



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ  
TOWNSHIP COMMITTEE  
REGULAR SESSION AGENDA  
May 13, 2015, 2015  
6:30 PM CLOSED SESSION; 7:30 PM OPEN SESSION**

*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.*

**STATEMENT OF ADEQUATE NOTICE**

"In compliance with the Open Public Meetings Law of New Jersey, adequate notice of this meeting was electronically sent to the Echoes Sentinel and posted in the January 15, 2015 edition, and electronically sent to the Courier News and posted in the January 9, 2015 edition. The notice was posted on the bulletin board in the Municipal Building on January 6, 2015 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."

*No matter shall be commenced or continued after 11:00 PM at any meeting unless a motion is passed by the members present to extend the meeting to a later specified cutoff time.*

**EXECUTIVE SESSION**

**RESOLUTION #15-161  
EXECUTIVE SESSION**

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

Potential Litigation

- DeMaio Electrical

Property Acquisition:

- Kurz Property update
- Eberle property

Personnel

- OEM Director/Police Administration Update

Attorney Client

- COAH

Contract Negotiations

- DPW Contract Adjustment

**BE IT FURTHER RESOLVED** that the 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.

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Resolution #15-161 is hereby approved for Executive Session. **SECONDED** by: \_\_\_\_\_

**ROLL CALL VOTE:**

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**OPEN PUBLIC MEETING:**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Clerk will call the Roll

**PROCLAMATION: Eagle Scout – Dustin Thomas Ulen**

**PRESENTATION:** BY PAUL FERRIERO, TOWNSHIP ENGINEER  
Turf Design for Matthew G. Kantor Memorial Park

**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: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution #15-143 through #15-152, and Resolution #15-154 – #15-159 and #15-163 are hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

**RESOLUTION #15-143  
AUTHORIZE FUNDING FOR POLICE EXPLORERS  
2014 CENSUS**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill does hereby authorize the Chief Financial Officer to disburse \$3,000.00 from the Animal Trust Fund Account as a donation to the Police Explorers for their assistance with the 2014 Dog Census.

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**RESOLUTION 15-144  
APPROVING PAYMENT OF BILLS**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby approve the payment of the bills as presented by the Chief Financial Officer.

**BE IT FURTHER RESOLVED**, that the bills list be appended to the official minutes.

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**RESOLUTION 15-145  
APPROVAL AND RELEASE OF MINUTES**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the April 22, 2015, Township Committee Re-Organization Meeting.

**BE IT FURTHER RESOLVED** that the Township Committee hereby approves the April 22, 2015 Executive Session Meeting Minutes as redacted by the Township Attorney.

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**RESOLUTION 15-146  
APPROVE CONFERENCE REQUEST  
Tax Collector**

**WHEREAS**, the Township Committee approved Resolution 08-375 which requires Township Committee approval of all overnight conference requests; and

**WHEREAS**, the Township Committee has received a request by the Tax Collector to attend the New Jersey TCTA Conference on May 19<sup>th</sup> thru 21st, 2015 in Atlantic City; and

**NOW, THEREFORE, BE IT RESOLVED by**, the Long Hill Township Committee hereby approves the request of Joan Donat, tax Collector to attend the NJTCTA Conference as outlined in her memo.

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**RESOLUTION 15-147  
AUTHORIZING RELEASE OF ESCROW/MAINTENANCE BOND**

**WHEREAS**, the Planning & Zoning Administrator, Board Engineer, Board Attorney, Township Planner have certified that there are no outstanding invoices and have approved the release of the following Maintenance Bond for 1107 Valley Road.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY**, that appropriate municipal officials be and are hereby authorized to release the following Escrow/Maintenance Bond per N.J.S.A. 40:55D-53.1.

**Developer’s Escrow/Maintenance Bond**

1107 Valley Road, LLC – B10514 L1 App# 08-08P	\$2,036.25
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**RESOLUTION 15-148  
AUTHORIZATION TO CONDUCT BLOCK PARTY  
Meadowview/Midvale Ave**

**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 Midvale Avenue in Millington to hold a block party on Sunday, September 13, 2015 from 3:00 PM until 7:00 PM in accordance with request letter dated April 21, 2015.

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**RESOLUTION 15-149  
AUTHORIZING THE TOWNSHIP TO APPLY FOR GRANT FUNDS TO THE STATE OF NEW JERSEY MUNICIPAL RECYCLING TONNAGE GRANT PROGRAM**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be available to municipalities to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the asset of Long Hill Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, wishes to file an application and endorses such application with the State of New Jersey Department of Environmental Protection and designates Thomas Sweeney, Recycling Coordinator, to ensure that the application is properly filed;

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be use solely for the purposes of recycling.

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**RESOLUTION 15-150  
APPROVING BANNER  
[St. Vincent de Paul Church]**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey that by recommendation of the Township Clerk, based on the approval of the Morris County Freeholders and JCP & L that the Township Committee does hereby approve a banner to be hung across Valley Road, County Route 512 for 2 weeks, starting May 11, 2015 for the St. Vincent de Paul Carnival until May 24, 2015.

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**RESOLUTION #15-151  
APPROVING PARTICIPATION BY THE LONG HILL TOWNSHIP POLICE DEPARTMENT IN  
THE 1033 MILITARY SURPLUS PROGRAM**

**WHEREAS**, Federal law permits the Secretary of the United States Department of Defense to transfer to federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities, including counterdrug and counterterrorism activities and is excess to the needs of the Department of Defense; and

**WHEREAS**, this initiative, which is informally known as the "1033 program," allows local law enforcement agencies to obtain, at little or no cost and without the approval of the governing body of the local unit, surplus federal property, including aircraft, armored vehicles, automatic weapons, and night vision equipment originally intended for use by the United States Armed Forces; and

**WHEREAS**, the Township of Long Hill Police Department would like to take advantage of the government surplus items offered by this program, with items at little or no cost, and

**WHEREAS**, Senate Bill 2364, which was signed into law by Governor Christie changed the application process by requiring municipalities who wish to participate in this program to adopt a resolution approved by a majority of the full membership of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Long Hill, County of Morris, in the State of New Jersey does hereby approve the Township of Long Hill's Police Departments' participation in the 1033 Program.

