

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

The Township Committee of the Township of Long Hill, County of Morris, State of New Jersey, convened in Regular Session at the Municipal Building, 915 Valley Road, Gillette, New Jersey, on Wednesday, **January 12, 2011** at 7:00 p.m.

Statement of Adequate Notice:

Mayor Harrington read the following statement:

“In compliance with the Open Public Meetings Law of New Jersey, adequate notice of this meeting was included in a list of meetings notice which was electronically sent to the Echoes Sentinel, Courier News and Daily Record on January 4, 2011; posted on the bulletin board in the Municipal Building on January 4, 2011 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 11-050 EXECUTIVE SESSION

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

Attorney Client Privilege

- LGCCC
- Meeting Request

Collective Bargaining:

- None

Contract Negotiations

- DPW Director

Personnel:

- Fire Official Retirement / Replacement
- Fire Sub Code Official
- Recreation Co Director

Pending or Anticipated Litigation:

- None

Property Acquisition

- Open Space

BE IT FURTHER RESOLVED that minutes of this executive session meeting will be released to the public in a timely fashion pursuant to the Open Public Records Act and other applicable laws and regulations.

Roll Call:

On roll call the following Committee members were present:

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Jerry Aroneo; Michael Mazzucco; Guy Piserchia; Mayor Nanette Harrington;
George Vitureira

Absent: None

Also present: John Pidgeon, Township Attorney; Richard Sheola, Township
Administrator/CFO; Christine Gatti, Township Clerk

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Standing Committee Appointments for 2011 [Amendment]:

Jerry Aroneo

Board of Health (Chair)
Community Development (Alt)
Open Space
Negotiations
Communications Advisory Committee
Flood Mitigation Committee
Emergency Management
Finance (Alt)

Nanette Harrington

Board of Education
Wastewater Management (Alt)
Long Range Planning
Admin & Executive
Financial Responsibility
Lounsberry Meadows
Planning Board
Shade Tree
Emergency Management

Guy Piserchia

Planning Board
Promotion & Enhancement
Community Development
Long Range Planning
Fire
Environmental Commission
Emergency Management

Michael Mazzucco

Police
Public Works
Recreation Advisory
Financial Responsibility
Finance
Negotiations

George Vitureira

Senior Citizens
Community Day
Finance
Promotion & Enhancement
Communication Advisory Committee
Wastewater Management
First Aid

A motion was made by Mayor Harrington and seconded by Mr. Mazzucco to approve the above Standing Committee Appointments. Roll Call Vote: All Ayes

Appointments to Boards and Commissions

Mayor Harrington made the following Mayoral appointments:

Historic Preservation Advisory Committee

Bonnie Robustelli
Jennifer Lamson
David Dorsi, Alternate #2

Expiration of Term

December 31, 2012
December 31, 2014
December 31, 2011

The following appointment was made by Mayor Harrington with Approval by the Township Committee:

Library Trustee

Mary Olesen

Expiration of Term

December 31, 2013

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

A motion was made by Mr. Mazzucco and seconded by Mr. Piserchia to approve the above appointment to the Library Board. Vote: All Ayes

The following appointment was made by the Township Committee:

Lounsberry Meadow Board of Trustees
Steven Locasio

Expiration of Term
December 31, 2013

A motion was made by Mr. Aroneo and seconded by Mr. Mazzucco to approve the above appointment to the Lounsberry Meadow Board. Vote: All Ayes

Mayor Harrington thanked all the volunteers for participating.

Administrator Report:

Garbage / Solid Waste Bids Overview

Mr. Sheola reviewed the submitted solid waste bids received and the townships available options. He reviewed the bid results for three and five years. He pointed out that he is not requesting a decision this evening and would like a decision made in two weeks. He stated that the garbage collection dates are needed in order to send out a revised calendar for the residents. He reviewed the options available for the Committee which included once a week and twice a week garbage collection. He pointed out that decreasing the garbage pick up to once a week would save the township \$117,000 a year.

Mr. Aroneo stated that each resident is saving approximately \$38 a year and it does not seem to be worth losing the service. He added that he spoke with many residents and they were not happy with decreasing service to once a week garbage pick up and they would like to keep the service the way it is. Mr. Piserchia commented that change is always concerning and it seems all the surrounding towns have one garbage collection a week. Mr. Vitureira stated that the township has to find saving because of the 2% cap regulation. He suggested the Committee review all possibilities.

A discussion ensued among the Committee and Mr. Pidgeon regarding local public contracts law and the bidding process.

Ms. Harrington pointed out that we do did not receive a bid on our current garbage collection cycle. She briefly reviewed the direction given to Mr. Sheola regarding the bid options. Mr. Sheola reviewed the listed bid options and specification language.

Tom Sweeney, Director of Public Works, and Mr. Aroneo reviewed the available garbage collection options and garbage can limits. A discussion ensued among the Committee, Mr. Sheola and Mr. Sweeney regarding the available garbage cycle options, budget for garbage collection and bid results.

Mr. Aroneo recommended that the Committee hear from the residents and perhaps a web survey be put up so residents may respond with their thoughts on the available options. Ms. Harrington agreed. Mr. Sweeney noted that perhaps a survey should have been completed prior to the bid. Mr. Aroneo commented that he is in favor of the current garbage pick up cycle. Mr. Piserchia questioned whether the township can change the garbage collection cycle once it is in place if it is not working. Mr. Pidgeon stated that the township may issue a change order and briefly reviewed

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

their options. Mr. Aroneo indicated that it is peculiar that neither garbage collection vendor bid on the current collection cycle.

