

**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
April 12, 2017
7:30 PM OPEN SESSION, Closed Session 6:45 PM**

A draft of the Township Committee Regular Session Agenda is posted on the Township website at 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 12th, 2017 edition, and electronically sent to the Courier News and posted in the January 6, 2017 edition. The notice was posted on the bulletin board in the Municipal Building on January 4, 2017 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.”

EXECUTIVE SESSION

**RESOLUTION #17-108
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:

Contract Negotiations

- Lounsberry Meadow

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 #17-108 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL: Clerk will call the Roll

PROCLAMATION: EAGLE SCOUTS

- Steven Caparoso
- Samuel Litra
- Joseph Conant

PROCLAMATION: AUTISM AWARENESS MONTH

COMMITTEE LIAISON REPORTS:

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 #17-109 through #17-124 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**TOWNSHIP OF LONG HILL
RESOLUTION 17-109
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.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-110
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 March 22, 2017 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves the March 22, 2017 Executive Session Meeting Minutes as redacted by the Township Attorney.

**RESOLUTION 17-111
2017 BUDGET TO BE READ BY TITLE ONLY AT PUBLIC HEARING**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been made available in the Municipal Building, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

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 the budget shall be read by title only.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-112
AUTHORIZATION OF FUNDS FOR CLEAN COMMUNITIES
DPW WORKER**

WHEREAS, the Township Committee is in receipt of funds through the Clean Communities Grant;

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, that the Township Committee authorizes the expenditure of \$9,142.50 for Robert Phillips to continue his work as the Clean Communities Person. This would consist of three days a week for a total of 23 hours at an hourly rate of \$13.25

BE IT FURTHER RESOLVED that the certification of available funds by the Township Chief Financial Officer shall be attached to the original of this resolution and shall be maintained in the files of the Township Clerk.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-113
APPROVING SPECIAL EVENT
BOY SCOUT TROOP 56
[FISHING EVENT]**

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 the license for the event to the “Sponsor” Boy Scout Troop 56, for their Special Event to be held on April 29th, 2017 at Stirling Lake: 9:00 AM – 4:00 PM.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-114
AUTHORIZING ISSUANCE OF REQUEST FOR BIDS FOR SALE OF TOWNSHIP’S WASTEWATER
SYSTEM**

WHEREAS, the Township of Long Hill (“Township”) owns a wastewater system; and

WHEREAS, the Township Committee is considering the sale of the Township’s wastewater system to a private utility company; and

WHEREAS, upon consideration of such issues, the Township deems it advisable to proceed to solicit bids to sell the Township’s wastewater system, on the terms and conditions stated in a Request for Bids (“RFB”); and

WHEREAS, in order to determine whether to sell the wastewater system, the Township has determined to issue a RFB for the sale of the Township’s wastewater system pursuant to N.J.S.A. 40:62-3 et seq.; and

WHEREAS, by issuance of a RFB the Township is not obligated to sell the wastewater system but will consider such a sale if it receives a favorable bid; and

WHEREAS, if the Township receives a favorable bid and determines that it is in the best interests of the Township to sell the wastewater system to the highest responsible bidder, a question whether to sell the Township’s wastewater system will be put to a referendum pursuant to N.J.S.A. 40:62-3 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby authorize the advertisement and issuance of a request for bids for the sale of the Township’s wastewater system subject to compliance with the State Comptroller Statute and the undertaking of all steps necessary to conduct such procurement process in accordance with applicable law.

**TOWNSHIP OF LONG HILL
RESOLUTION #17-115
MEMORIAL DAY CELEBRATION**

WHEREAS, the Township of Long Hill wishes to honor our veterans with a Memorial Day Celebration, and

WHEREAS, the celebration will begin with a parade from Mercer Street to Central School at 9:30 AM , followed by refreshments at the Stirling Fire House until approximately 1:00 PM.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill that the Township will co-sponsor the Memorial Day Celebration described above with the Stirling Fire Company. All expenses for the celebration will be charged to the Township operating budget, not to exceed \$1,000.00

**TOWNSHIP OF LONG HILL
RESOLUTION 17-116
APPOINTING ASSISTANT FOREMAN
[Gallo]**

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

1. Upon the advice and recommendation of Township Administrator Neil Henry and Director of Public Works Thomas Sweeney, that Alessandro Gallo has successfully completed his six month probationary period as Assistant Foreman, Equipment Operator, Truck Driver Class One .
2. Effective April 3rd his rate shall be increased to \$34.00 per hour.

