECUTIVE SESSION; 7:30 PM OPEN SESSION**

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**ADEQUATE NOTICE** – Mayor’s Statement re: Adequate Notice of Meeting.

“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.”

***Please note: to help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 3 minutes.***

**EXECUTIVE SESSION:** THE TOWNSHIP COMMITTEE OF LONG HILL TOWNSHIP WILL MEET IN EXECUTIVE SESSION FROM 7:00 P.M. UNTIL 7:30 P.M.

**RESOLUTION 12-293  
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 Recruitment
- Construction/Building Sub Code
- Personnel Manual

Contract Negotiations:

- Charles Road

Attorney Client Privilege:

- None

Pending or Anticipated Litigation:

- None

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.

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**OPEN REGULAR SESSION**

**CALL MEETING TO ORDER** – The meeting will be called to order at \_\_\_\_p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**BOARD OF HEALTH MEETING**

**TOWNSHIP COMMITTEE LIAISON REPORTS / DEPARTMENT REPORTS:**

1. Police [August]
2. Health
3. OEM [June]

**COMMITTEE / BOARD MINUTES:**

1. Shade Tree Commission [June]
2. Open Space Advisory Committee [June, July]

**CORRESPONDENCE:**

1. 2013 State Aid Programs [Department of Transportation]

**DISCUSSION / ACTION ITEMS:**

1. Wastewater Upgrade Update
2. Heinkel Easement Request
3. AR at Millington – Revised Site Plan

**ORDINANCE PUBLIC HEARING / CONSIDERATION OF ADOPTION:**

**ORDINANCE #305-12**  
**REQUIRING COPIES OF CERTAIN ZONING PERMIT APPLICATIONS TO BE FORWARDED TO THE TOWNSHIP SHADE TREE COMMISSION AND SUPPLEMENTING AND AMENDING SECTION 106 OF THE TOWNSHIP LAND USE ORDINANCES**

**STATEMENT OF PURPOSE:** *To prevent the illegal cutting of trees by requiring the referral of certain zoning permit applications to the Shade Tree Commission for its review.*

**WHEREAS**, the Township Shade Tree Commission has requested that copies of all building permit applications be forwarded to the Shade Tree Commission for review and comment; and

**WHEREAS**, Township ordinances provide that no building permit shall be issued unless the application has first obtained a zoning permit from the Township Zoning Officer;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Section 100 of the Township Land Use Ordinances entitled "Title, Purpose and Scope" be supplemented and amended as follows:

**Section 1.** Subsection 106.4 in Section 106 entitled "Zoning Permits; Certificates of Compliance" is hereby supplemented and amended by changing the title of that section to "Zoning Permits; Certificates of Compliance; and Referrals to Shade Tree Commission," and that section as re-titled is supplemented and amended to read as follows:

- "106.4 A. *If a zoning permit is required, the property owner or developer may apply for one by submitting an application with the Zoning Officer on the form provided and paying an application fee of twenty-five (\$25.00) dollars. The Zoning Officer shall issue a zoning permit only if he or she is satisfied that all requirements of the Township land use ordinances and environmental protection regulations have been satisfied. As part of his or her review, the Zoning Officer may consult with the Township Engineer, the Township Planner or NJDEP.*
- B. *If the proposed construction or development involves a change in the footprint of any building or structure, or, if in the opinion of the Zoning Officer, the proposed development may result in the removal of or damage to any tree(s), the owner or developer shall submit a duplicate copy of the construction permit application, and all supporting documents, to the Zoning Officer for referral to the Township Shade Tree Commission for its review and comment. Failure of the Zoning Officer to make such information available to the Shade Tree Commission shall not invalidate any permit or proceeding. Moreover, the review of any application by the Shade Tree Commission shall not stay or delay the time in which the Zoning Officer or any other Township official has to act pursuant to any*

applicable statute, regulation or ordinance.”

**Section 2.** Subsection 104.2 in Section 104 entitled “Construction Permit” is amended by correcting the cross reference in that section from “Section 108” to “Section 106.”

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

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

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

**OPEN TO THE PUBLIC FOR COMMENT**

**CLOSE TO THE PUBLIC FOR COMMENT**

**MOVED** by: \_\_\_\_\_, that Ordinance #305-12 be passed on final reading and adopted. **SECONDED** by: \_\_\_\_\_

**ROLL CALL VOTE**

**RESOLUTIONS:**

**CONSENT AGENDA RESOLUTIONS**

*The following items 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.*

**MOVED** by: \_\_\_\_\_ by the Township Committee of Long Hill Township, that Resolution #12-294 through #12-315 are hereby approved.

