

**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
APRIL 24, 2019
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 the Courier News and posted on the Township Website. 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 #19-132
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:

- Tax Lien Foreclosure/Reassessment
- Affordable Housing/Community Housing- Jessica Caldwell

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 #19-132 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL:

LIAISON REPORTS:

ADMINISTRATOR'S REPORT:

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 #19-133 through #19-143 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 19-133
APPROVING PAYMENT OF BILLS**

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

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

**RESOLUTION 19-134
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 10, 2019 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves April 10, 2019 Executive Session Meeting Minutes as redacted by the Township Attorney.

**LONG HILL TOWNSHIP
RESOLUTIONS 19-135
REAPPOINTING PLUMBING SUBCODE OFFICIAL**

WHEREAS, N.J.S.A. 52:27D-126 provides that:

“The appointing authority of any municipality shall appoint a Construction Official and any necessary Subcode Officials to administer and enforce the [uniform construction] code. The appointing authority may by resolution or order as appropriate, set the total number of weekly hours of operation of the Construction Official’s office and the total number of weekly work hours of the Construction Official, commensurate with the compensation paid to the Construction Official. The appointing of authority shall not set the specific work hours of the Construction Official.

. . . .

A . . . subcode official in a non civil service municipality shall be appointed for a term of four years and shall, upon appointment do a second consecutive term . . . be granted tenure and shall not be removed from office except for just cause after a fair and impartial hearing.

A . . . subcode official to be eligible for appointment in civil service or non civil service municipalities shall be certified by the state of New Jersey. . . .”; and

WHEREAS, N.J.A.C. 5:23-4.4 provides that:

“Subcode Officials shall enforce the provisions of those subcodes for which they are responsible [E]ach Subcode Official shall have exclusive decision-making authority with respect to the technical provisions of the subcode for which he has been appointed the official”; and

WHEREAS, inspectors are licensed in accordance with N.J.A.C. 5:23-5, but do not ever receive

tenure;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Long Hill, in accordance with the provisions of N.J.S.A. 52:27D-126, the applicable DCA regulations, and Township Code Chapter XXIX, that it does hereby appoint the following individuals to the positions indicated:

POSITION	NAME	TERM	ANNUAL SALARY
Plumbing Subcode Official	Vincent J. Franchino	April 30, 2019 to April 29, 2023 (with tenure)	\$20,720.61
Plumbing Inspector	Vincent J. Franchino	April 30, 2019 to April 29, 2020	(included in Plumbing Subcode Official salary)

BE IT FURTHER RESOLVED AS FOLLOWS:

1. The appointment is part-time ordinarily consisting of nine (9) hours per week. Mr. Franchino shall be entitled to the following benefits: One (1) personal day, two and a half (2.5) vacation days, and three (3) sick days per year, prorated for the remainder of 2019.
2. The Township's Policy & Procedure Manual shall be applicable to this position and the duties are to be defined by applicable DCA regulations and established by the Construction Official.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-136
Conference Approval – Chief Naga**

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 memo from Chief Naga requesting the Township approve his request to attend the NJSACOP Battle of the Bulge to the Crossing of the Rhine Leadership Experience from 14th-20th May.

NOW, THEREFORE, BE IT RESOLVED the Long Hill Township Committee hereby approves the request for Chief Naga to attend the conference.

**TOWNSHIP OF LONG HILL
RESOLUTION #19-137
MEMORIAL DAY REMEMBRANCE**

WHEREAS, the Township of Long Hill wishes to honor our veterans with a Memorial Day Remembrance on Monday, May 27th, 2019, and

WHEREAS, the celebration will begin with a parade from Mercer Street to Central School at 9:30am, 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 Remembrance described above with the Stirling Fire Dept. All expenses for the celebration will be charged to the Township operating budget, not to exceed \$1,000.00

**TOWNSHIP OF LONG HILL
RESOLUTION 19-138
AUTHORIZE BACK UP ANIMAL CONTROL OFFICER**

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. Brian Cooke from RoxDane Kennels is appointed as alternate Animal Control Officer effective retroactively from April 12th through April 22nd.
2. The rate of pay is \$400 for an emergency after hours call and \$200 for regular hours that require an Animal Control Officer to respond to a call. If a Police Officer is able to bring a dog or cat to the kennel during emergency, after hours, it would be \$200 and there will be no charge during normal non-emergency hours.
3. After hours emergency calls are defined as those calls which occur Monday through Friday, 5PM to 8AM, Saturday, 2PM to 12AM and anytime Sunday
4. An Emergency call is defined as on official Police matter only. This is to be determined and authorized only by the Police Department Commanding Officer or Shift Supervisor.
5. Responses to after hour calls or non-emergency calls required by the Animal Control Officer shall be responded to within 1.5 hours of receiving the call.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-139
AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL
INFRASTRUCTURE FINANCING PROGRAM**

WHEREAS, the Township of Long Hill intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank for the Long Hill Wastewater Treatment Plant Upgrade Project.