**TOWNSHIP OF LONG HILL
RESOLUTION 17- 117
APPROVAL OF THE 2017 FEE SCHEDULE
FOR STIRLING LAKE**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, to establish the 2017 fee schedule for Stirling Lake as follows:

<u>BADGE TYPE</u>	<u>BY 5/15</u>	<u>AFTER 5/15</u>	<u>8/1 LABOR DAY ONLY</u>
RESIDENT FAMILY	\$299.00	\$329.00	\$210.00
RESIDENT ADULT (18 YRS. & OLDER)	\$125.00	\$138.00	\$ 88.00
RESIDENT STUDENT (13-17 YRS.)	\$ 90.00	\$ 99.00	\$ 63.00
RESIDENT CHILD (12 YRS. & UNDER)	\$ 70.00	\$ 77.00	\$ 49.00
RESIDENT SENIOR (62 YRS. & OLDER)	\$ 50.00	\$ 55.00	\$ 35.00
NON-RESIDENT FAMILY	\$525.00	\$578.00	\$368.00
NON-RESIDENT ADULT (18 YRS. & OLDER)	\$215.00	\$237.00	\$151.00
NON-RESIDENT STUDENT (13-17 YRS.)	\$145.00	\$160.00	\$102.00
NON-RESIDENT CHILD (12 YRS. & UNDER)	\$110.00	\$121.00	\$ 77.00
NON-RESIDENT SENIOR (62 YRS. & OLDER)	\$ 80.00	\$ 88.00	\$ 56.00

Guest Pass Book of 10 (adult/child) \$ 70.00
 Guest Pass at Gate (adult/child) \$ 9.00 each
Daily Guest Pass for Long Hill Residents@ Gate: \$9.00 each.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-118
APPROVING 2017 FEE SCHEDULE FOR SUMMER RECREATION**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey, to establish fees for 2017 as follows:

Recreation Programs: (Five Week Program)

Summer Recreation Program - Resident	\$257.00
(\$242 for Summer Rec. Camp Fees/\$15 for Rec. Trust for Activity Fee)	
Summer Recreation Program – Non-resident	\$502.00
(\$487 for Summer Rec. Camp Fees/\$15 to Rec. Trust for Activity Fees)	

**TOWNSHIP OF LONG HILL
RESOLUTION 17-119**

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 2016 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.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-120
APPROVING SPECIAL EVENT
Watchung Mountain Chapter AACA
[51st Antique Auto Flea Market]**

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 the license for the event to the “Sponsor” Watchung Mountain Chapter AACA, for their Special Event to be held on April 23th, 2017 at Long Hill Community Center, Stirling from 6:30 AM – 3:00 PM.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-121
APPOINT ALTERNATE JOINT INSURANCE FUND COMMISSIONER**

BE IT RESOLVED by the Township Committee of the Township of Long for the year 2017, Andrea Tsimboukis is hereby appointed Alternate Joint Insurance Fund Commissioner (*JIF Bylaws Article III*).