Mayor Harrington opened the meeting to the public.

Felix Ruiz, resident of Laurel Avenue, pointed out that the second garbage collection is very important his area because of the animals getting into the garbage. He voiced his agreement with Mr. Aroneo that the garbage collection cycle should remain the same and should not be decreased.

Messrs. Vitureira and Ruiz briefly reviewed the options for budget savings and private garbage collection.

Susan Jeans, resident of Gillette, agreed with Mr. Sweeney that the current garbage collection schedule can be confusing and a nuisance. She added that she rarely has garbage every week.

Mayor Harrington announced that the discussion will continue at the next meeting. Mr. Mazzucco stated that he would like to reach out to the residents and get their thoughts. He added that he was in favor of once a week but would like to review all the options. Mr. Aroneo agreed that he would like to reach out to residents. Mr. Aroneo questioned whether the township can extend the current contract with Blue Diamond and Mr. Sheola stated that the township could extend the contract.

The Committee discussed posting a survey on the website in order to receive feedback from the residents. Mr. Vitureira stated that it does not seem fair to the seniors and those without access to the web. He added that there also does not seem to be enough time to get adequate responses. The Committee agreed.

Messrs. Vitureira and Sheola reviewed the contract price and proposed contract prices. Mr. Vitureira stated that it is an \$118,000 savings if the township agreed to once a week garbage collection. He added that he does not see a tremendous issue with changing the terms. Messrs. Piserchia and Sweeney reviewed the current garbage and recycling schedule.

Mayor Harrington stated that each Committee member needs to do their own survey so a decision may be made at the next meeting. She asked that three resolutions be drafted for the next agenda with the following options: 1.) one garbage collection per week; 2.) extend current Blue Diamond contract for a temporary basis; 3.) garbage collection twice a week which would increase the service we currently have. She added that the township may also go through another round of bidding if allowed.

Mr. Aroneo indicated that the bid specifications were poor and we should have narrowed the options down more and been clear about what the Committee wanted. Mayor Harrington stated that the Committee had all the options before them prior to going out to bid. Messrs. Aroneo and Pidgeon reviewed bidding regulations and options. Mr. Pidgeon pointed out that the township can not arbitrarily reject all bids. Messrs. Aroneo and Sweeney reviewed their discussions with Blue Diamond.

Mayor Harrington stated that the garbage collection discussion will continue at the next meeting and a decision will be made.

Discussion / Action Items:

Valley Road Ordinance [Presented by Kevin O'Brien, Township Planner]

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

Mr. O'Brien pointed out that the Valley Road Ordinance was forwarded by the Planning Board to the Township Committee in December. He added that drafting this ordinance has been a four year process. He reviewed the ordinance, the history of the process and the recommendation from the Planning Board. He reviewed the Planning Boards Master Plan process. He stated that the ordinance before the Committee is the nuts and bolts and vision for the township. The Planning Board believes that the ordinance represents the changes that the Master Plan calls for. Mr. Aroneo questioned what the driver behind the proposed zoning changes was. Mr. O'Brien pointed out that the Master Plan is updated every six years and reviewed the "Time of Decision" regulation. Messrs. Aroneo and O'Brien reviewed the need for the zoning change. Mr. O'Brien stated that he can supply the Planning Board meeting minutes and tapes if the Committee is interested in reviewing the history of the discussions. Mr. Aroneo indicated that he does not see a major push for this ordinance. Messrs. Aroneo and O'Brien reviewed the Planning Board discussions and the need for residential on Valley Road.

Christopher Connor, Planning Board Chair, reviewed the reasoning and discussions with the Planning Board. The Planning Board would like to update and improve the look of Valley Road. He pointed out that there was months of work on this and the conclusion of this plan was that the Planning Board wanted a viable town center. He stated that the key in making town improvements viable the township needs to have zoning and ordinances in place to attract businesses. He added that the township can make a viable community and generate revenue which will have positive impacts on the taxes and township. Mr. Aroneo questioned the need to have people live in the town center. Messrs. Aroneo and Connor reviewed the ordinance and Mr. Aroneo pointed out that the ordinance before the Committee calls for larger buildings closer to the street. Mr. O'Brien indicated that what is before the Committee is consistent with the Master Plan which was already approved and he suggested that the Committee review the proposed ordinance.

Mr. Aroneo questioned where the idea of a town center was originated and whether residential is required at a town center. Messrs. Aroneo and O'Brien reviewed the history of the matter and the language in the Master Plan. Mr. Vitoreira commented that this ordinance seems to make things more consistent on Valley Road. Messrs. Aroneo and O'Brien reviewed the current look of Valley Road and the available options and plans. Mr. Piserchia commented that the township needs ratables in order to help with taxes. The township may attract developers to Valley Road if we allow mixed use. Messrs. Aroneo and O'Brien reviewed the possible build out figures presented. Mr. O'Brien pointed out that the 1,200 build out number is tied to the sewer. Mr. O'Brien stated that he did not study the build out number and indicated that he would be happy to examine it. A discussion ensued among the Committee and Mr. O'Brien regarding the possible development on Valley Road. Mr. Mazzucco questioned what the realistic number of potential units. Mr. O'Brien stated that he would refer the number to the Committee by the next meeting. Messrs. Mazzucco and O'Brien reviewed the definition of residential units, parking requirements and what types of residential units would be located on Valley Road.