NOW, THEREFORE BE IT RESOLVED, that Nancy Malool, Administrator of Long Hill Township, be authorized to act as the Authorized Representative to represent the Township of Long Hill in all matters relating to the project undertaken pursuant to the above referenced New Jersey Infrastructure Bank Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Bank. The Authorized Representative may be contacted at: Long Hill Township, 915 Valley Road, Gillette, NJ 07933, 908-647-8000 (x224).

**TOWNSHIP OF LONG HILL
RESOLUTION 19-140
RESOLUTION APPOINTING ADMINISTRATIVE ASSISTANT**

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. Nancy Shay is hereby appointed a part-time Administrative Assistant (with no benefits) assigned to the Administrator’s office, effective Monday, April 29, 2019.
2. Nancy Shay shall work 25 hours per week and be compensated at the rate of \$20.00 per hour.
3. In all other respects, Nancy Shay’s employment and benefits will be subject to the terms and conditions set forth in the Township Personnel Policies and Procedures Manual.
4. This appointment is contingent upon satisfactory completion of a background check.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-141**

RESOLUTION AUTHORIZING NOTICE OF INTENT TO ENTER INTO A CONTRACT WITH A PRIVATE FIRM FOR THE PROVISION OF WASTEWATER TREATMENT SERVICES

WHEREAS, the Township Wastewater Treatment Plan Operator resigned unexpectedly on April 17, 2018; and

WHEREAS, N.J.A.C. 7:10A-1.10 requires “every owner of a [wastewater treatment] system [to] employ a licensed operator holding the license prescribed by the Department for that classification of system . . .”; and

WHEREAS, N.J.A.C. 7:10A-1.10 goes on to provide that “The licensed operator shall be in charge of the operation of the system . . .”; and

WHEREAS, the Township was unable to hire a new plant operator and was, therefore, forced to award an emergency contract to Veolia Water North American Operating Systems LLC to serve as plant operator through December 31, 2018; and

WHEREAS, the Township Committee has begun the process of placing a public question on the November 5, 2019 general election ballot to authorize the sale of the Township Wastewater Treatment System to a private sector enterprise; and

WHEREAS, if the public question to sell the Wastewater Treatment Plant is defeated, the

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Township will still need a licensed plant operator to run its Wastewater Treatment System; and

WHEREAS, the Open Public Contracts Law at N.J.S.A. 40A:11-5 provides that, “A contract for the provision of wastewater treatment services entered into pursuant to [N.J.S.A. 58:27-19 et seq] may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and may be awarded by resolution of the governing body”; and

WHEREAS, the New Jersey Wastewater Treatment Public-Private Contracting Act, N.J.S.A. 58:27-19 sets forth in detail the procedures that must be followed in order for a public entity to enter into a contract with a private firm for the provision of wastewater treatment services; and

WHEREAS, as part of that process, the Township must pursue a Request for Proposals (“RFP”) and must publish a notice of its intent to enter into a contract; and

WHEREAS, after it has received proposals, the statute authorizes the Township to select one qualified proposal from among those submitted and to negotiate a contract with the private firm that submitted the selected proposal; and

WHEREAS, after following the procedures and timetable set forth in the statute, the Township Committee must hold a public hearing on the proposed contract that has been negotiated; and

WHEREAS, the Township must then adopt an ordinance approving the proposed contract and obtain the approval of the New Jersey Department of Environmental Protection in order to enter into the proposed contract;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township Clerk is hereby authorized to publish a notice of the Township’s intent to enter into a contract with a private firm for the provision of wastewater treatment services pursuant to N.J.S.A. 58:27-19, et seq in at least one newspaper of general circulation in the Township at least sixty (60) days prior to conducting the public hearing required under section 6 of N.J.S.A. 58:27-23.
2. The notice shall specify a deadline chosen by the Clerk which shall be not less than thirty (30) days from the date of the publication of the notice for the submission of proposals by private

firms.

