

Revised

**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
SEPTEMBER 25, 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 19-253
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:

Contracts:

- Redevelopment/Mt. Laurel
- Senior Center Lease

Security

- Courtroom security

Personnel:

- DPW
- Police Chief
- Clerk
- Executive Administrative Assistant
- Zoning Officer

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 #19-253 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL:

The Mayor will recess the meeting and open the BOH meeting

**TOWNSHIP OF LONG HILL
RESOLUTION 19-254
APPOINTING PROBATIONARY POLICE OFFICER - Robol**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill upon the advice and recommendation of Police Chief Ahmed Naga, that John Robol is hereby appointed as a Probationary Police Officer at an annual salary of \$45,000.00, effective September 25, 2019;

BE IT FURTHER RESOLVED, that this appointment is consistent with the P.B.A. Association Collective Bargaining Agreement.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-254 is hereby approved. **SECONDED** by: _____

ROLL CALL VOTE:

PRESENTATION: – Officer Robol to be sworn in.

JCP&L Presentation
Wastewater Treatment Plant Sale Discussion

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 #19-255 through #19-262 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**TOWNSHIP OF LONG HILL
RESOLUTION 19-255
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 19-256
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 September 11, 2019 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves September 11, 2019 Executive Session Meeting Minutes as redacted by the Township Attorney.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-257
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 Committee approve his request to attend the 2019 International Association of Chiefs of Police Annual Conference and Exposition (IACP 2019) from October 26-29, 2019 in Chicago, Illinois.

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 19-258
BID REJECTION – KANTOR MEMORIAL PARK PEDESTRIAN PATH**

WHEREAS, bids were received by the Township Clerk on Sept 11th for construction of the Kantor Memorial Park pedestrian path; and

WHEREAS, two bids were received; and

WHEREAS, both bids exceeded the estimated costs for the project; and

WHEREAS, the Township Engineer and the Township Administrator have recommended that the bids be rejected for the reasons set forth above;

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 bids submitted by Reivax Contracting Corp. and KDP Developers, Inc. are hereby rejected.
2. The Township Clerk is hereby authorized and directed to return Reivax Contracting Corp. and KDP Developers, Inc. bid bonds.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-259
AUTHORIZING MONTH-TO-MONTH LEASE AND SUBLEASE OF SENIOR
CENTER WHILE NEW LEASES ARE BEING NEGOTIATED**

WHEREAS, the Township entered into a lease agreement dated May 11, 1999, with the Long Hill Township Board of Education (hereinafter “lease”) in which the Township agreed to lease from the Board of Education approximately one acre at the northwest corner of the Gillette School site for the purpose of allowing the Long Hill Township Senior Citizen Club, Inc. (“Senior Citizen Club”) to construct and operate a senior citizen center; and

WHEREAS, Section 7 of the lease permitted subleases in accordance with the Local Lands and Buildings Law at *N.J.S.A. 40A:12-13*, and subject to certain other conditions; and

WHEREAS, the Township Committee subleased the parcel to the Senior Citizen Club for purposes of constructing and operating a Long Hill Township senior citizen center; and

WHEREAS, both the lease and the sublease expired on May 10, 2019; and

WHEREAS, the Township wishes to enter into a month-to-month lease extension agreement with the Board of Education and a month-to-month sublease extension with the Senior Citizen Club to continue both leases on a month-to-month basis while new lease agreements are being negotiated;

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 Acting Township Clerk are hereby authorized and directed to enter into a month-to-month lease agreement with the Long Hill Township Board of Education and a month-to-month sublease agreement with the Long Hill Township Senior Citizen Club, Inc. which shall remain in effect until new lease agreements are negotiated between the parties.
2. The other terms and conditions of the expired lease and sublease agreements shall remain in full force and effect during the extension.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-260**

**RESOLUTION AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A 58:27-19 ET SEQ AND EXECUTION OF A WASTEWATER
TREATMENT SYSTEM OPERATION AND MAINTENANCE AGREEMENT**

WHEREAS, the Township of Long Hill’s (“Township”) wastewater treatment system has been operated and maintained by a Veolia Water North America Operating Services LLC (“Veolia”) pursuant to an agreement that expires on December 31, 2019; and

WHEREAS, the Township has determined that it is in the Township’s best interest to contract with a private entity for the continued operation and maintenance of the Township’s wastewater treatment system; and

WHEREAS, the Township issued a request for proposals (“RFP”) on May 2, 2019, pursuant to the New Jersey Wastewater Treatment Public-Private Contracting Act, N.J.S.A.