**SECOND** by: \_\_\_\_\_.

**ROLL CALL VOTE**

**RESOLUTION 12-294  
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 12-295  
APPROVAL AND RELEASE OF REGULAR SESSION MINUTES AND APPROVAL OF  
EXECUTIVE SESSION MINUTES (AS REDACTED)**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the June 13, 2012 Meeting.

**BE IT FURTHER RESOLVED** that the Township Committee hereby approves the June 13, 2012 Meeting Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 12-296  
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 in the amount of \$\$163.46 for 2012 Sewer on Block 13402 Lot 27 for former owner, Byers to the Settlement Trust Account II at Weichert Title Agency, 1909 Route 70 East. Cherry Hill, NJ 08003.

**RESOLUTION 12-297  
APPROVAL OF 2012 SEWER ADJUSTMENTS**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill on the advice of the Tax Collector does hereby authorize the following adjustments to the 2012 Sewer Billing due to water usage, sprinkler systems, senior deduction or billing error by NJAW:

<b>BLOCK</b>	<b>LOT</b>	<b>ADJUSTMENT</b>	<b>CREDIT</b>	<b>DEBIT</b>	<b>NAME</b>
10104	5.02	SPRINKLER	\$45.99		GRAY
10104	8	SPRINKLER	\$279.51		KINELLA
10105	16	SPRINKLER	\$455.50		SHATZ
10106	2	SPRINKLER	\$100.21		BERNARDON
10106	5	SPRINKLER	\$282.41		PECK
10106	32	WATER USAGE	\$455.50		MROCKA
10501	1/T04	BILLING ERROR		\$75.00	STIRLING CTR ASSOC.
10501	1/T06	BILLING ERROR		\$75.00	STIRLING CTR ASSOC.
11504	18/T01	BILLING ERROR	\$475.00		CALLEO, ROSE
11504	18	BILLING ERROR		\$75.00	CALLEO, ROSE
11510	25	BILLING ERROR	\$400.00		HORVOT
11511	4	BILLING ERROR	\$300.00		HUNTER PROPERTIES
11511	12/T01	BILLING ERROR	\$400.00		CALLEO, ANTHONY
11512	14.04	WATER USAGE	\$209.53		HERDA
11512	25	WATER USAGE POOL	\$200.42		PIPIA
11512	28/T01	WATER USAGE	\$428.17		MAN
11603	27	SPRINKLER	\$91.10		FLORIO
11602	16	BILLING ERROR	\$75.00		GIORDANO
11602	29	WATER USAGE	\$230.96		FUCCI
11606	16/T01	BILLING ERROR	\$550.00		THORNTON
11805	9.36	WATER USAGE	\$391.73		LEONARDIS

11902	15.01	WATER USAGE	\$63.77	STETZ
12101	3.30	WATER USAGE	\$245.97	LOCORRIERE
12203	22	WATER USAGE	\$145.76	RAJPUT
12401	3	WATER USAGE	\$273.30	SOMMER
12603	6.03	SPRINKLER	\$145.76	RIEGER
12701	10	WATER USAGE	\$173.09	BRAVERMAN
120701	19	WATER USAGE	\$127.54	ISELBORN
12702	47.07	SPRINKLER	\$191.31	ATKINS
12806	31	SPRINKLER	\$245.97	DE GENARO
13201	9	SPRINKLER	\$703.63	WONG
13202	5	SPRINKLER	\$154.87	JOHNSTONE
13502	2	WATER USAGE	\$646.81	LANYI
13503	27	WATER USAGE	\$227.75	STAPPERFENNE
13513	33	WATER USAGE	\$446.39	CAMPOS
14202	12	WATER USAGE	\$118.43	CONNOLLY
14206	2	SPRINKLER	\$255.08	PEFANIS

**RESOLUTION 12-298  
AUTHORIZING THE RETURN OF  
PROFESSIONAL REVIEW ESCROW – BOCHNER**

**WHEREAS**, David Bochner and Yun Jen Tsao of Block: 14204, Lot: 67.07, in regards to Application No. 09-10Z, has requested that the Professional Review Escrow fees be returned; and

**WHEREAS**, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow;

**WHEREAS**, the Chief Financial Officer has determined that \$204.40 remains in the 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 Professional Review Escrow in the total amount of \$204.40 to David Bochner – 10 Brotherton Avenue Rockaway, NJ 07866.