**TOWNSHIP OF LONG HILL
RESOLUTION 17-122
WAIVING INSURANCE REQUIREMENTS FOR MAIJA GOLDEN CREATIVE WRITING
CLASS TO BE HELD AT THE MILLINGTON SCHOOLHOUSE**

WHEREAS, the Maija Golden Creative Writing Fund is offering a Creative Writing class to be held at the Millington School House on April 7, April 21, April 28, May 5, May 12, May 19 and May 26; and

WHEREAS, the Maija Golden Creative Writing Fund has not provided the Township with a certificate of insurance; and

WHEREAS, this class is being offered in honor and memory of Township resident Maija Golden; and

WHEREAS, the Township’s Risk Manager has advised that the usual insurance requirements can be waived as long as each attendee at the Creative Writing class signs a waiver form releasing and holding the Township harmless from any and all liability in connection with their attendance at the class;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that it hereby waives the insurance requirements for the Maija Golden Creative Writing class to be held at the Millington School House on the dates set forth in the preamble as long as each attendee is required to execute a waiver releasing and holding the Township harmless from any and all liability in connection with their attendance at the class.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-123
EXTENSION OF CONTRACT FOR
COMPUTER CONSULTING SERVICES [ATON COMPUTING]**

WHEREAS, the Township of Long Hill awards a contract to ATON Computing in Somerville, NJ on July 1, 2015 for Computer Consulting Services by Resolution 15-208 at the base bid amount of \$118/hr; and

WHEREAS, the Township Committee hereby wishes to extend the contract for a one year term, there will be no increase beginning July 1, 2017 through June 30, 2018; and

WHEREAS, ATON Computing has agreed to adhere to the same terms, conditions and amount of \$118/hr as indicated in the contract as per letter dated April 6, 2017; and

WHEREAS, the Chief Financial Officer has filed a certification of availability of funds in the Management Information System budget line item; as required by the Local Budget Law;

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

1. The extension of the computer consulting services contract is hereby awarded for a one year term, ATON Computing, One East High Street, Somerville, NJ 08876 with the contract expiring June 30, 2018
2. The contract is estimated to be for a total number of 416 hours per year in the amount of \$50,000.00, per year.

**TOWNSHIP OF LONG HILL
RESOLUTION 17-124
APPROVING SPECIAL EVENT
MILLINGTON VOLUNTEER FIRE CO.
[COMEDY NIGHT]**

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 the license for the event to the “Sponsor” the Millington Vol. Fire Co. for their Special Event to be held on April 29th, 2017 at the Fire House, 1891 Long Hill Rd, from 7-11:30 pm.

ORDINANCES:

ORDINANCE FIRST READING/ APPROVAL:

**TOWNSHIP OF LONG HILL
ORDINANCE #399-17
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, 2017, 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 **\$15.05** **\$16.61** 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 2016, the gallons are determined from the six months January through April 2015 and November through December 2015. The months excluded are: May through October 2015.~~
 1. The gallons used shall be the total water metered (Actual Usage) for the six (6) winter months preceding the billing year. By example, in the billing year of 2017, the gallons are determined from the six months January through March and October through December 2016. The months excluded are: April through September 2016.
 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.
 2. 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~~ **\$440.00** per unit
 2. Commercial or Industrial units: ~~\$525.00~~ **\$575.00** 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 sewered 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.

MOVED by: _____, that Ordinance #399-17 be introduced on first reading and advertised for second reading which is scheduled for the May 10th, 2017 Meeting.

SECONDED by: _____, **ROLL CALL VOTE**

**TOWNSHIP OF LONG HILL
ORDINANCE #400-17**

BOND ORDINANCE APPROPRIATING \$1,207,052, AND AUTHORIZING THE ISSUANCE OF \$474,000 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.

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 several improvements described in Section 3 and Section 9 of this bond ordinance are hereby respectively 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 several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$883,022 including the aggregate sum of \$164,022 as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 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, in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$245,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose. For the said several improvements or purposes stated in said Section 9, there is hereby appropriated \$324,030.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,207,052 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$474,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$474,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized by this Section 3 and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of various roads and locations in and by the Township, including, without limitation, Northfield Road, Summit Avenue, Somerset Street, Windsor Way and Oak Road by the reconstruction, surfacing or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all curbing, structures, storm water drainage improvements, catch basins, milling, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specification therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$736,000 appropriation hereby made therefor being inclusive of the amount of \$245,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvements to Oak Road	\$736,000	\$400,000
(b) Acquisition by purchase of new and additional vehicular equipment, including a dump truck with plow for use by the Roads Department of the Township, together with all attachments, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>147,022</u>	<u>74,000</u>
Totals	<u>\$883,022</u>	<u>\$474,000</u>

Except as otherwise stated in paragraph (a) with respect to the said \$245,000 grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

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

(a) The said purposes described in Section 3 of this bond ordinance are not a current expenses and each 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 benefited thereby.