Mayor Harrington commented that the Committee will wait to receive the build out numbers from Mr. O'Brien and the Valley Road Ordinance will be on a future agenda for discussion.

Charles Arentowicz, resident of Heritage Road, commented that he was appalled by the responses from the Township Planner. He reviewed the changes in the township in the last thirty five years which includes a 396% increase in taxes. He commented on his issues and concerns with the township. He pointed out that he is not in favor of more retail in the township and added that we can not afford more apartments or condominiums. He stated that the Planning Board needs to rethink the Valley Road Element of the Master Plan and they need to visit other municipalities. He

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

commented that he believes the speed limit on Valley Road needs to be increased and the timing of the lights should be adjusted.

Mr. Ruiz pointed out that the township is made up of five villages of people who have deep roots in the township and those who live on top of retail do not. He asked that the Committee please think carefully and keep the individuality of the town. He commented that this plan is not good for the township.

Maryann Definis, resident of Laurel Avenue, pointed out that Berkley Heights tried to do the same thing that is being proposed by the Planning Board and it is a ghost town. She added that those from Rutgers who did a study on the township do not know the township. She commented that the township can barely deal with the kids we currently have in the schools. She suggested that the township clean up the issues on Valley Road before building.

Mr. Connor reviewed the "eye sore" properties on Valley Road. Mr. Connor and Ms. Definis reviewed building goals and Planning Board recommendations. Mr. Connor commented that he believes that in order to bring down the taxes the answer is an economic driven downtown.

Mr. Vitoreira pointed out that there are concept, rules then changes. He briefly reviewed the Planning Board process. He suggested that the township look to improve and keep up with maintenance of properties. Mr. Aroneo commented that the township has a property maintenance ordinance.

Mayor Harrington called for a brief recess at 10:04 p.m.; Mayor Harrington called the meeting to order at 10:08 p.m.

Joseph Cilino, resident of Heritage Road, questioned the Township Committees discussion before the garbage collection bids were sent out. Mr. Vitoreira stated that we have moved on from this discussion item and are now discussing the Valley Road ordinance. He questioned the Rutgers students who completed the planning survey and pointed out that the group of students and professors includes people who do not know the area. He commented that he has been in the township since 1979 and he has not seen a lot of improvement and stated that the township needs renovation. He asked that the Committee look at ways to cut taxes. Messrs. Vitoreira and Cilino reviewed the thirteen different zones on Valley Road, the history of the area and the money spent on the Main Street project. Mr. Cilino indicated that he is not in favor of residential over retail and the township should look more pleasing. Messrs. Vitoreira and Cilino reviewed the Rutgers study. Messrs. Connor and Cilino examined the Valley Road survey and Mr. Cilino reiterated that he is opposed to the proposed changes to Valley Road.

Carol Prasa, resident of Millington, disagreed that three story mixed business and residential with little setback will improve Valley Road. She questioned what the impact of building will have on flooding. She added that with 1,000 additional housing units in the township there will be 2,000 additional cars on Valley Road. She suggested that the township purchase these awful properties and make them open space.

Jerry Legato, resident of Gillette, commented that Mr. O'Brien is a great Planner. He pointed out that this plan is a huge deal and we have a great town that is unique. He reviewed why Long Hill Township is unique and his concerns for the plans for Valley Road. He added that the township does not need or want the proposed ordinance for Valley Road.

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

Bill Smullen, resident of River Road, stated that it seems the Planning Board is always trying to propose these huge plans. He asked that the Committee consider how people feel about this. He added that the Planning Board should have reached out to the residents before it came before the Township Committee. He reviewed his concerns with the proposed ordinance which included traffic and an increase in population which nobody wants.

Mr. Aroneo made a motion to continue the meeting past 11:00 p.m.; seconded by Mr. Piserchia.
Vote: All Ayes

Robert Blocker, resident of Cedar Hollow Road, reviewed the great qualities of the township and expressed his opposition of the proposed Valley Road Ordinance. He stated that this ordinance would bankrupt the schools.

Dennis Sandow, resident of Millington, pointed out that listing 1,000 units in the ordinance is stupid because it is not true. He reviewed Valley Roads layout and what is proposed. He pointed out that it is impossible to have 1,000 units on top of retail establishments on Valley Road and urged the residents to do the numbers and look at the properties and see that it is not possible. A brief discussion ensued among the Committee and Mr. Sandow in regards to the actual number of units that could be built on Valley Road. Mr. Sandow added that the Chamber of Commerce will have something to say about the zoning on Valley Road.

Guy Roshto, resident of Millington, stated that he did not hear an answer in regards to what has forced this ordinance to be proposed by the Planning Board. He added that the Master Plan strives to preserve the character of Long Hill Township and that is what we all should be doing.

Mayor Harrington indicated that due to the late hour the Committee will not be able to review the Draft Shade Tree Ordinance. She apologized to the present members of the Shade Tree Commission and announced that the draft ordinance would be considered at the next meeting.