- 3. The public hearing on a proposed contract with a private firm for the provision of wastewater treatment services shall be held at 7:30 p.m. on Wednesday, July 17, 2019.
- 4. The Township Clerk, the Township Administrator and all other Township officials shall comply with all requirements and deadlines set forth in the New Jersey Wastewater Treatment Public-Private Contracting Act, N.J.S.A. 58:27-19, whether or not set forth in this resolution.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-142**

**AUTHORIZING A LICENSE AGREEMENT WITH THE SHRINE OF SAINT JOSEPH MEMORIALIZING
A LONG-STANDING VERBAL AGREEMENT
PERMITTING A TOWNSHIP TELECOMMUNICATION POLE
TO BE LOCATED ON THE SHRINE PROPERTY**

WHEREAS, the Shrine of Saint Joseph (“Shrine”), a nonprofit corporation, is the owner of property located at 1050 Long Hill Road, Stirling, and designated on the Township tax maps as Block 14101, Lot 63; and

WHEREAS, the Shrine, for many years, has permitted the Township to locate a telecommunications pole that serves as a repeater for Township emergency services communications, along with appurtenant facilities including a small shed with a generator, on its property; and

WHEREAS, the Township and the Shrine wish to formalize that agreement;

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 Township Clerk are hereby authorized to execute a License Agreement with the Shrine to enter upon the Shrine property to operate and maintain a Township telecommunications facility.
- 2. As part of that License Agreement, the Township shall agree to indemnify and hold the Shrine harmless from damages or injuries resulting from the Township’s exercise of its rights under the License Agreement.
- 3. As part of that agreement, the Township shall also provide the Shrine with certificates of adequate insurance coverage.
- 4. The form of the license agreement shall be acceptable to the Township Attorney

**TOWNSHIP OF LONG HILL
RESOLUTION 19-143
In Grade Advancement – Novotny**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey upon the advice and recommendation of Police Chief Ahmed Naga, does hereby approve the grade advancement of Officer Richard Novotny to Officer Grade X, effective May 1, 2019 at an annual salary of \$53,892.00.

BE IT FURTHER RESOLVED, that this advancement is consistent with the current PBA 322 Collective Bargaining Agreement

DISCUSSION:

- Open Space/ Recreation/ Farmland Preservation Trust Fund Finance
 - Request – Expanded Deck at Baseball Field on Poplar
- HPAC – Bronze Plaque Purchase

ORDINANCES:

**TOWNSHIP OF LONG HILL
ORDINANCE #436-19**

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$95,000 THEREFORE FROM VARIOUS FUNDS OF THE TOWNSHIP.

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

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 therefor the sum of \$95,000, from moneys available in the Open Space/Farm Preservation/Recreation Fund of the Township.

Section 2. The improvements hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the acquisition by purchase of a playground structure for use by the Recreation Department of the Township including all site work, appurtenant equipment, accessories, attachments, work and materials, and all engineering, legal,

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advertising and other costs associated therewith, and all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved.

Section 3. 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.

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 24, 2019, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30p.m. on Wednesday, May 8, 2019 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.

MOVED by: _____, that Ordinance #436-19 be introduced on first reading and advertised for second reading which is scheduled for the May 8, 2019 Meeting.

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

**CAPITAL ORDINANCE 437-19
PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN
THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF
MORRIS, NEW JERSEY, AND APPROPRIATING \$434,000
THEREFORE 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 AS FOLLOWS:**

Section 1 The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey. For the said improvement or purpose stated in said Section 2, there is hereby appropriated the sum of \$434,000, to the extent of \$434,000 from NJDOT Grant.

Section 2 The improvement hereby authorized and the several purposes for the financing of which the appropriation is made as provided in Section 1 of this Ordinance are as follows: (a) the improvement of Morristown Road in and by the Township including approximately 4,300 linear feet from Mountain Avenue to NJ Transit Railroad tracks and from NJ Transit Railroad tracks to Valley road. Said Improvement shall include reconstruction, surfacing or resurfacing the roadway to the extent of Class B construction, together with studies, curbing, structures,

storm water drainage, catch basins milling, equipment, work and materials necessary therefor or incidental thereto.

All work shall be performed according to plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

Section 3 The capital budget 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 4 This ordinance shall take effect after final adoption, as provided by law.

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 24, 2019, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30p.m. on Wednesday, May 8, 2019 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.

MOVED by: _____, that Ordinance #437-19 be introduced on first reading and advertised for second reading which is scheduled for the May 8, 2019 Meeting.

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

OLD/NEW BUSINESS:

ANNOUNCEMENTS:

- Veteran's Annex Open House, Saturday, April 27th, 12pm to 3pm, 234 Union Street.

MEETING OPEN TO THE PUBLIC:

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

ADJOURNMENT