(b) The average period of usefulness of said purposes described in Section 3 of this bond ordinance within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.21 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 \$474,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$100,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs 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 costs of said improvements described in Section 3 of this bond ordinance and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Township on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in Section 3(a) of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. 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 Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par 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 7. 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 8. 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 9. As described in Section 1 of this bond ordinance, there is hereby further appropriated for the improvements and purposes described in this Section 9 the sum of \$324,030, to the extent of \$38,500, from moneys available in the Open Space Trust Fund of the Township, to the extent of \$157,530, from moneys available in the Capital Improvement Fund of the Township, to the extent of \$100,000, from moneys available in the Capital Surplus of the Township and, to the extent of \$28,000, from moneys available in the Sewer Construction Reserve of the Township. The improvements hereby authorized and the several purposes to be funded by such \$324,030 appropriation are as follows: (a) the acquisition by purchase of equipment for use by the Fire Companies of the Township, the Police Department of the Township and the Office of Emergency Management of the Township; (b) the improvement of municipally-owned facilities and locations in and by the Township, including the Meyersville tennis court by the upgrade thereof, Stirling Lake by the improvement of the water fountain, Kantor Park by the upgrade of the exopod system; and (c) the improvement of the sanitary sewerage system of the Township, including by the upgrade of pumps 1 and 2, the upgrade of the fuel

building, installation of flow meters, and installation of grating and pumps at the wet well, together with, for all of the foregoing, all site work, appurtenant equipment, accessories, attachments, work and materials, and all engineering, legal, advertising and other costs associated therewith, and 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.

Section 10. 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: _____, that Ordinance #400-17 be introduced on first reading and advertised for second reading which is scheduled for the May 10th, 2017 Meeting.

SECONDED by: _____, **ROLL CALL VOTE**

ORDINANCES SECOND READING/ADOPTION:

**TOWNSHIP OF LONG HILL
ORDINANCE 395-17
CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the governing body of the Township of Long Hill in the County of Morris finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 3.5% increase in the budget for said year, amounting to \$339,364.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Township of Long Hill in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Long Hill shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$395,925.15 and that the CY 2017 municipal budget for the Township of Long Hill be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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, March 8, 2017, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, April 12, 2017, 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.

OPEN TO THE PUBLIC CLOSED TO THE PUBLIC

MOVED by _____ of the Township Committee of the Township of Long Hill, that Ordinance #395-17 is hereby adopted. **SECOND** by: _____. **ROLL CALL VOTE:**

TOWNSHIP OF LONG HILL ORDINANCE #396 -17

MAKING THE PROPERTY MAINTENANCE CODE APPLICABLE TO PROPERTIES IN FORECLOSURE AND SUPPLEMENTING AND AMENDING CHAPTER XVI OF THE TOWNSHIP CODE ENTITLED "PROPERTY MAINTENANCE"

WHEREAS, vacant or abandoned buildings or structures can cause harm to the health, safety, and welfare of the community and its residents, including detriment to nearby properties, and increased risk of fire or public health and safety risks, and such vacant or abandoned structures may result in increased costs to the Township of Long Hill for police calls, fire calls, and property maintenance to protect the neighborhood; and

WHEREAS, N.J.S.A. 40:48-2.12a, N.J.S.A. 46:10B-51 and other statutes authorize and permit municipalities to adopt an Ordinance to provide that the care, maintenance and security of vacant or abandoned structures upon which a Summons and Complaint in a foreclosure action has been filed shall be the responsibility of the foreclosing creditor, and to regulate the notification by foreclosing creditors to the Township; and