Ordinance Introduction:

Mayor Harrington announced that Ordinance 275-11 – An Ordinance Concerning the Use of Firearms and Bows and Arrows and Amending Chapter III of the Township Code Entitled “Police Regulations” has been pulled and a revised version will be on a future agenda for consideration.

ORDINANCE #272-11 - AN ORDINANCE CONCERNING FARMERS MARKETS AND AMENDING CHAPTER IV OF THE TOWNSHIP CODE ENTITLED “GENERAL LICENSING”

Mr. Aroneo questioned whether the Committee was interested in having Farmer’s Markets open until 7:00 p.m. Mr. Sheola stated that this ordinance was modeled after other local ordinances and allows for working residents to have a chance to attend. Mr. Vitureira indicated that the annual Street Fair is from 10:00 a.m. until 5:00 p.m. The consensus of the Committee agreed to revise the ordinance and allow Farmer’s Markets to be open at 10:00 a.m. and close at 5:00 p.m.

Mr. Sandow questioned the language in the ordinance. He stated that the sponsor obtains the license and the vendor pays. Mr. Sheola reviewed the language and indicated that it should state sponsor.

Mayor Harrington read Ordinance #272-11 by title for first reading. The ordinance was introduced by Mayor Harrington as revised; second by Mr. Aroneo.

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Roll Call Vote for Introduction as revised: All Ayes

Mayor Harrington stated that the public hearing of this ordinance is scheduled for February 9, 2011.

**ORDINANCE #272-11
AN ORDINANCE CONCERNING FARMERS MARKETS AND AMENDING CHAPTER IV OF
THE TOWNSHIP CODE ENTITLED "GENERAL LICENSING"**

STATEMENT OF PURPOSE: *To implement regulations for organizations to conduct and operate a Farmers Market in the Township of Long Hill as per the approval of Township Officials.*

Section 1. There is hereby created a new section 4-4` entitled "Farmers Market" which reads as follows:

4-4 FARMER'S MARKET.

4-4.1 License Required.

Except as may be provided herein, no organization shall conduct, operate or allow operation of a Farmer's Market upon private property within the Township, without first obtaining a permit from the Township Zoning Official.

4-4.2 Regulations.

- a. The hours of operation shall be from 10:00 a.m. to 5:00 p.m., during the months of June through October or as designated by resolution of the Township Committee.
- b. Items to be sold shall be limited to fruits and vegetables, fresh flowers, cut flowers and baked goods. All fruits and vegetables shall be "Jersey Fresh".
- c. The Farmer's Market shall be located on a designated portion of the parking lot or open field at such location as requested by the property owner.
- d. All vendors in the Farmer's Market must comply with all local, county and State regulations, including but not limited to Health Code, Building Code and Zoning Ordinance.
- e. Should the Police Chief or a designee determine that public safety requires the presence of a Police Officer for traffic or other duties, the vendors in the Farmer's Market shall be jointly and severally liable and responsible for obtaining the services of a Township Police Officer pursuant to regulations concerning outside jobs, and for the payment of the cost thereof.
- f. Sponsors, agree to indemnify, defend, protect and hold harmless the Township, its officers, agents and employees, from and against any and all claims, demands, losses, damages, liabilities, fines, charges, penalties and judgments, and all costs and expenses incurred in connection therewith, including reasonable attorney's fees and costs of defense directly or proximately resulting from the actions of the participant.
- g. Sponsors shall obtain and maintain at all times during the term of the license commercial general liability insurance in an amount not less than five hundred thousand (\$500,000.00) dollars per occurrence (combined single limit), including bodily injury and property damage, which insurance shall not be canceled or reduced upon less than thirty (30) days advance notice in writing to the Township, upon which policy the Township of Long Hill shall be named as an additional insured.

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

4-4.3 Fees.

An application and permit fee of twenty-five (\$25.00) dollars shall be submitted with the application.

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.

ORDINANCE #273-11 - AN ORDINANCE CONCERNING OFF-STREET PARKING REGULATIONS IN DOWNTOWN STIRLING AND SUPPLEMENTING AND AMENDING SUBSECTION 151 ENTITLED "OFF-STREET PARKING AND LOADING" IN SECTION 150 ENTITLED "DEVELOPMENT DESIGN STANDARDS" OF THE TOWNSHIP LAND USE ORDINANCE

Mayor Harrington read Ordinance #273-11 by title for first reading. The ordinance was introduced by Mayor Harrington as revised; second by Mr. Vitureira.

Roll Call Vote for Introduction:

Ayes: Mr. Piserchia, Mr. Vitureira and Mayor Aroneo
Nays: Mr. Aroneo and Mr. Mazzucco

Mayor Harrington stated that the public hearing of this ordinance is scheduled for February 9, 2011.