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**RESOLUTION 15-152  
APPOINTING DPW SEASONAL PERSONNEL – ROBERT PHILIPS**

**BE IT RESOLVED** that the Township Committee of the Township of Long Hill upon the advice and recommendation of Neil Henry, Township Administrator and Tom Sweeney, Director of Public Works, does hereby appoint Robert Philips to provide Long Hill Township with temporary/seasonal help effective on May 18, 2015 at a rate of \$13.00 per hour at a total amount not to exceed \$11,000.00, funded by the 2015 Municipal Operating Budget "Clean Communities" account.

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**RESOLUTION # 15-154  
Tax Lien Redemption [B.13701 L.19]**

**BE IT RESOLVED:** That the Township Committee of the Township of Long Hill upon the advice and recommendation of the Tax Collector does hereby authorize the Redemption of Tax Title Lien # 1992 for Block 13701 Lot 19 dated 12/6/2014 in the amount of \$36,458.65 and a refund of \$38,000.00. Premium to: Pro Capital/ US Bankcust for PC5, Tax Services Group, 50 So. 16<sup>th</sup> Street, Suite 20, Philadelphia, PA 19102.

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**RESOLUTION #15-155  
AUTHORIZING AMENDMENT NO. 2  
TO CONTRACT FOR PURCHASE OF EBERLE PROPERTY  
(BLOCK 10801, LOT 6.01)**

**WHEREAS,** the Township entered into a contract on December 15, 2014, for the purchase of real property located at 491 Valley Road, Gillette, New Jersey and known as Block 10801, Lot 6.01 on the Long Hill Township Tax Maps (the Eberle property); and

**WHEREAS,** Section IV of the Contract entitled "Environmental Contingencies" provides in part that:

*A. During the period commencing on the effective date and ending on the sixtieth (60th) day thereafter (the "Evaluation Period"), Township shall have the right to conduct a due diligence evaluation of the property, which shall evaluate, without limitation, the following: the environmental condition of the Property, as more specifically provided in paragraph B below. . . .*

**WHEREAS,** the deadline was extended to May 15, 2015 by the first amendment to the contract, which was executed by all parties in early February; and

**WHEREAS,** the Township needs additional time to complete its environmental evaluation of the property;

**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 Mayor and Clerk are hereby authorized and directed to sign Amendment No. 2 to the contract which will extend the time in which the Township has to

complete its due diligence environmental evaluation of the property to July 15, 2015

- 2. In all other respects, the contract dated December 15, 2014, as previously amended, shall remain in full force and effect.

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**RESOLUTION 15-156  
BANNER APPROVAL FOR CHAMBER OF COMMERCE  
[MILLINGTON DOWNTOWN DAY]**

**BE IT RESOLVED**, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey that by recommendation of the Township Clerk, based on the approval of the Morris County Freeholders and JCP & L that the Township Committee does hereby approve a banner to be hung across Valley Road, County Route 512 for 2 weeks, starting May 25, 2015 for the Millington Downtown Day until June 8, 2015.

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**RESOLUTION 15-157  
APPROVAL AND RELEASE OF MINUTES**

**BE IT RESOLVED**, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the May 6, 2015, Township Committee Special Meeting.

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**RESOLUTION # 15-158  
AMENDING THE PERSONNEL POLICY AND PROCEDURE MANUAL  
OF THE TOWNSHIP OF LONG HILL**

**WHEREAS**, the Township Committee of the Township of Long Hill based on the recommendation of the Township Administrator approve the following amendment to the Personnel Policy and Procedures Manual; and

**TOWNSHIP OF LONG HILL SCRAP METAL POLICY**

***I. PURPOSE AND SCOPE***

*To establish policies and procedures for the disposal of scrap metal generated or otherwise owned by the Township and/or abandoned on Township property.*

***II. DEFINITION***

*Pursuant to N.J.S.A. 45:28-1, "Scrap Metal" means used, discarded, or previously owned items that consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, and alloys.*

***III. POLICY***

*A. The Township and its Department of Public Works are committed to the proper collection, disposal and/or recycling of scrap metal generated or owned by the Township, and/or abandoned on Township property. Scrap metal is an asset to the Township, and its disposal is subject to the same business practices that govern the disposal of all other Township surplus assets.*

B. *It is the policy of the Township that scrap metal will be collected and recycled to the maximum practical extent.*

C. *Any and all revenues generated from the sale of scrap metal or other recyclable materials must be immediately provided to the Township's Finance Department.*

D. *Employees are strictly prohibited from removing scrap metal from the Department of Public Works storage facility or any other Township-owned property without express permission from the Township Administrator or the Director of Public Works.*

E. *Employees who are determined to have violated this policy, including but not limited to removing scrap metal from the Township's storage facility without prior approval, are subject to disciplinary action, up to and including termination.*

**BE IT FURTHER RESOLVED** that a copy of the Addendum to the Township of Long Hill Personnel Policy and Procedure Manual is attached and incorporated hereto; and that a copy of this Resolution shall be forwarded to the Township Administrator for distribution to all Township employees.

This Resolution shall take effect immediately.