WHEREAS, pursuant to that authority, the Township Committee adopts this Ordinance to require such notification and assist and allow such responsibilities to be placed upon the appropriate parties so that the detrimental effects regarding abandoned and vacated properties may be reduced or mitigated;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter XVI of the Township Code, entitled “Property Maintenance”, is hereby supplemented and amended as follows:

Section 1. Section 16-1 entitled “Property Maintenance” is hereby supplemented and amended by adding a new subsection 16-1.3A entitled “Responsibilities of Creditor in the Case of Properties in Foreclosure” which reads as follows:

16-1.3A Registration and Maintenance of Properties Pending Foreclosure.

16-1.3A.1 Purpose.

The intent of this Ordinance is to provide for the enforcement of the Township Property Maintenance Code and other applicable law against and to vacant and abandoned properties pending foreclosure.

16-1.3A.2 Responsibility for Maintenance of Vacant and Abandoned Properties in Foreclosure.

A creditor filing a Complaint in a foreclosure action shall be responsible for the care, maintenance, security, and upkeep of the exterior of the vacant and abandoned residential property. If the creditor is located out of the State of New Jersey, the creditor must appoint an in-State representative or agent to act for the foreclosing creditor.

16-1.3A.3 Service of Notice, Contents.

A. A creditor filing a Complaint in a foreclosure action on residential property located in the Township of Long Hill shall, within ten (10) days of serving the Summons and Complaint, serve the Township Clerk with a Notice advising that a Summons and Complaint in a foreclosure action has been filed against the subject property. The Notice shall contain and include the information set forth in (C) below and shall be provided by mail.

B. Any creditor that has filed a Complaint in a foreclosure action on any residential property which is pending in Superior Court shall provide to the Township Clerk with the Notice as described in (C) below for any residential properties in the Township for which the creditor has pending foreclosure actions.

C. The Notice shall state:

- (I) The name and contact information for the representative (located within the State of New Jersey) of the creditor who is responsible for property maintenance and will respond to Township communications regarding the property;
- (ii) Whether the property being foreclosed on is an affordable unit pursuant to the “Fair Housing Act”;
- (iii) The street address, lot and block number of the property; and
- (iv) If the creditor is located out of State, the Notice should include the full name and contact information of the representative/agent located within the State of New Jersey authorized to act on behalf of the entity/creditor, accept service on behalf of the entity/creditor, and to receive and act on notifications regarding maintenance of the property in foreclosure.

16-1.3A.4 Responsibilities of Creditor Filing a Foreclosure Action as to vacant and Abandoned Property.

Any creditor having filed a Complaint in an action in foreclosure on a property, and that creditor having been notified by the Construction Code Official in writing that the property appears to be or is abandoned or vacant, shall be responsible within thirty (30) days of said notification as follows:

- (I) Investigate and inspect the property as required to determine if the property is abandoned and vacant, and notify the Construction Code Official in writing of that determination.
- (ii) Secure the building and structure on the property from unauthorized entry.
- (iii) Perform such appropriate repairs or maintenance of the exterior grounds of the property, including yards, fences, sidewalks, walkways, driveways as may be

needed or directed by the Construction Code Official so that the property is free from trash, debris, or excessive grass or weed growth, or safety hazards.

- (iv) Continue to maintain the structures in a secure condition and the grounds in a clean, properly maintained state.

16-1.3A.5 Violation of State or Local Law at Property on List; Responsibility of Creditor.

If the owner of a residential property vacates or abandons any property upon which a Complaint in a foreclosure action has been filed or if a property is otherwise vacated and/or abandoned subsequent to the filing of the Complaint in a foreclosure action, but prior to the vesting of title in any third party, the foreclosing creditor shall have the responsibility to abate any nuisance or correct any violations of the Property Maintenance Code and applicable law in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by the Property Maintenance Code or applicable law.

16-1.3A.6 Notification of Violation.