**ORDINANCE 273-11
AN ORDINANCE CONCERNING OFF-STREET PARKING REGULATIONS IN DOWNTOWN STIRLING AND SUPPLEMENTING AND AMENDING SUBSECTION 151 ENTITLED "OFF-STREET PARKING AND LOADING" IN SECTION 150 ENTITLED "DEVELOPMENT DESIGN STANDARDS" OF THE TOWNSHIP LAND USE ORDINANCE**

STATEMENT OF PURPOSE: *To relax onsite parking requirements in the B-1-5 Village Business Zone to encourage business development and redevelopment in downtown Stirling.*

WHEREAS, The Township Planning Board has recommended that the Township Committee adopt an ordinance relaxing on-site parking standards in downtown to encourage the location of new business to the newly renovated downtown Stirling Business District; and

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

WHEREAS, the Planning Board has also recommended that on-street parking restrictions remain in effect;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that paragraph “a” of sub Subsection 151.1 entitled “Off-Street Parking” be supplemented and amended by adding the following new subparagraph “1” which reads as follows:

“151.1 Off-Street Parking

- a. In all zones, in connection with every industrial, business, institutional, recreational, residential or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity or changed in use, off-street parking for automotive and other vehicles in accordance with the requirements set forth herein. Such facilities shall be completed prior to the issuance of a certificate of occupancy or zoning permit. The applicant shall also meet the requirements of N.J.S.A. 52:32-11 through 32-12, requiring parking spaces for the handicapped.

Properties in the Stirling B-1-5 Village Business Zone only have to provide 50% of the number of off-street parking required by paragraph c of this subsection.

- b. ****
- c. The number of off-street parking spaces required shall be as set forth in the following table¹:

<u>Use</u>	<u>Number of Required Parking Spaces</u>
Accessory apartment	1 per unit
Agricultural uses	As determined by approving authority
Apartments	2 per unit
Automobile service stations	2 per pump island plus 3 per bay or work area

¹ Properties in the Stirling B-1-5 Village Business Zone only have to provide 50% of the number of off-street parking spaces required by this paragraph .

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Business and professional offices	1 per 250 s.f. of floor area
Churches	1 per every 3 seats of estimated seating capacity
Child care center	No requirement
Community Residences and Community Shelters	1 per bedroom or 1 per 400 s.f. of floor area, whichever is greater
Dwellings, single family	As provided in Section 124.4
Family day care home	1 per 250 s.f. of floor area
Financial institutions	4 per indoor teller window, or 1 per 250 s.f. of floor area, whichever is greater
Funeral Homes	10 spaces plus 1 per every three seats of estimated seating capacity
Horse farms, riding stables, swim clubs, greenhouses and nurseries	1 per 200 s.f. of floor area of the principal building
Manufacturing, printing, processing and other light industrial uses	1 per 500 s.f. of floor area
Medical office, medical and dental clinic and immediate medical care facilities	1 per 200 s.f. of floor area
Nursery school	1.5 per employee
Open space and recreation	As determined by approving authority

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Other public uses	As determined by approving authority
Public utilities and institutions	As determined by approving authority
Restaurants and catering halls	1 per 2.5 seats or 1 per 60 s.f. of floor area devoted to seating, whichever is greater
Retail sales, trade and service	1 per 200 s.f. of floor area
Senior citizen housing	0.5 per dwelling unit
Townhouse	3 per unit with at least one (1) to be in a garage
Warehouse	1 per 1,000 s.f. of floor area
Wholesale trade	1 per 500 s.f. of floor area

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.

ORDINANCE #274-11 - AN ORDINANCE CONCERNING THE FEE CHARGED FOR PHOTOCOPIES OF TOWNSHIP RECORDS AND AMENDING CHAPTER II OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION"

Mayor Harrington read Ordinance #274-11 by title for first reading. The ordinance was

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

introduced by Mr. Vitureira; second by Mr. Piserchia.

Roll Call Vote for Introduction: All Ayes

Mayor Harrington stated that the public hearing of this ordinance is scheduled for February 9, 2011.

ORDINANCE 274-11

AN ORDINANCE CONCERNING THE FEE CHARGED FOR PHOTOCOPIES OF TOWNSHIP RECORDS AND AMENDING CHAPTER II OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION"

STATEMENT OF PURPOSE: *To bring photocopy fees into compliance with OPRA.*

WHEREAS, P.L.2010, c.75, amended OPRA (N.J.S.A.. 47:1A-5) by lowering the permitted photocopying fees from \$.75 per page for pages 1 through 10, \$.50 per page for pages 11 through 20, and \$.25 per page for all pages over 20, to \$.05 per letter size page or smaller, and \$.07 per legal size page or larger; and

WHEREAS, the Township sets forth its fees in the annual fee resolution that is adopted at the annual reorganization meeting and amended throughout the year;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter II of the Township Code entitled "Administration" is amended as follows:

Section 1. Subsection 2-59.3 entitled "Fees" in Section 2-59 entitled "Inspection and Copying Public Records; Fees" is amended to read as follows:

" A copy or copies of Township records may be purchased by any person upon payment of the following fees:

a. Photocopying. The fee for the duplication of a Township record on Township photocopy machines ~~on letter (8 ½" x 11") or legal (8 ½" x 14") paper shall be as follows:~~

~~First page to twentieth page: \$.50 per page~~

~~All pages over twenty: .25 per page~~

shall be set forth in the Township fee resolution, as amended.

If in a particular case, the Township's actual costs of duplication exceed the foregoing rates, the requestor shall pay the Township the actual cost of

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

duplication. In no event shall the fee exceed the amount permitted by OPRA (N.J.S.A. 47:1A-5)."

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.

ORDINANCE #276-11 - AN ORDINANCE RAISING THE FEE TO COVER THE COST OF HAVING A COURT REPORTER AT ALL LAND DEVELOPMENT HEARINGS AND AMENDING SECTION 182.7 OF THE TOWNSHIP LAND USE CODE ENTITLED "HEARING FEE"

Mayor Harrington read Ordinance #276-11 by title for first reading. The ordinance was introduced by Mr. Vitureira; second by Mr. Piserchia.