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**RESOLUTION 15-159  
APPOINT 2015 STIRLING LAKE STAFF**

**BE IT RESOLVED** by the Township Committee of the Township of Long Hill upon the recommendations of the Recreation Director and Lake Director does hereby appoint the Stirling Lake Staff effective May 23, 2015 and ending September 1, 2015:

<u>Last Name</u>	<u>First Name</u>	<u>Hourly Wage</u>	<u>Position</u>
Bentzlin	Carl	\$10.00	Lifeguard
Berliner	Steven	\$ 9.50	Lifeguard
Blakeslee	Garrett	\$ 9.75	Lifeguard
Campbell	James	\$10.00	Lifeguard
Carlin	Daniel	\$10.00	Lifeguard
Karski	Amanda	\$10.00	Lifeguard
Mazzucco	Chas	\$ 9.50	Lifeguard
Webster	Alyssa	\$ 9.50	Lifeguard
Hutchinson	Daniel	\$22.50	Lake Director
Blakeslee	Ian	\$ 9.25	Lifeguard
Hackett	Lucas	\$ 9.25	Lifeguard
Rohal	Joseph	\$ 9.25	Lifeguard
Scanlon	Noah	\$ 9.25	Lifeguard
Nitkowski	Justin	\$ 9.25	Lifeguard
Butler	Tommy	\$ 9.25	Lifeguard

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**RESOLUTION 15-163  
AWARDING CONTRACT FOR CARLTON ROAD IMPROVEMENTS PROJECT**

**WHEREAS**, the Township of Long Hill received requests from seven (7) companies, of which seven companies submitted sealed bids for the bid opening advertised for May 6, 2015 at 1:00 PM; and

**WHEREAS**, the three lowest bids were reviewed by the Township Engineer and the Township Attorney: and

**WHEREAS**, the Township Engineer recommends the award of the contract for the Carlton Road Improvements Project to the lowest bidder, JTG Construction, Inc., 108 Jefferson Street, Newark, NJ 07105

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

1. Award the contract to EM Electrical Contractors, JTG Construction, Inc., 108 Jefferson Street, Newark, NJ 07105
2. The contract shall be in the amount of Five Hundred Sixteen Thousand Seven Hundred and Eighty Dollars (\$516,780.00) for providing the Carlton Road Improvements Project according to the bid specifications received by all bidders.
3. The line item for the project will be billed according to the 2014 Capital Ordinance 332-14.
4. Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for Carlton Road Improvements Project with JTG Construction, Inc.

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**RESOLUTIONS:**

**RESOLUTION 15-160**

**AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,900,000 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY.**

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

Section 1. Pursuant to a bond ordinance of the Township of Long Hill, in the County of Morris (herein called "local unit") entitled: "Bond ordinance appropriating \$1,735,000, and authorizing the issuance of \$1,652,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Long Hill, in the County of Morris, New Jersey", finally adopted on July 8, 2013 (#315-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,218,577 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$716,000, and authorizing the issuance of \$681,423 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Long Hill, in the County of Morris, New Jersey", finally adopted on July 9, 2014 (#332-14), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$681,423 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.



Section 3. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 and 2 described, shall be combined into a single and combined issue of bonds in the principal amount of \$1,900,000.

Section 4. The following matters in connection with said Bond Anticipation Notes are hereby determined:

- (a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the local unit, provided that no note issued pursuant to Sections 1 and 2 hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;
- (b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and
- (c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 5. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

Section 6. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 7. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 8. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 9. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution

and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 10. All action heretofore taken by officials and professionals of the Township relating to the sale of said notes are hereby ratified, confirmed, adopted and approved.

Section 11. This resolution shall take effect immediately.

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution #15-160 is hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

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**ORDINANCES:**

**ORDINANCES INTRODUCTION:**

**ORDINANCE #331-14 (AMENDMENT 1)**

**ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$858,347 THEREFOR FROM VARIOUS FUNDS OF THE TOWNSHIP.**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, that Section 1 of ordinance 331-14 be amended as follows due to an addition error:**

**Section 1.** The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said improvements or purposes stated in said Section 2, there is hereby appropriated therefore the sum of \$858,347, to the extent of \$302,924, from moneys available in the Capital Fund Balance of the Township and, **to the extent of ~~\$555,423~~, 519,423.00** from moneys available in the Capital Improvement Fund of the Township.

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, May 13, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on **Wednesday, June 10, 2014** at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC  
Township Clerk

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance #331-15, Amendment 1 be approved on first reading, with the public hearing scheduled on June 10, 2015. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

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**ORDINANCE #356-15  
BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF MATTHEW KANTOR PARK  
IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY,  
APPROPRIATING \$1,220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$600,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH  
APPROPRIATION.**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**Section 1.** The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$1,220,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$220,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also the sum of \$400,000 from the Open Space, Recreation and Farmland Trust Fund of the Township.

**Section 2.** For the financing of said improvement or purpose and to meet the part of said \$1,220,000 appropriation not provided for by application hereunder of said down payment and Open Space, Recreation and Farmland Trust Fund, negotiable bonds, to be payable out of Open Space, Recreation and Farmland Trust Fund of the Township, are hereby authorized to be issued in the principal amount of \$600,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$600,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of Matthew Kantor Park in and by the Township by the installation of turf fields, together with all landscaping equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$600,000.

(c) The estimated cost of said purpose is \$1,220,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$220,000 down payment for said purpose and the amount of the said \$400,000 from the Open Space, Recreation and Farmland Trust Fund.

**Section 4.** The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the

Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$600,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

**Section 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

**Section 6.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

**Section 7.** The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

**Section 8.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance #356-15, be approved on first reading, with the public hearing scheduled on June 10, 2015. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:** \_\_\_\_\_

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**ORDINANCE #355-15  
AN ORDINANCE CONCERNING SEWER USER RATES AND  
AMENDING CHAPTER XXII OF THE TOWNSHIP CODE ENTITLED "SEWERS"**

**BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter XXII of the Township Code entitled "Sewers" is hereby amended as follows:

Section 1. Section 22-23 entitled "User Rates" & Section 22-24 entitled "Miscellaneous Provisions" are hereby amended to read as follows:

**22-23 USER RATES**

The following sewer service and usage fees are hereby established effective January 1, 2015, and shall remain in full force and effect until revised by ordinance duly adopted by the Township Committee:

- a. All sewer users shall be charged a service fee of **\$75** per year per unit.
- b. Sewer users that are metered shall be charged a sewer usage fee at the rate of \$14.90 per thousand gallons.
  - 1. The gallons used shall be the total water metered for the six (6) winter months preceding the billing year. By example, in the billing year of 2015, the gallons are determined from the six months January through April 2014 and November through December 2014. The months excluded are: May through October 2014.
  - 2. Water consumption figures for each user will be obtained from the

water company servicing the premises or by the Township Sewer department if the meter is not serviced by the water company.