In the event of a violation of the Property Maintenance Code or applicable law, the Township shall serve the creditor with a Notice that shall include a description of the condition(s) that gave rise to the violation and shall provide a period of thirty (30) days, or ten (10) days if the condition presents an imminent threat to public health and safety as determined by the Construction Code Official, for the creditor to remedy the violation or condition. The creditor must remedy and/or repair the conditions noticed within the specific period.

16-1.3A.7 Repair by Township.

If the Township expends public funds in order to abate a nuisance or correct a violation on a residential property in which the creditor was given notice pursuant to §16-1.3A.6, but failed to abate the nuisance or correct the violation as directed, the Township shall have the same recourse against the creditor as it would have had against the title owner of the property including but not limited to the recourse in the Property Maintenance Code and applicable law.

16-1.3A.8 Enforcement.

The Code Enforcement officer is hereby authorized to enforce this Ordinance.

16-1.3A.9 Violation and Penalties.

Any person or corporation shall, upon conviction by any court having jurisdiction of a violation of this Section 16-1.3A, be subject to a fine not to exceed \$2,500 per day commencing as of the date after the expiration of the ten (10) day period provided in §16-1.3A.3B. Any person or corporation upon conviction by any Court of a violation of §16-1.3A.5 and/or §16-1.3A.6 shall be subject to a fine not to exceed \$1,500 per day, to commence thirty-one (31) days after receipt

of the notice or, if the violation presented an imminent risk to public safety and health and was so noticed, commencing eleven (11) days after receipt of the notice.

Section 2. A copy of this Ordinance shall be sent to the New Jersey Bankers Association.

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.

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, March 8 , 2017, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, April 12, 2017, 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.

**OPEN TO THE PUBLIC
CLOSED TO THE PUBLIC**

MOVED by _____ of the Township Committee of the Township of Long Hill, that Ordinance #396-17 is hereby adopted. **SECOND** by: _____. **ROLL CALL VOTE:**

RESOLUTIONS:

**TOWNSHIP OF LONG HILL
RESOLUTION 17-107**

**RESOLUTION AUTHORIZING ONGOING DISCUSSIONS WITH ELITE PROPERTIES AS
A POTENTIAL REDEVELOPER FOR THE VALLEY ROAD REDEVELOPMENT AREA**

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

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

WHEREAS, the Township Committee adopted Resolution 16-074 on January 27, 2016 authorizing the Township Planning Board to undertake a preliminary investigation of properties known as Block 11514, Lots 5, 6, 8, 31 and 32, and Block 10401, Lots 1, 2, 3 and 4 (the “Study Area”), to determine whether those parcels constitute a condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, after conducting a public hearing on May 24, 2016, the Planning Board adopted a resolution on June 24, 2016, recommending that Lots 6, 31 and 32 in Block 11514, and Lots 1, 2, 3 and 4 in Block 10401 be designated as an area in need of redevelopment as a condemnation redevelopment area; and

WHEREAS, the Township Committee, in accordance with the Planning Board’s recommendation, adopted Resolution 16-251 on August 17, 2016 designating those properties as a condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Redevelopment Committee, established by the Township Committee to assist it during the redevelopment process, issued a request for proposals and received two proposals from potential redevelopers; and

WHEREAS, the Redevelopment Committee, with the assistance of Township Planner Jessica Caldwell, reviewed those proposals and in a February 16, 2017 memorandum from Jessica Caldwell to the Township Committee recommended that the Township Committee select Elite Properties as the designated redeveloper for the Valley Road redevelopment area; and

WHEREAS, The Township Committee considered the recommendations of the Redevelopment Committee as outlined in Jessica Caldwell’s February 16, 2017 memorandum, and at its February 22,

2017 meeting “authorized the Township to enter into negotiation with Elite to become the ‘authorized redeveloper’ for this project”; and

WHEREAS, the next formal step in the redevelopment process is for the Township to adopt a redevelopment plan by ordinance in accordance with the requirements of N.J.S.A.40A:12A-7a; and