**RESOLUTION 12-299  
AUTHORIZING THE RETURN OF  
PROFESSIONAL REVIEW ESCROW – HORVOT**

**WHEREAS**, Robert & Elisa Horvot of Block: 11510, Lot: 25, in regards to Application No. 10-01Z, has requested that the Professional Review Escrow fees be returned; and

**WHEREAS**, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow;

**WHEREAS**, the Chief Financial Officer has determined that \$246.87 remains in the 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 Professional Review Escrow in the total amount of \$246.87 to Elisa M. Verran-Horvot – 48 Deerfield Road Whippany, NJ 07981.

**RESOLUTION 12-300  
AUTHORIZING THE RETURN OF ENGINEERING INSPECTION  
ESCROW AND PERFORMANCE BOND - SOROKA**

**WHEREAS**, Mikel and Pamela Soroka of Block: 13509, Lot: 36, 18 Daugherty Avenue, has requested that the Engineering Inspection Escrow fees and Performance Bond be returned; and

**WHEREAS**, the Township Engineer has certified that there are no outstanding invoices and has approved the release of the Engineering Inspection Escrow and Performance Bond; and

**WHEREAS**, the Chief Financial Officer has determined that \$250.00 remains in the escrow account and the Performance Bond is in the amount of \$500.00;

**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 Engineering Review Escrow in the total amount of \$250.00 and the Performance Bond in the amount of \$500.00 to Mikel and Pamela Soroka, 18 Daugherty Avenue, Gillette, NJ 07933.

**RESOLUTION 12-301  
APPROVING PROMOTION TO SERGEANT GRADE III - BUERSTETTA**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill upon the advice and recommendation of Chief Daniel Hedden, that Master Officer Aaron Buerstetta, be promoted to Sergeant Grade III at an annual rate of \$99,278.00, effective September 14, 2012.

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

**RESOLUTION 12-302  
APPROVING SPECIAL PERMIT FOR SOCIAL AFFAIR [BPO ELKS]**

**WHEREAS**, the Benevolent & Protective Order of the Elks, Stirling Lodge #2392 has submitted an Alcoholic Beverage Control Application for a Special Permit for a Social Affair to be held on October 6, 2012 from 3:00 p.m. to 8:00 p.m. to be held at the Stirling Elks Lodge, 1138 Valley Road, Stirling, New Jersey 07980; and

**WHEREAS**, the Chief of Police has reviewed the application and has no objection to the granting of a special 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 following individual will be the only persons allowed to serve alcohol:  

Jill Lewis, Jean Kimak, Edward Romeo, Geoffrey Kimak  
Address on file in Police Headquarters
2. No one under the age of 21 shall be served alcoholic beverages.
3. No person assumed to be under the influence of an alcoholic beverage shall be served or allowed to walk or drive from the event.

4. The consumption of alcoholic beverages shall be restricted to the Stirlign Elks Lodge "Picnic grove" area. No alcoholic beverages shall be possessed or consumed beyond the boundaries of the "Picnic grove" area.
5. Alcoholic beverages shall only be served and/or consumed between the hours of 3:00 p.m. and 8:00 p.m.

**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 and consents thereto with the special conditions as outlined by the Chief of Police.
2. The Township Clerk is hereby authorized to sign the municipal certification on the application and forward it to the applicant.

**RESOLUTION 12-303  
AUTHORIZATION TO CONDUCT BLOCK PARTY- MAGNA DRIVE**

**BE IT RESOLVED** by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, authorize the residents of Magna Drive and Preston Drive to hold a block party on Saturday, September 15, 2012 from 4:30 P.M. until 7:30 P.M in accordance with request letter dated August 27, 2012.

**RESOLUTION 12-304  
APPROVING SPECIAL EVENT LICENSE - STIRLING SHOP RITE**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S 12-16 for the "Motorcycle Ride to Fight Hunger" to the "Sponsor" Stirling Shop Rite, for their Special Event to be held on September 22, 2012 (rain date September 23, 2012) in the Stirling Shop Rite Parking Lot; and

**BE IT FURTHER RESOLVED** that the Police Department has determined that police services are not required for this event.