Roll Call Vote for Introduction: All Ayes

Mayor Harrington stated that the public hearing of this ordinance is scheduled for February 9, 2011.

**ORDINANCE 276-11
AN ORDINANCE RAISING THE FEE TO COVER THE COST OF HAVING A COURT REPORTER AT ALL LAND DEVELOPMENT HEARINGS AND AMENDING SECTION 182.7 OF THE TOWNSHIP LAND USE CODE ENTITLED "HEARING FEE"**

STATEMENT OF PURPOSE: *To raise the court reporter fee for land development application hearings to cover actual costs.*

WHEREAS, the fee charged applicants to cover the cost of having a court reporter present at all land development application hearings has not been raised since 2000; and

WHEREAS, Planning and Zoning Administrator Dawn Wolfe, in a January 5, 2011 memorandum, requested that the fee be raised;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Long Hill in the County of Morris, New Jersey that Section 180 of the Township Land Use Ordinance entitled "Development Fees" is amended as follows:

Section 1. Section 182.7 entitled "Hearing Fee" is amended to read as follows:

"In addition to the fees set forth above, every applicant before the approving authority shall pay a fee per hearing date of ~~three hundred (\$300.00) dollars~~ three hundred seventy-five (\$375.00) dollars for all hearings which end at or before 11:00 p.m. plus ~~seventy-five (\$75.00) dollars~~ one hundred (\$100.00) dollars per hour or portion thereof after 11:00 p.m. ~~(except that the hearing fee on an application for bulk variances for an addition to an existing single family residence shall be fifty (\$50.00) dollars).~~ The purpose of this fee is to defray the cost of providing a certified shorthand reporter at every hearing of the approving authority. This fee is in addition to the cost of obtaining a transcript of any hearing, which cost is to be borne by the person obtaining the transcript."

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.

Resolutions:

Resolution 11-052 – Authorizing the Township to Apply for Grant Funds to Morris County Division of Community Development for Improvements to Sidewalks, Traffic Warning Devices and Curb Cuts

Mr. Sheola reviewed Resolution 11-052 – Authorizing the Township to Apply for Grant Funds to Morris County Division of Community Development for Improvements to Sidewalks, Traffic Warning Devices and Curb Cuts. He opened the meeting to the public for comment; no comments were made and he closed the public hearing.

A motion was made by Mr. Aroneo, seconded by Mr. Vitureira to approve Resolution 11-052. Roll Call Vote: All Ayes

RESOLUTION 11-052

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

**AUTHORIZING THE TOWNSHIP TO APPLY FOR GRANT FUNDS TO MORRIS COUNTY
DIVISION OF COMMUNITY DEVELOPMENT FOR IMPROVEMENTS TO SIDEWALKS,
TRAFFIC WARNING DEVICES AND CURB CUTS**

WHEREAS, the Township Committee wishes to file an application with Morris County Division of Community Development for grant funds for improvements to various sidewalks in the Stirling area; and

WHEREAS, public comments to the application were received on January 12, 2011;

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

1. The filing of a 2011 application to the Morris County Division of Community Development for improvements to various sidewalks in the Stirling area is hereby authorized.
2. The Mayor, Township Administrator and Township Clerk, as appropriate, are hereby authorized to sign the application and submit it on behalf of the Township.
3. Designated representatives for the Township to the Community Development Program are authorized to appear on behalf of the Township to make the necessary presentations required by the application process.
4. A certified true copy of this resolution is to be attached to the application.

Consent Agenda Resolutions:

Mr. Aroneo requested that Resolution 11-061 – Appoint Technical Assistant to the Construction Official be removed from the consent agenda and be discussed separately.

On motion of Mr. Vitureira, seconded by Mr. Mazzucco, that the following Consent Agenda Resolutions were introduced and approved:

Roll Call Vote: All Ayes

**RESOLUTION 11-051
APPROVING THE DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP AND VALLEY
SPORTS**

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 Developer's Agreement between the Township and Valley Sports, Inc. and Regina Bataille is hereby approved, and the Mayor and Township Clerk are hereby authorized and directed to execute and deliver said Developer's Agreement on behalf of the Township.

**RESOLUTION 11-053
APPROVING PAYMENT OF BILLS**

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

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 11-054
AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES**

WHEREAS, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the Reserve Account; and

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand necessary for the balance of the Reserve Account;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provision R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account mentioned as being insufficient, to meet the Reserve Account demands, and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following transfers:

Account	<u>From</u>	<u>To</u>
0-01-20-140-140-201 MIS Systems – Misc.	\$1,000	
0-01-20-145-145-101 Tax Collection – Full Time	\$ 500	
0-01-25-240-241-201 Police Cars – Purchase	\$ 800	
0-01-28-370-370-201 Stirling Lake – Misc.	\$ 300	
0-01-30-422-422-105 Senior Citizens – Part Time	\$ 900	
0-01-31-455-455-101 Sewer – Full Time	\$1,500	
Total	\$5,000	
0-01-22-195-195-251 Construction – Sub Contractors		\$ 700
0-01-26-310-310-262 Buildings/Grounds – Repairs		\$ 800
0-01-28-370-371-105 Recreation – Part Time		\$2,000
0-01-31-455-455-263 Sewer – Repairs		\$1,500
Total		\$5,000

**RESOLUTION 11-055
REFUND OF PAYMENT [DEGENARO]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Township Clerk, does hereby authorize a volunteer dinner refund of \$40.00, due to payment for the individuals guest that did not attend, to the following:

Tom DeGenaro
126 Carlton Road
Millington, NJ 07946

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

BE IT FURTHER RESOLVED that the volunteer's guest dinner charge was not included in the invoiced price to the township.