WHEREAS, upon the adoption of a redevelopment plan, the Township may enter into a redevelopment agreement with Elite Properties for the “planning..., construction, or undertaking of any project or redevelopment work or any part thereof....” in accordance with the provisions of N.J.S.A. 40A:12A-8; and

WHEREAS, N.J.S.A. 40A:12A-8 provides that the Township may “negotiate and collect revenue from a redeveloper to defray the cost of the redevelopment entity....”; and

WHEREAS, pending adoption of the redevelopment plan and execution of a redevelopment agreement, Elite Properties needs to survey the property and existing structures for the entire project, locate Army Corps of Engineering information, set up a preliminary meeting with the New Jersey Department of Environmental Protection on various issues including a flood hazard waiver, and open negotiations with the owners of the properties in the redevelopment area to purchase those properties;

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:

- a. The Redevelopment Committee, Township Administrator Neil Henry, Township Planner Jessica Caldwell, and other Township officials, are hereby authorized to continue discussions with Elite Properties in connection with the preparation and adoption of a redevelopment plan, and to negotiate a redevelopment agreement with Elite Properties to serve as the redeveloper.
- b. Pending formal designation as the redeveloper upon execution of a redevelopment

agreement, Elite Properties is hereby authorized to undertake discussions with the owners of the properties in the redevelopment area in connection with the acquisition of those properties and to open discussions with NJ DEP and other State and County agencies in connection with the proposed redevelopment.

- c. This Resolution shall not constitute a binding agreement between the Township and Elite Properties and the Township may abandon the redevelopment process at any time prior to executing a redeveloper agreement with Elite Properties.
- d. Elite Properties has agreed to deposit \$1500.00 into an escrow account with the Township to cover all reasonable costs and consultant fees incurred in connection with the implementation of this proposed redevelopment project, including the negotiation of all agreements. Elite Properties has agreed to replenish the escrow account as required by the Township until completion of the project and such an escrow agreement will be part of any redevelopment agreement entered into between the parties.
- e. If the redevelopment process is abandoned prior to the execution of a redevelopment agreement, neither party will have any further obligation to the other, except that the Township shall return to Elite any unused portion of the escrow that Elite deposits pursuant to paragraph 4 above.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #17-107 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 17-125
ADOPTION OF 2017 BUDGET**

BE IT RESOLVED by the Township Committee of the Township of Long Hill, County of Morris that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$15,424,262.00 for municipal purposes.

BE IT RESOLVED that the summary of revenues and appropriations are approved as attached.

**OPEN TO PUBLIC
CLOSE TO PUBLIC**

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 17-125 is hereby approved and the 2017 Budget is hereby adopted. **SECONDED** by:

_____. **ROLL CALL VOTE:**

DISCUSSION / ACTION ITEMS:

- Greg Carr – Hardship request for Bond reduction
- Oaks Road TAC Recommendation
- Fire Hydrant Replacement
- Millington Schoolhouse Change Order

**TOWNSHIP OF LONG HILL
RESOLUTION 17-126
AUTHORIZING CHANGE ORDER NUMBERS 003 TO THE
CONTRACT WITH AB CONTRACTING, LLC**

WHEREAS, a purchase order was prepared in the name of AB Contracting, Inc. under a locally bid contract for the Interior Restoration of the Millington Schoolhouse Phase III; and

WHEREAS, it is necessary to adjust the contract to AB Contracting Inc. to address water seepage.

Change Order #	Description	Amount	Net Amount of Contract
003	The Contractor will install a trench drain and sump pump	\$17,991.21	\$156,024.70

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 change order shall be charged to "Historic Open Space Trust". The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

OLD BUSINESS:

NEW BUSINESS:

ANNOUNCEMENTS/CORRESPONDENCE:

- Street Fair Sunday April 23 10:00-5:00 on Main Ave.

MEETING OPEN TO THE PUBLIC:

- Remarks and Statements Pertaining to Any Matter
- Comments and remarks will be limited to 3 Minutes

ADJOURNMENT