58:27-19 et seq. (the “Act”) to select a private entity to operate and maintain the Township’s wastewater treatment system; and

WHEREAS, Veolia, the company that is currently operating and maintaining the Township’s wastewater treatment system, submitted the only proposal in response to the RFP; and

WHEREAS, the Township and Veolia have successfully negotiated a wastewater treatment system operation and maintenance agreement (the “Agreement”); and

WHEREAS, the Agreement has a five-year term, with three 5 year renewal options, unless the November 5, 2019 referendum to approve the sale of the wastewater treatment system to New Jersey American Water (NJAW) passes, in which case the Veolia contract will only cover the interim period until the closing on the NJAW sale; and

WHEREAS, Veolia’s compensation under this Agreement shall consist of an Annual Fee of \$644,700, plus \$6,500 for emergency calls, for a total of \$651,200, which shall be increased each year by the greater of (i) 2.5% or (ii) a blended index comprising 60% CPI New York-Newark - Jersey City, NY – NJ - PA CUURS12ASA0] plus 40% CPI Water, Sewer & Trash Collection Services CUUR0000SEHG; and

WHEREAS, pursuant to the requirements of the Act, the Township published notice of a public hearing on the proposed Agreement fourteen days prior to the hearing, held the public hearing on July 17, 2019 and kept the record of the hearing open for public comment for seven days following the hearing; and

WHEREAS, in response to questions raised at the July 17, 2019 public hearing with respect to the length of the contract, the Township went back to Veolia and negotiated a shorter initial term of five years with three five-year options; and

WHEREAS, the Township Committee decided to reopen the public hearing on the proposed contract as amended, published notice of a re-opened public hearing 14 days prior to the hearing, held the re-opened public hearing on September 11, 2019 and kept the record of the hearing open for public comment for seven days following the re-opened hearing; and

WHEREAS, pursuant to the Act, an application for approval of the Agreement must be submitted to the Local Finance Board in the New Jersey Department of Community Affairs, Division of Local Government Services, for review and approval, and a hearing report must be submitted to the New Jersey Department of Environmental Protection (“DEP”) for its review; and

WHEREAS, the Township desires to make application to the Local Finance Board for its review and approval of the proposed Agreement, the purpose of which is to ensure that the Township’s wastewater system is operated and maintained properly and in accordance with all regulatory requirements and the Township believes: (a) it is in the public interest to accomplish such purpose; (b) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Township; (c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

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 application to the Local Finance Board is hereby approved, and Township Administrator Nancy Malool is hereby authorized to submit the application to the Local Finance Board.

2) Township Administrator and other representatives of the Township including but not limited the Township Attorney and the Township Engineer are hereby authorized to represent the Township in its dealings with the Local Finance Board.

3) The Township Administrator is hereby directed to prepare and file a copy of the proposed Agreement with the Local Finance Board as part of the application.

4. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and approvals as provided by the Act.

5) Subject to the approval of the Agreement by the Local Finance Board as required by the Act, the Mayor and Township Clerk are hereby authorized to execute and deliver an agreement with Veolia. The agreement shall be substantially in the form presented to the Township Committee with such amendments, modifications, changes and omissions thereto as the Local Finance Board may require or the Township Administrator may approve as in the best interests of the Township.

6) The Township Administrator and other Township officials are hereby authorized to execute and deliver any and all other papers, instruments, opinions, certificates, affidavits and other documents, and to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution and the execution and delivery of the Agreement.

7) The Township Administrator and other Township officials are hereby authorized to make all filings and submissions, hold all hearings and records, print all reports, make all contract revisions and do or cause to be done any and all other acts and things which may be required by or advisable under applicable law in connection with the review and approval of the Agreement.