**RESOLUTION 12-305  
APPROVING SPECIAL EVENT LICENSE –  
LONG HILL TOWNSHIP PBA CIVIC ASSOCIATION**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S 12-15 for the event to the "Sponsor" Long Hill Township P.B.A. Civic Association, for their Special Event to be held on September 21, 2012 at the Long Hill Township Community Center on Warren Avenue in Stirling; and



**BE IT FURTHER RESOLVED** that the Police Department has determined that police services are not required for this event.

**RESOLUTION 12-306**  
**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT**  
**WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE GILLETTE**  
**SCHOOL SIDEWALK CONSTRUCTION PROJECT**

**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 formally approves the grant application for the Gillette School Sidewalk Construction Project as recommended by the Township Engineer;

**BE IT FURTHER RESOLVED** that the Township Engineer is hereby authorized to submit an electronic grant application identified as 2013 - Long Hill - 00071 to the New Jersey Department of Transportation on behalf of the Township of Long Hill;

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of Long Hill Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

**RESOLUTION 12-307**  
**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT**  
**WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR CARLTON ROAD**  
**IMPROVEMENTS**

**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 formally approves the grant application for the Carlton Road Improvements as recommended by the Township Engineer;

**BE IT FURTHER RESOLVED** that the Township Engineer is hereby authorized to submit an electronic grant application identified as 2013 - Long Hill - 00072 to the New Jersey Department of Transportation on behalf of the Township of Long Hill;

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of Long Hill Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

**RESOLUTION 12-308**  
**AUTHORIZING CORRECTION OF CHANGE ORDER AMENDMENTS - DeMAIO**  
**ELECTRICAL COMPANY**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey upon the advisement of the Township Engineer hereby authorizes that the following clerical corrections be made to the net amount of the DeMaio Electrical Companies contract for the Rehabilitation of 5 Pump Stations;

Change Order #	Description	Amount	Net Amount of Contract
#10 Resolution 11-209 Approved June 8, 2011	Re-route electrical wiring due to error in specifications	\$3,094.23	\$980,845.96

Change Order #	Description	Amount	Net Amount of Contract
#11 Resolution 11-343 Approved November 9, 2011	Emergency services to Skyline Pump Station due to pump failures beyond the scope of the original project	<del>\$37,334.23</del> <b>\$37,221.34</b>	<del>\$1,010,467.30</del> <b>\$1,018,067.30</b>

Change Order #	Description	Amount	Net Amount of Contract
#12 Resolution 12-066 Approved January 11, 2012	Exhaust Fan at Skyline Drive pump station	\$5,065.00	<del>\$1,018,179.77</del> <b>\$1,023,132.30</b>

Change Order #	Description	Amount	Net Amount of Contract
#13 Resolution 12-067 Approved January 11, 2012	Emergency work at Skyline Drive pump station	<del>\$15,477.80</del> <b>\$15,447.80</b>	<del>\$1,023,244.77</del> <b>\$1,038,580.10</b>

Change Order #	Description	Amount	Net Amount of Contract
#14 Resolution 12-091 Approved February 8, 2012	Emergency work at Skyline Drive pump station	\$610.80	<del>\$1,023,855.57</del> <b>\$1,039,190.90</b>

Change Order #	Description	Amount	Net Amount of Contract
#15 Resolution 12-092 Approved February 8, 2012	Installation of valves – Pump #2 – Skyline Dr Pump Station	\$471.00	<del>\$1,024,326.57</del> <b>\$1,039,661.90</b>

Change Order #	Description	Amount	Net Amount of Contract
#16 Resolution 12-274 Approved August 15, 2012	Supply and installation of pressure gauges on ductile iron piping at Skyline Pump Station	\$2,394.45	<del>\$1,026,631.02</del> <b>\$1,042,056.35</b>

Change Order #	Description	Amount	Net Amount of Contract
#17 Resolution 12-275 Approved August 15, 2012	Credit adjustment in contract due to the deletion of police traffic directors and other items (CREDIT)	(\$7,600.00)	\$1,019,031.02 <b>\$1,034,456.35</b>

Change Order #	Description	Amount	Net Amount of Contract
#18 Resolution 12-276 Approved August 15, 2012	Supply and installation of second VFD to match first VFD previously installed and complete control and power wiring on first VFD	\$13,474.74	\$1,032,505.76 <b>\$1,047,931.09</b>