3. If the meter is not read or incorrectly read for one or more months of the usage period as determined by the Sewer Utility Collector, the amount charged for those months shall be equal to the approximate average monthly usage among other billable months during the same period.

c. Sewer Users that are not metered shall be charged a usage fee as follows:

1. Residential units: **\$400.00** per unit
2. Commercial or Industrial units: **\$525.00** per unit

d. If a user has multiple water sources, the usage fee shall be the combined total of each source as specified in 22-23b if metered and 22-23c if unmetered. Only one service fee shall be applied.

e. The Township Committee may require a water meter to be installed by any sewer user utilizing a well or other private water system at the property owner's expense.

f. Each user who is a resident of this Township and who was sixty-five (65) years of age or older during the prior calendar year shall be entitled annually, upon submission of a claim on proper forms, to a deduction of fifteen (**\$15.00**) dollars from his or her sewer use charge as established hereinabove.

## **22-24 MISCELLANEOUS PROVISIONS**

### **22-24.1 Multiple Unit Properties.**

In the case of a building in single ownership having several stores, offices or residential units or a combination of stores, offices and residential units except for "accessory apartments," served by a common water meter, the annual charges paid shall be a service charge (subsection 22-23) for each individual store, office and residential unit plus the per thousand gallon charge (subsection 22-23) for the water use recorded by the common meter. (1967 Code § 76-6; Ord. No. 182-05 § 1; Ord. No. 279-11 § 4)

### **22-24.2 Payment of Charges.**

The sewer service charge established and fixed herein shall be an annual charge for each calendar year. The charge for each residential unit and the basic charge for each nonresidential unit shall be payable in one (1) payment before the due date as specified in section 22-24.4 (1967 Code § 76-7; Ord. No. 182-05 § 1; Ord. No. 303-12)

### **22-24.3 Proration.**

In the case of any unit, residential or business, or any other type of unit which is not connected to the sanitary sewer system during the entire year, the charge shall be prorated on a calendar year basis, and the unit shall be charged a sewer use charge for the entire month during which the connection is made. For the purpose of construing this article, the date of issuance of an occupancy permit on new construction of buildings shall be considered as the date of connection. (1967 Code § 76-8; Ord. No. 182-05 § 1)

22-24.4 Billing and Collection.

a. The Sewer Utility Collector shall bill the owners of sewer property for the sewer service charge annually. Sewer use charges shall be due 30 days after sewer bills are mailed. In the event that the annual sewer charges are not paid as provided herein, the following provision of this article shall apply.

b. The charges hereby imposed shall be payable to the Sewer Utility Collector and shall draw the same interest from the time they become due as taxes upon real estate and shall be a lien upon the premises connected to the sanitary sewer until paid, and the Township shall have the same remedies for collection thereof, with interest, costs and penalties, as it has by law for the collection of taxes on real estate.

(1967 Code § 76-9; Ord. No. 26-94 § 5; Ord. No. 182-05 § 1; Ord. No. 303-12)

22-24.5 Exemptions.

There shall be no sewer service charge levied or collected from the Board of Education, volunteer fire companies, first aid squads. (1967 Code § 76-10; Ord. No. 182-05 § 1)

22-24.6 Matters Not Affected.

Nothing herein shall preclude the Township from requiring developers of property to install sewer lines at their own expense or from providing for construction of sewer lines by local improvement assessments. (1967 Code § 76-11; Ord. No. 182-05 § 1)

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.

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, May 13, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, June 10, 2015 at the Municipal Building, 915 valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR  
Township Clerk



**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance #355-15, be approved on first reading, with the public hearing scheduled on June 10, 2015. **SECONDED** by: \_\_\_\_\_.

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**ORDINANCE # 357 -15**  
**AN ORDINANCE ADOPTING AMENDMENTS TO THE TOWNSHIP LAND USE**  
**ORDINANCE AS RECOMMENDED BY THE PLANNING BOARD**

**STATEMENT OF PURPOSE:** *To clarify the Township Land Use Ordinance, make the Land Use Ordinance more consistent, remove outdated passages and add items left out of prior ordinance revisions.*

**WHEREAS**, the Planning Board has recommended certain changes to the Township Land Use Ordinance as outlined in an April 7, 2015 memorandum from Planning Board Planner, Kevin O'Brien, which will clarify the Township Land Use Ordinance, make the Land Use Ordinance more consistent, remove outdated passages and add items left out of prior ordinance revisions;

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that various sections of the Township Land Use Ordinance are hereby supplemented and amended and a new Chapter XIV entitled "Lot Grading" is hereby added to the Township Code as follows<sup>1</sup>:

**Section 1.** The definition of "Lot Coverage" in Section 111 entitled "General Terms" in Section 110 entitled "Definitions" is amended to read as follows:

*Lot, coverage* — that percentage of the lot area which is devoted to improvements such as, but not limited to, buildings, structures, paved or gravel parking areas, loading areas, paved or gravel driveways and walks, pools or ponds and patios and all other paved or impervious surface areas. Gravel areas not subject to compaction (such as decorative stone used in planting beds) shall not be considered as lot coverage.

**Section 2.** Section 146 entitled "Stormwater Management" is amended in its entirety to read as follows:

**146 STORMWATER MANAGEMENT**

**146.1 Applicability**

**A. Stormwater management review shall be required as follows:**

- (1) To disturb more than more than five percent (5%) of the lot area, or 1,000 square feet, whichever is lesser.**
- (2) To create a net increase of more than 400 square feet of impervious cover.**
- (3) No permit will be required for disturbances under 400 square feet**

**B. The following actions are exempt from this Chapter:**

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<sup>1</sup>Additions in text indicated by underline; deletions by strikeouts.

- (1) Any activity protected from municipal regulation by the Right-to-Farm Act, provided that the activity is being performed in accordance with a "Farm Conservation Plan".
- (2) The planting and harvesting of crops, plants, flowers or shrubs in areas devoted to single family use on the subject property.
- (3) The removal and replacement of an existing impervious driveway where no change in grade or footprint occurs.
- (4) Rehabilitation of existing vegetated areas where there is no material change in grade, surface type, or storm water runoff patterns.
- (5) Maintenance work performed by the Township through the Department of Public Works or through a municipal contract with an outside entity.
- (6) Projects exempted by State law from the requirements of this ordinance.

#### **146.2 Design Standards.**

Whenever the NJDEP Stormwater Regulations set forth in NJAC 7:8-1.1 et seq., are stricter than the regulations set forth in this Section, the NJDEP regulations shall control.

The design of stormwater management facilities shall, to the greatest extent possible, be designed in accordance with the NJ Stormwater Best Management Practices Manual, unless otherwise noted herein.

Specific design criteria are as follows:

- A. All "Major Developments" as that term is defined in NJAC 7:8-1.2 shall meet the stormwater management design and construction criteria set forth in the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21) for major Developments. These standards shall apply to all projects, residential and nonresidential.
- B. Developments not meeting the definition of Major Development shall be designed to include the following stormwater management measures where applicable:
  - (1) Seepage pits or other infiltration measures shall be provided with a capacity of four (4") inches of runoff for each square foot of new impervious area.
  - (2) When the approving agency finds that the existing conditions are not conducive to infiltration, the applicant may provide other stormwater management facilities as to result in a Zero Net Runoff as calculated by the Modified Rational Method.
  - (3) When the ground surface is changed in character such that an increase in runoff results, but the new surface is not impervious, seepage pits or other stormwater management facilities shall be provided to result in a Zero Net Runoff Rate as calculated by the Modified Rational Method.
- C. Drywell Design: Stone used in the infiltration devices shall be two and one-half (2 ½") inches clean stone and design void ratio of thirty-three (33%) percent shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be

permitted where the existing roof is not already directed to infiltration devices. The infiltration of water during the rainfall event shall not be counted as a "credit" toward the storage requirement.

D Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.

E. For the purposes of this chapter, gravel areas that are subject to compaction (such as driveways, parking areas and walking paths) shall be considered impervious. Gravel areas not subject to compaction (such as decorative stone used in planting beds) shall be considered pervious.

F. All roof gutters shall be protected from the accumulation of leaves and litter by the installation of a gutter cap leaf separation device within the project area. Gutter screens or louvers are not acceptable

**146.4 Waivers and Exceptions.**

A. Standards for Relief. Relief from this section shall be as set forth in N.J.S.A. 40:55D-70c.

B. Approving Authority. All applications subject to the review of a Land Use Board shall be reviewed by the Board concurrently with subdivision, site plan, or variance review. Where an application is reviewed by a Land Use Board, a separate review by the Engineering Department is not required

C. Appeals. The appeal of the determination of the Township Engineer shall be made in accordance with N.J.S.A. 40:55D-70a. Appeals to the determination of a Land Use Board shall be in accordance with Chapter 174 of this Ordinance.

**Section 3.** Section 182 entitled "Schedule of Fee and Escrow Deposits" (as previously amended by Ordinance 330-14 is supplemented and amended by adding the following category:

					Fee	Escrow
34	<u>Unimproved Road</u>	<u>%</u>	<u>%</u>	<u>Unimproved Road Application</u>	<u>\$500</u>	<u>\$750</u>

**Section 4.** Section 167 entitled "Land Use Application Checklist" is supplemented and amended by adding the following signature lines to the end of the checklist which is attached to Section 167 as Exhibit "A".

(a). To be signed before submission:

I CONSENT TO THE FILING OF THIS SITE PLAN/SUBDIVISION WITH THE PLANNING BOARD/ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LONG HILL:

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

(b) To be completed before submission:

SITE PLAN/SUBDIVISION OF:

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tax Map Number: \_\_\_\_\_

Date \_\_\_\_\_ Scale: \_\_\_\_\_

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

(c) To be signed before submission:

I HEREBY CERTIFY THAT I HAVE PREPARED THIS SITE PLAN / SUBDIVISION AND THAT ALL DIMENSIONS AND INFORMATION ARE CORRECT.

Name: \_\_\_\_\_

Title \_\_\_\_\_

(d) To be signed before issuance of a building permit:

APPROVED BY THE PLANNING BOARD/ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LONG HILL:

Date: \_\_\_\_\_ Secretary: \_\_\_\_\_

Date: \_\_\_\_\_ Board Chair: \_\_\_\_\_

I HAVE REVIEWED THIS SITE PLAN/SUBDIVISION AND CERTIFY THAT IT MEETS ALL CODES AND ORDINANCES UNDER MY JURISDICTION:

Date: \_\_\_\_\_ Township Engineer: \_\_\_\_\_

(e) To be signed before the issuance of a building permit (where applicable):

ON THE RECOMMENDATION OF THE TOWNSHIP ENGINEER, I HEREBY CERTIFY THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THAT A PERFORMANCE GUARANTY HAS BEEN POSTED IN ACCORDANCE WITH APPLICABLE CODES AND ORDINANCES:

Date: \_\_\_\_\_ Township Clerk: \_\_\_\_\_

Section 5. There is hereby created a new Chapter XIV in the Township Code entitled "Lot Grading" which reads as follows:

**CHAPTER XIV - LOT GRADING**

**14-1 Permit Required.**

14-1.1 A Grading Permit shall be required as follows:

A. To disturb more than five percent (5%) of the lot area, or 1,000 square feet, whichever is lesser.

B. To create a net increase of more than 400 square feet of impervious cover.

C. No permit will be required for disturbances under 400 square feet.

14-1.2 The following actions are exempt from this Chapter:

- A. Any activity protected from municipal regulation by the Right-to-Farm Act, provided that the activity is being performed in accordance with a "Farm Conservation Plan".
- B. The planting and harvesting of crops, plants, flowers or shrubs in areas devoted to single family use on the subject property.
- C. The removal and replacement of an existing impervious driveway where no change in grade or footprint occurs.
- D. Rehabilitation of existing vegetated areas where there is no material change in grade, surface type, or storm water runoff patterns.
- E. Maintenance work performed by the Township through the Department of Public Works or through a municipal contract with an outside entity.
- F. Projects exempted by State law from the requirements of this ordinance.
- G. Projects that are subject to review by the Planning Board or Zoning Board of Adjustment, with the exception that individual lots within subdivisions approved by the Boards shall be subject to these standards at the time of a building permit is issued for each lot.