8) This resolution shall take effect immediately.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-261
AUTHORIZING A SEWER CONNECTION FOR PROPERTY LOCATED ON
254 MERCER STREET (BLOCK 11513, LOT 13)**

WHEREAS, the Township is currently subject to a voluntary sewer ban; and

WHEREAS, Mr. William Beckford D/B/A at 254 Mercer Investors TIC I LLC, intended purchaser of property located at 254 Mercer Street, Grind Time Fitness, LLC. (**BLOCK 11513, LOT 13**) has requested authorization to connect to the Township’s sanitary sewer system;

WHEREAS, the Township has adopted by reference the NJDEP sewer ban exemption criteria set forth in N.J.A.C. 7:14A-22.22; and

WHEREAS, N.J.A.C. 7:14A-22.22 provides in relevant part that:

“A sewer ban exemption may be granted for projects . . . if the proposed project will have a total projected flow of 600 gallons per day or less . . . [and] will be constructed and/or operated on a tax lot which was in existence prior to the effective date of the ban . . . and the proposed project does not require a sewer extension”; and

WHEREAS, the plans for the proposed residence which will be located at 254 Mercer Street (**BLOCK 11513- LOT 13**) meets those exemption criteria; and

WHEREAS, Section 22-3.1 of the Township Code ordinance requires a connection fee of \$630.00 for new construction that is due and payable to the Township prior to the Construction Official issuing any building permits for the new residence.

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 Mr. William Backford D/B/A at 254 Mercer Investors TIC I LLC, is hereby granted permission to connect the property at BLOCK 11513, LOT 13 to the Township wastewater treatment system upon payment of the \$630.00 connection fee in accordance with Section 22-3.1 of the Township Code.

**TOWNSHIP OF LONG HILL
RESOLUTION #19-262
RESOLUTION APPOINTING MEGAN PHILLIPS AS TOWNSHIP CLERK**

WHEREAS, *N.J.S.A. 40A:9-133* provides that, “In every municipality there shall be a municipal clerk appointed for a three-year term by the governing body of the municipality”; and

WHEREAS, Megan Phillips, is a certified municipal clerk and has served as Deputy Clerk in Warren Township; and

WHEREAS, the governing body wishes to appoint Megan Phillips as Long Hill Township Clerk;

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

1. In accordance with the provisions of N.J.S.A. 40A:9-133, Megan Phillips is hereby appointed Township Clerk for a three-year term commencing October 4, 2019, and ending October 3, 2022, at an annual salary of \$73,000, which shall be prorated for the balance of 2019.
2. Except to the extent that they are modified by her September 19, 2019 offer letter, which is incorporated herein by reference, the terms and conditions of Ms. Phillips employment shall be governed by the Township Employee Personnel Policies and Procedures Manual.

DISCUSSION:

- Capital Ordinance Amendment – Police Equipment
- Master Plan Consultant
- Scrap/metal pick up

ORDINANCE
FIRST READING/INTRODUCTION

TOWNSHIP OF LONG HILL
ORDINANCE # 445-19

**AN ORDINANCE AMENDING CAPITAL ORDINANCE NO. 439-19 ENTITLED
“[AN ORDINANCE] PROVIDING FOR VARIOUS IMPROVEMENTS . . . AND APPROPRIATING
\$1,012,500 THEREFORE FROM VARIOUS FUNDS OF THE TOWNSHIP” AND AUTHORIZING THE
APPROPRIATION OF FUNDS
FOR THE PURCHASE OF AN ADMINISTRATIVE VEHICLE
FOR THE POLICE DEPARTMENT**

WHEREAS, Capital Ordinance No. 439-19 entitled “[An Ordinance] Providing for Various Improvements in and by the Township of Long Hill, in the County of Morris, New Jersey and appropriating \$1,012,500 Therefor from Various Funds of the Township” was adopted by the Township Committee on June 12, 2019; and

WHEREAS, Section 2 of Ordinance No. 439-19 provided in relevant part that, “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: ...(b) Police Equipment to include fingerprint system and eticket system . . .”; and

WHEREAS, Chief of Police Ahmed Naga has asked the Township to purchase an administrative vehicle for the Police Department rather than purchasing an eticket system;

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 Capital Ordinance 439-19 is hereby amended as follows:

Section 1. Paragraph “(b)” of section 2 is amended to read as follows:

“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:(b) Police Equipment to include fingerprint system and ~~eticket system~~ an administrative vehicle for the Department.”