**RESOLUTION 11-056
AUTHORIZING RELEASE OF PERFORMANCE BOND AND ACCEPTANCE OF
MAINTENANCE BOND FOR WALLACE DEATLY & PRIESTMAN [ROSEWOOD ESTATES]**

WHEREAS, Wallace, Deatly & Priestman (Rosewood Estates), is the developer for a project on Charles Road for Block: 12802, Lots: 2 & 3.01 and Block: 14205, Lot: 1 (Application No. 06-09P); and

WHEREAS, Wallace, Deatly & Priestman (Rosewood Estates) posted a Performance Guarantee in the amount of \$120,150.000 (Performance Bond) and \$13,350.00 (Cash) for the specified work made payable to the Township of Long Hill; and

WHEREAS, Township Engineer Paul Ferriero, in a January 3, 2011 memorandum, approved the full release of the performance bond in the amount of \$120,000.00 and full release of the cash guarantee in the amount of \$13,350.00 plus applicable interest in exchange for a Maintenance Bond in the amount of \$55,629.00 for a two (2) year period; and

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

1. Performance Bond in the amount of \$120,150.00 is hereby released.
2. Cash Guarantee in the amount of \$13,350.00 plus applicable interest as certified by the Finance Department is hereby released.
3. The Maintenance Bond in the amount of \$55,629.00 shall be posted.

**RESOLUTION 11-057
DESIGNATING AUTHORIZED SIGNATURES ON BANK ACCOUNTS**

BE IT RESOLVED by the Township Committee of the Township of Long Hill that the following Township Officials are hereby authorized and directed to maintain accounts and to sign withdrawals against same without co-signers as follows:

The following accounts are held at PNC Bank, Gillette, NJ

James Bride, Judge
and Ann Naylor, Court Administrator

"Township of Long Hill - Magistrate
Account"

James Bride, Judge
and Ann Naylor, Court Administrator

"Township of Long Hill - Bail Account"

**RESOLUTION 11-058
AUTHORIZING REFUND FOR
TAX TITLE LIEN CERTIFICATE [BLOCK: 12004, LOT: 39]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Tax Collector, does hereby authorize refund checks which

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

represent \$892.40 for a tax refund and \$6,400 for a premium refund due to the Redemption of Tax Title Lien Certificate # 1229 on Block 12004, Lot 39;

BE IT FURTHER RESOLVED that the refund checks be issued to Prudent Real Risk, LLC, 1253 Springfield Avenue, Suite 231, New Providence, NJ 07974 for the redemption of Tax Title Lien Certificate #1229 for Block 12001, Lot 39.

**RESOLUTION 11-059
ADOPTING THE MORRIS COUNTY MULTI
JURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Township of Long Hill, with the assistance of James Lee Witt Associates, has gathered information and prepared the Morris County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Morris County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Township of Long Hill is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions of the Plan; and

WHEREAS, the Township of Long Hill have reviewed the Plan and affirms that the Plan will be updated no less than every 5 years;

NOW THEREFORE, BE IT RESOLVED BY the Township Committee that Township of Long Hill adopts the Morris County Multi-Jurisdictional Hazard Mitigation Plan as the jurisdictions All Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

**RESOLUTION 11-060
APPOINTING 2010/2011 BASKETBALL PROGRAM STAFF**

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice and recommendation of the Recreation Directors that the following be appointed to the 2010/2011 Recreation Basketball program effective December 1, 2010:

2010 - 2011 Recreation Basketball Staff

<u>Supervisors</u>	<u>Pr/Hr.</u>
Vanessa Fowler – Program Supervisor	\$19.00
Matt LoSapio – Supervisor	17.00
Danny Palla – Supervisor	13.00
Kelly Burns – Supervisor	13.00
<u>Scorekeepers/Referees/Timekeepers</u>	
Danny Zaccarria	\$10.50
Emily Palla	10.00
Steven Spinelli	10.00
Dan Hirsch	9.75
Kevin Beneduce	9.75
James Spinelli	9.75

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Nick Pepe	9.75
Lucas Lorenzo	9.50
David Meltzer	9.50
Jennifer Sinnott	9.00
Sarah Bujnowski	9.00
Meg Ryan	9.00
Emily Kesselmeier	9.00
Mark Blajsa	9.00
Eric Langenauer	8.00
Jared Geotz	8.00
Carly Sinnott	8.00
Julia Privolos	8.00
Sean Bujnowski	8.00

BE IT FURTHER RESOLVED that this resolution replaces Resolution 10-359 which was approved by the Township Committee on December 1, 2010.

**RESOLUTION 11-062
APPOINTING CO-RECREATION DIRECTOR – SCANLON**

BE IT RESOLVED that the Township Committee of the Township of Long Hill upon the advice and recommendation of Richard J. Sheola, Township Administrator and Michael Mazzucco, Recreation Advisory Committee Liaison, does hereby appoint Lisa Scanlon Co-Recreation Director effective January 18, 2011 at a rate of \$12,500 per annum for a 12.5 hour work week, to be funded in the 2011 Municipal Operating Budget “Recreation – Salaries & Wages” 1-01-28-370-371-105.