**RESOLUTION 12-309  
GRANTING PERMISSION TO TEMPORARILY  
HAVE TWO HOUSES ON ONE LOT**

**WHEREAS**, Paul and Donna Vickery are the owners of property located at 1434 Long Hill Road, Millington and known as lot 3, block 12802 on the Township Tax Maps; and

**WHEREAS**, Mr. and Mrs. Vickery have requested permission to reside in the existing residence while their new house is being constructed on the same lot as per letter dated August 22, 2012; and

**WHEREAS**, Township Land Use Regulations §124.11 allows the Township Committee to permit temporary uses for a period not to exceed six (6) months; and

**WHEREAS**, the Vickery's proposed temporary use will not exert a detrimental effect upon the lawful use of land and activities normally permitted in the zone in question;

**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.) In accordance with the provisions of Township Land Use Regulations §124.11, Paul and Donna Vickery, the owners of property located at 1434 Long Hill Road, Millington are hereby authorized to have two principal structures on their lot for a period not to exceed six (6) months under the following terms and conditions:

- a. The six-month period shall commence on the date that a building permit is issued for the construction of the Vickery's new residence on the property.

- b. The Vickery's existing residence shall be razed within six (6) months, or within thirty (30) days after the issuance of a certificate of occupancy for their new residence, whichever is earlier.
- 2. The Construction Official is hereby directed to issue a permit for such temporary use in accordance with the terms of this resolution.
- 3. Property Owners are required to comply will all other applicable statutes, ordinances and regulations including but not limited to Township Land Use Ordinances, NJ DEP Regulations and the Uniform Construction Code.

**RESOLUTION 12-310  
CERTIFYING ACTIVE MEMBERSHIP WITH STIRLING VOLUNTEER FIRE COMPANY FOR  
NEW JERSEY STATE FIREMEN'S ASSOCIATION ELIGIBILITY**

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

Thomas Rozmerski

**RESOLUTION 12-311  
AUTHORIZE MAYOR TO SIGN DOCUMENTS RELATING TO CONSENT FOR T-MOBILE TO  
CHANGE EXISITING ANTENNAS ON THE TELECOMMUNICATIONS TOWER OWNED BY  
THE TOWNSHIP**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill hereby authorizes the Mayor to sign the consent documents authorizing T-Mobile to change their existing antennas on the telecommunications tower owned by the township at 1223 Valley Road;

**BE IT FURTHER RESOLVED** that the plan has been reviewed by the Township Engineer and is acceptable.

**RESOLUTION 12-312  
RESOLUTION AUTHORIZING RETURN OF PROPERTY TO FINDER**

**WHEREAS**, Dan Murphy, 162 North Maple Ave, Basking Ridge, NJ 07920, found ONE (1) YELLOW TREK 1000 BICYCLE SERIAL NUMBER WTU0DN556S on Poplar Drive, on September 21, 2011; and

**WHEREAS**, Mr. Murphy turned the bicycle over to the police department for the purpose of assisting the police to find the owner thereof; and

**WHEREAS**, *N.J.S.A. 40A:14-157b* provides in relevant part that:

“Whenever any... tangible personal property other than a motor vehicle has been . . . found . . . by any person . . . and the finder shall have given . . . custody of the found... tangible personal property to the municipal police department . . . for the purposes of assisting the police to find the owner thereof, the police department . . . shall retain custody of said . . . tangible personal property for a period of six months. If the . . . tangible personal property is unclaimed during said six-month period by the person entitled thereto, the . . . personal property shall be returned by the municipal police department... to the finder, who shall be deemed the sole owner thereof . . .”; and

**WHEREAS**, no one has claimed ownership of the bicycle during the six-month period they were held by the Police Department;

**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 Chief of Police is hereby authorized and directed to return the bicycle described in the preamble to Daniel Murphy who is the finder of that bicycle.
2. In accordance with the provisions of *N.J.S.A. 40A-14.157b*, Mr. Murphy shall be deemed the sole owner of that bicycle.

**RESOLUTION 12-313  
AUTHORIZING INTRUSION INTO SEWER EASEMENT AREA  
ON LOT 3, BLOCK 12402**

**WHEREAS**, Robert and Martha Heinkel are the owners of property located at 204 Oaks Road, Millington, and known as Block 12402, Lot 3 on the Township tax maps; and

**WHEREAS**, Board of Adjustment Engineer, Thomas R. Lemanowicz, P.E., P.P., C.M.E., in an August 14, 2012 letter to the Township Clerk, indicated that the property owners have applied to the Board of Adjustment for a variance “as part of the process to legitimize an existing nonconforming deck that was constructed by a prior owner of the property without Board approval or construction permits.”; and

**WHEREAS**, Mr. Lemanowicz went on to note that “the plans submitted with the application show the subject deck encroaching on to a sanitary sewer easement that crosses the property,” however, he expressed his expert opinion that the “deck post footings have not compromised the sanitary sewer within the easement.”;

**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. Mr. and Mrs. Heinkel are hereby authorized to maintain the deck in the easement area as shown on the plans submitted with their Board of Adjustment Application (No. 09-09Z).
2. This permission is contingent upon the Heinkels' executing a sewer easement deed in form acceptable to the Township Attorney, which contains the following conditions:
  - a.) The deck will remain in the easement area at the property owners' (or their successors in title's) own risk.
  - b.) The Township may require the deck to be removed at any time, and if the property owners refuse to do so, the Township may remove it at the property owners' expense.
  - c.) The cost of any such removal shall be borne solely by the Heinkels or their successors in title.
  - d.) By allowing the deck to remain in the easement area, the Township is not vacating, abandoning or waiving any rights it has in the sewer easement.
  - e.) The deck shall not interfere with present or future sewer lines in the easement area.

**RESOLUTION 12-314  
ESTABLISHING RESERVE FOR PRELIMINARY EXPENSES  
WASTEWATER IMPROVEMENTS**

**BE IT RESOLVED** that the Long Hill Township Committee hereby acknowledges the requirement of preliminary costs to determine the scope and cost of proposed improvements to the Township's wastewater system as well as providing the preliminary designs necessary to apply for funding from the New Jersey Environmental Infrastructure Trust Fund. The purpose of these preliminary costs is for the engineering and related studies for improvements to the wastewater system. The amount to be charged is for a purpose for which bonds may be issued under Chapter 2 of Title 40A;

**BE IT FURTHER RESOLVED** that the amount appropriated for preliminary costs shall not exceed \$91,740.00 and the Chief Financial Officer is directed to set up a "Reserve for Preliminary Expenses" with proceeds from the Capital Improvement Fund of the General Capital Fund.

**RESOLUTION 12-315  
AWARDING A PROFESSIONAL SERVICES CONTRACT**

**TO OMNI ENVIRONMENTAL, LLC**

**WHEREAS**, the Township of Long Hill requires the services of a professional engineer in connection with proposed improvements to its wastewater collection and treatment system; and

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

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

**WHEREAS**, the Township has a need to acquire these professional services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4* or *20.5*, as appropriate; and

**WHEREAS**, Omni Environmental, LLC (“Omni”) submitted a proposal to the Township dated August 13, 2012, a copy of which is attached hereto and incorporated herein by reference (except that the “standard contract terms and conditions” are not acceptable and this contract award is subject to those terms and conditions being renegotiated with terms and conditions acceptable to the Township Attorney); and

**WHEREAS**, Omni has completed and submitted a Business Entity Disclosure Certification which certifies that Omni 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 Omni from making any reportable contributions through the term of the contract;

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

1. The Mayor and Township Clerk are authorized to sign a professional services agreement with Omni Environmental, LLC subject to the following terms and conditions:

- A. Term: September 13, 2012 through completion of the project
- B. Compensation: Not to exceed \$91,740 (not to exceed T&M Fee), as set forth in the proposal. Any Change orders must be approved in advance, in writing by

resolution of the Township Committee.

C. Terms and Conditions: The contract shall include all of the Township's usual requirements regarding insurance, business registration, affirmative action, pay to-play, etc., and shall be in a form acceptable to Township Attorney.

2. The Business Disclosure Entity Certification shall be placed on file with this resolution.

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 official newspaper 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 Township of Long Hill, 915 Valley Road, Gillette, NJ 07933 during regular business hours.

5. This contract shall be charged to the budget for the Reserve for Preliminary Expenses for Wastewater Project. The certification of available funds by the Financial Officer shall be attached to the original of this resolution and shall be maintained in the files of the Township Clerk.

**OLD BUSINESS:**

1. Council on Affordable Housing Update

**NEW BUSINESS**

**MEETING OPEN TO PUBLIC COMMENT**

*At this point in the meeting, the Township Committee welcomes comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 3 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes.*

**MEETING CLOSED TO PUBLIC COMMENT**

**ADJOURNMENT**