#### **14-2 Applications.**

- A Applicants are encouraged to request a pre-application review with the Engineering Department prior to the submission.
- B Applications for a Grading Permit shall be made to the Township Construction Official, in triplicate, and on forms available in the Construction Department.
- C Application for a Lot Grading Permit shall include the following, unless waived by the approving authority:
  - (1) Lot, block and street address of subject property
  - (2) Name and address of property owner.
  - (3) Name and address of applicant.
  - (4) Name and address of the person(s) who is to perform the work.
  - (5) Dates when the work is to be commenced and completed.
  - (6) Scaled drawing of property showing extent of proposed work
  - (7) Such other information as the approving authority may consider pertinent.

#### **14-3 Design Standards**

- A. Grading Permit applications shall meet the design standards of the following chapters of the Land Use Ordinance:
  - (1) Chapter 141: Conservation Easements

- (2) Chapter 142: Critical Area Requirements
- (3) Chapter 143: Flood Damage Protection
- (4) Chapter 146: Stormwater Management

B. The following additional design standards shall apply:

- (1) Final vegetated slopes shall be no more than 1 vertical on 3 horizontal unless specifically permitted by the approving authority.
- (2) The area of disturbance shall be delineated by silt fencing installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey unless specifically waived by the approving authority.
- (3) Tree protection and a tracking pad shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey unless specifically waived by the approving authority.
- (4) Any other appropriate measures as may be determined by the approving authority.

**14-4 Fee.**

The fee for a Grading permit shall be as set forth in Section 183.9 of this Ordinance.

**14-5 Life of Permit.**

Any permit issued pursuant to the provisions of this section shall be valid for a period not exceeding one hundred twenty (120) days and all work contemplated shall be completed within that time except on approval from the Township Engineer for an extension.

**14-6 Violations and Penalties.**

A person who shall violate any provision of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. Each day of violation shall be considered as a separate offense.

**Section 6.** 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 7.** 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 8.** This ordinance shall take effect immediately upon final passage and publication as required by law.

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, May 13, 2015, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, June 10, 2015 at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which

said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR,  
Township Clerk

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance #357-15 be approved on first reading, with the public hearing scheduled on June 10, 2015. **SECONDED** by: \_\_\_\_\_.

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**ORDINANCE PUBLIC HEARING/CONSIDERATION OF ADOPTION**

**ORDINANCE #349-15**

**AN ORDINANCE AMENDING THE TOWNSHIP LAND USE ORDINANCE BY CREATING A NEW ZONING DISTRICT TO BE KNOWN AS THE RECREATION DISTRICT (“REC”)**

**WHEREAS**, the Township Committee of the Township of Long Hill wishes to encourage the development and enhancement of recreation facilities to supplement public recreation facilities within the Township; and

**WHEREAS**, the Township Committee of the Township of Long Hill has reviewed existing zoning and development patterns with the Township in its entirety and has found certain property to be particularly suited and appropriate for use and development of recreation facilities; and

**WHEREAS**, the Township Committee finds that the creation of a zoning district to permit recreation and other compatible uses is the proper mechanism to ensure the appropriate and efficient use of lands suitable for such development within the Township;

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that Section 100, et al. of the Revised General Ordinances of the Township of Long Hill is hereby supplemented and amended as follows:

**Section 1**

Section 103.5 entitled Principal Building Lot is hereby amended as follows:

No more than one (1) principal building shall be permitted on any one (1) lot in the Township, except in the R-MF, R-MF2, R-MF3, TH, B-3, LI-2 AND REC zone districts.

**Section 2**

Section 121.1 entitled Enumeration of Zone Districts setting forth the Township Zoning Districts is hereby supplemented and amended to include:

REC Recreation District

**Section 3**

Section 121.3 entitled Zoning Map setting forth the Township Zoning Districts boundaries is hereby supplemented and amended to include:

- e. The following properties are designated as being in the REC Zone and the zoning map is amended accordingly:

Block 14602, Lot 4

Block 14602, Lot 4.01  
Block 14602, Lot 8

#### **Section 4**

Section 122 entitled Use Regulations is hereby supplemented and amended to add a new Section 122.12 as follows:

##### 122.12 REC, Recreation Zone

a. Definitions: The following terms are defined as they apply to the REC Zone only and shall not be applied to any other zoning district within the municipality:

*Air-Supported Dome Structure* – An air-supported dome structure is any building that derives its structural integrity from the use of internal pressurized [air](#) to inflate a pliable material envelope (i.e. structural fabric), so that air is the main support of the structure, and where access is via airlocks. Air-Supported Dome Structures must comply with the bulk standards of the zone, except where noted, and may be utilized for a maximum of nine (9) months of the year. Air compressors associated with the structures must meet noise control standards of subsection 124.15.

*Recreation Facility* – A Recreation Facility is a primary use that consists of land area and buildings used for passive and/or active recreation activities. Recreation Facilities are permitted the use of two (2) air-supported dome structures to enclose primary and accessory uses.

*Recreation Activities* – Recreation Activities include court games (e.g. tennis or basketball), swimming and aquatic activities, field sports (e.g. soccer, football, baseball and lacrosse), playgrounds, summer camps and day camps, birthday parties and catered events serving up to 30 people, training for sports and recreation activities and running and hiking trails.

b. Permitted Primary Uses.

1. Recreation facilities, as defined in subsection a.
2. Public uses.

c. Permitted Accessory Uses.

1. Signs.
2. Parking facilities.
3. Fences subject to the provisions of subsection 154.1, except that notwithstanding the provisions of that subsection fences surrounding one or more tennis courts may be located in any yard of the property.
4. Picnic Areas.
5. Concession and refreshment stands.
6. Lifeguard and first aid areas, stands or offices.
7. Management offices.
8. Community open space.
9. Storage facilities for equipment used on site.
10. Dwelling units accessory to the recreational facility in existing dwelling units.
11. Other accessory uses customarily incidental to a permitted primary use.

d. Prohibited Uses:

Amplified music.

Catered events serving more than 30 people and festivals, provided; however, the recreation facility may request permission from the Township Committee to hold up to six (6) catered events or festivals per



year. The decision to allow such catered events or festivals shall be at the sole discretion of the Township Committee.

Any use not specifically permitted in this section is prohibited.

e. Parking.

The number of off-street parking spaces required in the REC zone shall be as follows, except where uses not shown in the table below shall be subject to the parking requirements of Section 151.1.

<b>Use</b>	<b>Number of Required Parking Spaces</b>
Outdoor Tennis Court	2 Spaces Per Court
Outdoor Basketball Court	6 Spaces Per Court
Outdoor Field Sports	16 Spaces Per Field
Enclosed Field (All Types)	0.5 Space Per 1,000 Square Feet
Outdoor Swimming Pool	1 Space Per 8 Swimmers Based on Maximum Number of Swimmers allowed pursuant to N.J.A.C. 8:26-3.3(b)

**Section 5**

Section 123.3, entitled Prohibited Uses, under item aa, Outdoor Recreation, a footnote shall be added stating, "Except as permitted in the REC Zone".

**Section 6**

Section 124, entitled Supplemental Use Regulations, shall be amended to add a new subsection

124.15 Recreation Facilities as follows:

Recreation Facilities shall be a permitted use in the REC zone subject to the following performance standards:

- a. Outdoor recreation uses and outdoor fields shall not be lit, except for standard safety lighting permitted in parking areas, along sidewalks, buildings, etc.
- b. Outdoor swimming pools shall be subject to the standards of Section 124.5, except where those standards conflict with this Ordinance.
- c. Outdoor recreation uses shall be permissible from 8:00 a.m. to dusk. Indoor recreation uses shall be permissible from 8:00 a.m. to 10:00 p.m., provided that no more than 100 people are on the premises after 8:00 p.m.
- d. Any air-supported dome structure shall be opaque on any side facing a public road.
- e. No more than 1.5 adults per bedroom may occupy any accessory residential unit.
- f. No amplification systems are permitted.
- g. Recreational facilities shall meet the noise standards of N.J.A.C 7:29-1.2. Whistles from sporting events are to be considered impulse sounds.

**Section 7**

Section 131 entitled Schedule of Bulk Regulations, and the Schedule of Bulk Regulations are supplemented and amended to reference the REC zone and to include additional notes as follows:

Minimum Lot Area: 20 acres

Minimum Lot Width: 250 feet

Minimum Principal Building Floor Area: 1,500 square feet

Minimum Principal Building Width: 20 feet

Maximum Building Height: 35 feet (16)

Minimum Front Yard for new construction: 100 feet

Minimum Side Yard: 25 feet

Minimum Rear Yard: 50 feet

Maximum Building Coverage: 30%

Maximum Lot Coverage: 40%

Floor Area Ratio: 0.4

Buffers: Pursuant to Section 156 at the widths noted below:

Front: 100 feet

Side: 25 feet

Rear: 50 feet

Note: (16) Air Supported Dome Structure Maximum Height is 50 feet

### **Section 8**

Section 142.1, entitled Development Within Critical Areas, shall be amended and supplemented as follows

142.1 a. Except as authorized in the REC zone pursuant to a valid permit issued by the Department of Environmental Protection in flood hazard areas, [N]no principal building, accessory building, parking area, pool, tennis court, patio or deck shall be located in whole or in part within a critical area.

### **Section 9**

Section 155.75 shall be added following Section 155.7 as follows:

#### 155.75 Signs Permitted in the Recreation Zone:

a. In the REC zone, a Recreational Facility, in addition to signs permitted in all zones, shall be permitted to install one (1) ground sign with a maximum area of 32 square feet and a maximum height of eight (8) feet. In no case shall advertising signs, business names or trademarks be placed on the exterior of any structure within the Recreational Facility.

### **Section 10**

Section 156.1, entitled Buffering, shall be amended and supplemented as follows:

Section 156.1.c Buffering Required:

7. Along the front, side and rear lot lines in the REC zone. Buffering in the front yard shall provide a year-round evergreen screen utilizing double staggered row plantings of evergreen trees with a minimum eight (8) feet in height at time of planting.

**Section 11**

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

**Section 12**

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

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on March 11, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning on **May 13, 2015** at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR  
Township Clerk

**Open Public Meeting**  
**Close Public Meeting**

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance # 349-15 be approved for final adoption. **SECONDED** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

\*\*\*\*\*

**ORDINANCE #350-15**

**EXTENDING FROM TWO TO FIVE YEARS THE MORATORIUM ON OPENING ANY TOWNSHIP ROAD AFTER REPAVING AND AMENDING SECTION 20-2 OF THE TOWNSHIP CODE ENTITLED "STREET OPENINGS AND EXCAVATIONS"**

**STATEMENT OF PURPOSE:** *To extend from two to five years the moratorium on opening any Township road after repaving.*

**WHEREAS,** Township Public Works Manager, Tom Sweeney has recommended that the moratorium on opening a Township road after repaving be extended from two to five years; and

**WHEREAS,** the Township Committee agrees with Mr. Sweeney's recommendation;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that Section 20-2 of the Township Code entitled "Street Openings and Excavations" is hereby amended as follows:

**Section 1.** Subsection 20-2.1 entitled "Permit Required" is amended to read as follows:  
*"It shall be unlawful for any person to tunnel under or to make any opening or excavation un any street or other public place in the Township, other than a County road over which the County of Morris has exclusive jurisdiction, without having obtained a permit as is herein required or*

*without complying with the provisions of this section or in violation of or variance from the terms of any such permit. No permit shall be issued to open any Township road for ~~two (2)~~ five (5) years after the road was paved.”*

**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.

**NOTICE**

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, April 8, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **Wednesday, May 13, 2015** at the Municipal Building, 915 Valley Road, Gillette, New Jersey, when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR  
Township Clerk

**Open Public Meeting**  
**Close Public Meeting**

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance # 350-15 be approved for final adoption. **SECONDED** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

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**ORDINANCE 352-15**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION BY PURCHASE OF PROPERTIES LOCATED IN THE TOWNSHIP AND APPROPRIATING FUNDS FROM THE TOWNSHIP OPEN SPACE TRUST FUND, A NJ GREEN ACRES GRANT, AND A COUNTY FLOOD MITIGATION PROGRAM GRANT**

**STATEMENT OF PURPOSE:** *to authorize the purchase of the flood prone properties using Open Space Trust Fund money, a NJ Green Acres grant, and the proceeds of a County Flood Mitigation Program grant.*

**WHEREAS,** pursuant to NJSA 40A:12-5, the Township of Long Hill (“Township”) has the power to acquire any real property for a public purpose through negotiated agreement; and

**WHEREAS,** the Township has executed a grant agreement with the state of New Jersey, Department of Environmental Protection, NJ Green Acres Grant, formerly known as the Passaic River Basin Property Acquisition Project (Project # 1430-12-009); and

**WHEREAS,** the Township has received preliminary approval for grant funding through the Morris County Flood Mitigation Program to supplement the funding provided through the NJ Green Acres Grant; and

**WHEREAS**, properties to be acquired under the NJ Green Acres Grant and the Morris County Flood Mitigation Program include:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>
12807	8	168 Bungalow Terrace, Millington
10906	33	85 River Avenue, Gillette
10503	8	126 Laurel Avenue, Stirling
10504	8	134 Cedar Avenue, Stirling
11601	10	329 Mercer Street, Stirling
11601	9	335 Mercer Street, Stirling
11601	8	339 Mercer Street, Stirling
11602	28	334 Mercer Street, Stirling
10401	1	1297 Valley Road, Stirling
11204	26	95 Madison Avenue, Gillette

**WHEREAS**, the owners of the properties and the Township have agreed to the purchase prices set forth on the attached spreadsheet, which is incorporated herein by reference, payable as indicated:

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey that;

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of a fee simple interest in the Properties as described herein above is hereby authorized.
3. The Township Attorney and the Township Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiated purchase.
4. The Mayor, Township Administrator and the Township Clerk are hereby authorized to execute and witness respectively any documents necessary to effectuate the purchase of the Property subject to the above terms.
5. There is hereby appropriated a total of **\$3,240,353.00** as follows: **\$162,018.00** from the Township Open Space Trust Fund, and **\$2,430,265.00** from the Morris County Flood Mitigation Program Grant, and **\$291,632.00** from the NJ Green Acres Grant, formerly known as the Passaic River Basin Property Acquisition Project (Project # 1430-12-009); and the properties' current homeowners will commit **\$356,439.00** for purchasing said property.

**BE IT FURTHER ORDAINED** that if any section, paragraph, subsection, clause or provision of the Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED** that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of conflict only; and

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication in accordance with applicable law

#### NOTICE

The foregoing Ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on April 8, 2015 and then considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **May 13, 2015** at the Municipal Building, 915 Valley Road, Gillette, New Jersey, when and where or at any such time and place to which said meeting may be

adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC  
Township Clerk

**Open Public Meeting**  
**Close Public Meeting**

**MOVED** by: \_\_\_\_\_ of the Township Committee of the Township of Long Hill that Ordinance # 352-15 be approved for final adoption. **SECONDED** by: \_\_\_\_\_.

**ROLL CALL VOTE:**

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**COMMITTEE LIAISON REPORTS:**

**DISCUSSION / ACTION ITEMS:**

- CAC report on Congressman Lance’s Broadcast project

**OLD BUSINESS:**

Special Meeting held on May 6, 2015, re-adoption of Resolution 15-153 to correct violation of the Open Public Meetings Act

**RESOLUTION 15-153**  
**AUTHORIZING CHANGE ORDER NUMBER 003**  
**CONTRACT WITH DEMAIO ELECTRICAL COMPANY, INC.**

**WHEREAS**, a purchase order was prepared in the name of DeMaio Electrical Company, Inc. under a locally bid contract for the Wastewater System Improvements Project and

**WHEREAS**, it is necessary to adjust the contract an additional \$20,368.00 to supply labor and equipment to drain Oxidation Ditch, remove the existing gate/weir and supply/Install a Rodney Hunt Stainless Steel gate/weir as follow:

Change Order #	Description	Amount	Net Amount of Contract
003			
Item 3A	Oxidation Ditch Gate/Weir Replacement	\$20,368.00	2,510,025.07

**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 003 as described in the preamble is hereby approved.
2. The New Jersey Environmental Infrastructure Financing Program (NJEIFP) Loan includes a contingency for construction change orders in the amount of 5% of the original as-bid contract cost; a contingency of \$121,000.00. There are sufficient funds available for Change Order #003 charged to Capital Fund 04- 2013- 32213- 0000- 3- 02034

**MOVED** by: \_\_\_\_\_ of the Township Committee of Long Hill Township, that Resolution #15-153 is hereby approved. **SECONDED** by: \_\_\_\_\_. **ROLL CALL VOTE:**

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**NEW BUSINESS:**

**Announcements/Correspondence:**

- Wildfire Season, use caution, tips available at [www.njwildfire.org](http://www.njwildfire.org)
- Town Hall meeting with Governor Christie May 14, 10:30 AM Sussex County Technical School, seating is first serve basis.
- Voting Update Mail in Ballots must be received by the County by May 26, 2015
- In person voting is available at the County Clerk's Office Monday thru Friday 8:30 AM – 4:00 PM. Extended hours on Thursday May 28 8:30 -7:00 PM and Saturday May 30<sup>th</sup> from 8-Noon. Last day to vote in person is Monday June 1<sup>st</sup> 8:30 – 3:00 PM.
- Memorial Day Parade May 25<sup>th</sup>, 9:30 AM

**MEETING OPEN TO THE PUBLIC:**

Remarks and Statements Pertaining to Any Matter

**ADJOURNMENT** – *Possible Exec. Session*