**RESOLUTION 11-063
CERTIFYING JUNIOR MEMBERSHIP WITH MILLINGTON
VOLUNTEER FIRE COMPANY [FORNELOS]**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that Alexander Fornelos is a Junior Member of the Millington Volunteer Fire Company.

**RESOLUTION 11-064
APPROVING SPECIAL PERMIT FOR SOCIAL AFFAIR
[KNIGHTS OF COLUMBUS]**

WHEREAS, the Knights of Columbus Council has submitted an Alcoholic Beverage Control Application for a Special Permit for a Social Affair to be held on March 12, 2011 from 7:00 p.m. to 11:00 p.m. to be held at the St. Vincent de Paul Parish Center, Bebout Avenue, Stirling, New Jersey 07980; and

WHEREAS, the Chief of Police has reviewed the application and has no objection to the granting of a special permit to be issued to the applicant to sell alcoholic beverages at the affair to be held on the date and premises noted, subject to, however, the following conditions:

1. The following individual will be the only persons allowed to serve alcohol:

Daniel Gildea, Kevin Dempsey, Robert Mahoney

Address on file in Police Headquarters

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

2. No one under the age of 21 shall be served alcoholic beverages.
3. No person assumed to be under the influence of an alcoholic beverage shall be served or allowed to walk or drive from the event.
4. No alcoholic beverages are to be carried or consumed in the parking lot area. The consumption of alcoholic beverages shall be confined to the interior of St. Vincent de Paul School Gymnasium.
5. Alcoholic beverages shall only be served and/or consumed between the hours of 7:00 p.m. and 11:00 p.m.

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

1. The Township Committee, the licensing authority of the municipality, has no objection to the granting of a special permit and consents thereto with the special conditions as outlined by the Chief of Police.
2. The Township Clerk is hereby authorized to sign the municipal certification on the application and forward it to the applicant.

**RESOLUTION 11-065
AMENDING PERSONNEL POLICY AND PROCEDURE MANUAL**

BE IT RESOLVED that the Personnel Policy and Procedure Manual for the Township of Long Hill, as amended, is hereby amended for the year 2011 with respect to the provision of the Compensatory Time policy coming to conformity with the Fair Labor & Standards Act.

Resolution 11-061 – Appoint Technical Assistant to the Construction Official

Mr. Aroneo questioned why the township is not utilizing resources that are already available to us and added that he thought we could use existing employees. Mayor Harrington reviewed the history of the discussions in regards to the position.

A motion was made by Mr. Vitoreira, seconded by Mr. Piserchia to approve Resolution 11-061. Roll Call Vote: All Ayes

**RESOLUTION 11-061
AUTHORIZE EMPLOYMENT OF PART-TIME TECHNICAL ASSISTANT IN THE
CONSTRUCTION CODE OFFICE - GHETTI**

WHEREAS, due to a retirement, there exist the need to fill the position of Technical Assistant in the Construction Code Office; and

WHEREAS, a candidate has been identified in the name of Donna Ghetti who has the education and experience necessary to fulfill the position requirements; and

WHEREAS it is the recommendation of the Township Administrator and the Construction Official to employ Donna Ghetti as Part-time Technical Assistant;

Long Hill Township Committee Minutes January 12, 2011 Regular Meeting

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby authorize the Township Administrator to proceed with the employment of Donna Ghetti as Part-time Technical Assistant in the Construction Code Office effective January 18, 2011, at rate of \$15.00 per hour for a 25 hour week.

BE IT FURTHER RESOLVED that the Chief Finance Officer has certified that sufficient funds are available in account 1-01-22-195-195-101.

Old Business

Highland Avenue Follow-up

Mr. Sheola reviewed the engineering inspection findings.

Emergency Dispatch Services

Mr. Sheola reviewed his discussions with the Chief of Police in regards to switching emergency dispatch services. He added that additional information will be available mid year and the hardware is needed by the end of the year.

Pump Station Rehabilitation

Mr. Sheola reviewed the rehabilitation and leaking of the tank. He indicated that claims have been forwarded to the insurance company and the township expects an 80% refund. Mr. Aroneo asked that Mr. Sheola keep the Committee updated on this issue.

Meeting Open to the Public

Carl Sundberg, resident of Stirling, questioned whether the Committee would be voting on the flood wall project at the next meeting. Mayor Harrington stated that the flood wall discussion is not scheduled for the next meeting.

Executive Session

A motion was made by Mr. Piserchia; seconded by Mr. Mazzucco to reconvene to Executive Session at 11:35 p.m.

Mayor Harrington stated that the Committee was not expected to conduct any additional business in open session.

Regular Open Session

The Township Committee reconvened to Regular Session at 12:09 a.m.

Adjournment

There being no further business, a motion was made by Mr. Mazzucco and seconded by Mr. Aroneo to adjourn the meeting at 12:10 a.m. Vote: All Ayes

Respectfully submitted,

Christine A. Gatti
Township Clerk

**Long Hill Township Committee Minutes
January 12, 2011 Regular Meeting**

Approved: February 23, 2011