Section 2. In all other respects Capital Ordinance 439-19 shall remain in full force and effect.

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, September 25, 2019, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on Wednesday, _____, 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 # 445-19 be introduced on first reading and advertised for second reading which is scheduled for the _____, 2019 meeting.

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

**TOWNSHIP OF LONG HILL
RESOLUTION #19-263**

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH
TOPOLOGY NJ LLC FOR PLANNING SERVICES IN CONNECTION WITH THE
PREPARATION OF NEW MASTER PLAN**

WHEREAS, the Township of Long Hill has a need to acquire professional planning services in connection with the preparation of a new master plan by the Township Planning Board; and

WHEREAS, the Finance Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

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

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

WHEREAS, the contractor has submitted a proposal dated June 28, 2019, and revised through July 3, 2019, which is incorporated herein by reference; and

WHEREAS, the contractor has completed and submitted a Business Entity Disclosure Certification which certifies that the business entity has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the contractor named herein from making any reportable contributions through the term of the contract, as well as a Township pay-to-play certification.

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

1. A professional planning services contract in connection with the preparation of a new master plan by the Township Planning Board is hereby awarded to Topology NJ LLC in accordance with its proposal, for an amount not to exceed \$37,500.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution, and that notice of these awards be advertised one in the *Long Hill News*.
3. The Contractor shall secure and maintain insurance with the following minimum limits:

| | |
|------------------------------------|----------------|
| Professional Liability/Malpractice | \$1,000,000.00 |
| Comprehensive General Liability | \$1,000,000.00 |
| Comprehensive Automobile Liability | \$1,000,000.00 |
| Workmen's Compensation | Statutory |

The certificates of insurance shall be acceptable to the Township Risk Manager and the Township Attorney.

4. The Township Clerk in accordance with the provisions of *N.J.S.A. 40A:11-5(1)(a)(I)*, is directed to publish a notice once in the official newspaper stating the nature, duration, service and amount of these contracts.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-263 is hereby approved. **SECONDED** by: _____

ROLL CALL VOTE:

MEETING OPEN TO THE PUBLIC:

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

ADJOURNMENT

TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
BOARD OF HEALTH MEETING
AGENDA
September 25, 2019
7:30 PM Open Session

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 Courier News and posted on the bulletin board in the Municipal Building as per 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."

RESOLUTION:

RESOLUTION BOH 19-03
APPOINTMENT OF TOWNSHIP REGISTRAR OF VITAL STATISTICS

WHEREAS, N.J. Stat. § 26:8-11 provides that, "the local board [of health] having jurisdiction over each registration district shall appoint a local registrar for that district; and

WHEREAS, N.J. Stat. § 26:8-13 provides that, "the term of office of a local registrar shall be 3 years and he shall serve until his successor has been appointed and qualified. If the local registrar is the municipal clerk, his term of office shall be concurrent with his term of office as clerk"; and

WHEREAS, Andrea Tsimboukis was appointed as Registrar of Vital Statistics on Aug 14, 2019

WHEREAS, Megan Phillips will be hired as Township Clerk on Oct 4, 2019.

WHEREAS, the Board of Health has determined that Megan Phillips is well qualified to serve as Registrar of Vital Statistics;

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Township of Long Hill, in the County of Morris, State of New Jersey, that Megan Phillips is hereby appointed as Registrar of Vital Statistics for a three year term commencing October 4, 2019 and ending October 3, 2022.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-03 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

DISCUSSION:

MEETING OPEN TO THE PUBLIC: Remarks and Statements Pertaining to the Board of Health.

ADJOURNMENT: