



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.

**TOWNSHIP OF LONG HILL
REGULAR SESSION AGENDA
Wednesday, June 8, 2011
7:00 PM EXECUTIVE SESSION; 7:30 PM OPEN SESSION**

ADEQUATE NOTICE – Mayor’s Statement re: Adequate Notice of Meeting.

“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.”

TAKE NOTE: THE TOWNSHIP COMMITTEE OF LONG HILL TOWNSHIP WILL MEET IN EXECUTIVE SESSION FROM 7:00 P.M. UNTIL 7:30 P.M.

**RESOLUTION 11-193
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

- None

Collective Bargaining:

- None

Contract Negotiations

- Busing Services
- Non-Union Salary Adjustments

Personnel:

- Administrator Evaluation

- Zoning Official
- Tax Clerk

Pending or Anticipated Litigation:

- Development Fee Escrow

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.

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CALL MEETING TO ORDER – The meeting will be called to order at ____p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMITTEE / BOARD MINUTES:

1. Morris County Planning Board [April]
2. Lounsberry Meadow [April]

ADMINISTRATOR REPORT:

1. 2011 Capital Projects
2. Donation of Recreation Equipment

CORRESPONDENCE:

1. Watchung Hills Municipal Alliance

DISCUSSION / ACTION ITEMS:

1. Highland Avenue Update
2. EPA Report on Contamination on South Main Avenue
3. Draft Environmental Ordinance
4. 2011 Community Day

ORDINANCE PUBLIC HEARING / CONSIDERATION OF ADOPTION:

ORDINANCE #278-11*

AN ORDINANCE ESTABLISHING A ZONING PERMIT REQUIREMENT AND SUPPLEMENTING AND AMENDING THE TOWNSHIP LAND USE ORDINANCE

STATEMENT OF PURPOSE: *To create a formal mechanism for making sure that all land use requirements have been met prior to the issuance of a construction permit or certificate of occupancy by requiring a zoning permit when there has not been a development approval.*

WHEREAS, zoning approvals are considered “prior approvals” under the Uniform Construction Code and are therefore conditions precedent to the issuance of a construction

permit or a certificate of occupancy (see *N.J.A.C. 5:23-1.4 and 5:23-2.24*); and

WHEREAS, there is presently no formal mechanism in place to ensure that all zoning requirements have been met where no development approvals have been granted by either the Planning Board or the Zoning Board of Adjustment; and

WHEREAS, the Municipal Land Use Law allows municipalities to require the issuance of a zoning permit “as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building and . . . which acknowledges that such use, structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by a municipal agency. . . .” (*N.J.S.A. 40:55D-7*);

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that Section 100 of the Township land use ordinance is hereby supplemented and amended as follows:

Section 1. The title of Section 104 is changed from “Building Permit” to “Construction Permit” and that section is amended in its entirety to read as follows:

104 Construction Permit

104.1 No building or structure or part thereof shall be erected, constructed, reconstructed, structurally altered or moved unless the owner thereof has obtained a construction permit, if a construction permit is required by the Uniform Construction Code.

104.2 No construction permit shall be issued for the erection, construction, reconstruction, structural alteration or moving of any building or structure or part thereof unless the plans and intended use indicate that such building, structure or use is designed and intended to conform in all respects to the provisions of this Ordinance and other Township Ordinances. No construction permit shall be issued until the property owner or developer has obtained all required development approvals from the Planning Board or Zoning Board of Adjustment or has obtained a Zoning Permit from the Zoning Officer in accordance with the provisions of Section 105.8 below.

Section 2. Subsections 105.1 and 105.2 of Section 105 entitled “Certificates of Occupancy” are amended in their entirety to read as follows:

105.1 No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used, in whole or in part, for any purpose

whatsoever, until a certificate of occupancy shall have been issued by the Construction Official if a certificate of occupancy is required by the Uniform Construction Code.

105.2 No certificate of occupancy shall be issued by the Construction Official until the land, use, building, structure or premises complies with all of the provisions of this Ordinance, all other applicable Township and other governmental requirements and, if involved, with such conditions that have been required by any site plan, subdivision, variance or other approval. When the Board allows an applicant to satisfy a condition or conditions subsequent to occupancy, the Board shall set forth a specific deadline for compliance in its resolution of approval and shall require the applicant to incorporate those conditions in a deed that must be recorded in the Morris County Clerk's office prior to issuance of a certificate of occupancy. The Zoning Officer shall monitor all such conditions to insure that they are satisfied within the time frame imposed by the Board. When issued, the certificate of occupancy shall state that compliance has been achieved. In those cases where no development approvals have been obtained from the Planning Board or Zoning Board of Adjustment, no certificate of occupancy shall be issued unless the property owner or developer has obtained a Zoning Permit from the Zoning Officer in accordance with the requirements of Section 105.8 below.

Section 3. Section 105 entitled "Certificates of Occupancy" is further supplemented and amended by adding a new subsection 105.8 which reads as follows:

105.8 If a zoning permit is required pursuant to Section 104 or 105 above, the property owner or developer may apply for one by submitting an application with the Zoning Officer on the form provided and paying an application fee of \$25.00. The Zoning Officer shall issue a zoning permit only if he or she is satisfied that all requirements of the Township land use ordinances and environmental protection regulations have been satisfied. As part of his or her review, the Zoning Officer may consult with the Township Engineer, Township Planner or NJDEP.

Section 4. 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 5. 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 6. This ordinance shall take effect immediately upon final passage and publication as required by law.

***MOVED** by: _____, that the public hearing for Ordinance #278-11 be continued at the June 22, 2011 Township Committee meeting. **SECONDED** by: _____

ROLL CALL VOTE

**TOWNSHIP OF LONG HILL
ORDINANCE #279-11**

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

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

Section 1. Section 22-20 is hereby amended as follows:

The charges shall, as nearly as may be practical, defray the actual costs of the operation of the sewer plant and such other costs as the Township Committee may decide to include, but not limited to a reserve for uncollected sewer fees, a reserve for future/planned debt related to the waste water plant or capital improvements associated with the wastewater system not incurred with debt..

Section 2. Section 22-21 is hereby amended to include the following definitions:

Estimated Bill shall mean where limited water use is available, the billing will be calculated using a monthly reading as the average times 9 months to establish a yearly sewer fee.

Section 3. Section 22-23, paragraph "c" is hereby amended as follows:

c. Each user connected to the sewer system and serviced by a water company shall pay the rates specified in paragraph "a" hereof. The amount of water consumed shall be determined by using the total water consumption for the nine (9) winter months proceeding the billing year. By example, in 2011, the months used are October through December, 2009, January through March, 2010 and October through December, 2010. The months excluded are: April through September 15th of 2010.

Water consumption figures for each user will be obtained from the water company servicing the premises.

Section 4. Paragraphs "a" and "b" of Section 22-23 entitled "User Rates" are amended to read as follows:

22-23 USER RATES.

The following rates are hereby established effective January 1, 2011, and shall remain in full force and effect until revised by ordinance duly adopted by the Township Committee:

a. Sewer users served by a water company shall be charged as follows:

1. ~~\$0.012 per gallon of water metered~~
1. **Service Charge of \$75 per year, plus**
2. **\$9.11 per thousand gallons of water metered**

b. Sewer Users with Wells.

1. Sewer users with wells shall be charged as follows:

(a) Residential units: \$ 475.00 per unit

(b) Other sewer users: \$ 525.00 per unit (to be amended in 2012 to reflect median water usage of non-residential users).

(c) Well users with meters shall be billed at the same rate as regular users connected to a public water system.

2. Commercial users utilizing a combination of water company water and well water shall be charged a rate using the formula set forth in paragraph a. of this section. Paragraph c. of this section shall not apply and the amount of water consumed for users under this paragraph shall be determined by using the total water consumption for the twelve (12) months of the preceding calendar year.

c. When no water readings are available from the water company, the sewer rate for the yearly billing shall be the rate charged for well users (22-23-b.1).

22-24 MISCELLANEOUS PROVISIONS.

22-24.1 Multiple Unit properties.

In the case of a building in single ownership having several stores, offices or residential units or a combination of stores, offices and residential units except for "accessory apartments", served by a common water meter, the annual charges paid shall be a service charge (22-23.1) for each individual store, office and residential unit plus the per thousand gallon charge (22-23,2) for the water use recorded by the common meter.

Section 5. 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 6. 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 7. This ordinance shall take effect immediately upon final passage and publication as required by law.

OPEN TO THE PUBLIC FOR COMMENT

CLOSE TO THE PUBLIC FOR COMMENT

MOVED by: _____, that Ordinance #279-11 be passed on final reading and adopted as published. **SECONDED** by: _____

ROLL CALL VOTE

ORDINANCE INTRODUCTION:

**TOWNSHIP OF LONG HILL
ORDINANCE # 281-11**

**ORDINANCE PROVIDING FOR INITIAL COSTS ASSOCIATED WITH THE EXPANSION OF
THE WASTEWATER TREATMENT PLANT IN AND BY THE TOWNSHIP OF LONG HILL, IN
THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$100,000 THEREFOR,
CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE TOWNSHIP
HERETOFORE ISSUED**

**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 to be made or acquired by The Township of Long Hill, in the County of Morris, New Jersey, as a general improvement, and there is hereby appropriated therefor the sum of \$100,000, said sum constituting proceeds of obligations of the Township heretofore issued and not necessary for financing the purposes for which issued and now available for financing the said improvement or purpose.

Section 2. The improvement or purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the expansion of the wastewater treatment plant located at 1223 Valley Road in the Township, the appropriation hereby made therefor being an initial appropriation for environmental testing, engineering, design and other preliminary and incidental costs associated with said improvement.

Section 3. It is the opinion of the Township Committee of the Township, as the governing body thereof, that it is in the best interest of the Township that \$100,000 constituting proceeds of obligations of the Township heretofore issued under Section 3(e) of Ordinance No. 212-07 of the Township, shall be appropriated to and used to finance costs of the improvement or purpose above-described in Section 2 of this ordinance.

Section 4. 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 5. This ordinance shall take effect after final passage as provided by law.

MOVED by: _____, that Ordinance #281-11 be introduced on first reading and advertised for second reading which is scheduled for the July 20, 2011 Meeting.

SECONDED by: _____

ROLL CALL VOTE

**TOWNSHIP OF LONG HILL
ORDINANCE #282-11**

**AN ORDINANCE REGULATING STORE SIZE AND SUPPLEMENTING AND AMENDING
THE TOWNSHIP LAND USE ORDINANCE**

STATEMENT OF PURPOSE: *To prohibit big box stores in the Valley Road corridor.*

WHEREAS, big box stores are inconsistent with the master plan goal of encouraging the development of small-scale, freestanding, commercial uses oriented largely to meet the needs of Township residents;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, that the Township Land Use Ordinance is hereby supplemented and amended as follows:

Section 1. Section 111 entitled "General Terms" is supplemented and amended by adding the following new definitions in alphabetical order:

111 GENERAL TERMS

Big Box Store – a one-story retail sales establishment (except for a grocery store with floor areas more than 30,000 SF.

Grocery Store - a commercial establishment, commonly known as a supermarket, food or grocery store, primarily engaged in the retail sale of canned foods and dry goods, such as tea, coffee, spices, sugar, and flour; fresh fruits and vegetables; and fresh and prepared meats, fish and poultry.

Section 2. Subsection 122.8 establishing use regulations in the B-3, Planned Commercial Zone is supplemented and amended by adding the following new

paragraph “d” entitled “Prohibited Uses”, so that subsection now reads as follows:

122.8 B-3, Planned Commercial Zone

a. Permitted Primary Uses.

1. Retail trade uses, including food and convenience stores; automobile parts, home, garden and hobby supply stores; florists; bakeries, pharmacies; general merchandise, clothing and antique stores; and newsstands.
2. Retail service uses, including barber shops and hair salons; health clubs; fitness centers; repair shops; and studios.
3. Restaurants.
4. Business, medical and professional offices.
5. Financial institutions.
6. Child care centers.
7. Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

b. Permitted Accessory Uses.

1. Signs.
2. Parking.
3. Satellite earth station antennas, in accordance with subsection 124.6.
4. Live entertainment at restaurants and existing bars.
5. Other accessory uses customarily incidental to a permitted primary use.

c. Permitted Conditional Uses.

1. Public and institutional uses.
2. Public utilities.
3. Drive-up windows for pharmacy uses.
(Ord. No. 24A-99 § 1; Ord. No. 236-08 § 3)

d. Prohibited Uses

1. Any grocery store of more than 80,000 SF.
2. Big box stores

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.

MOVED by: _____, that Ordinance #282-11 be introduced on first reading and advertised for second reading which is scheduled for the July 20, 2011 Meeting.

SECONDED by: _____

ROLL CALL VOTE

RESOLUTIONS:

MOVED by: _____ by the Township Committee of Long Hill Township, that Resolution #11-194 is hereby approved. **SECOND** by: _____.

**RESOLUTION 11-194
AUTHORIZING EXECUTION OF AN AMENDED DEVELOPER'S AGREEMENT (SEWER ONLY) WITH OWNER OF BLOCK 12604, LOT 8.01 (MORELAND)**

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 the Amended Developers' Agreement (sewer only) for block 12604, lot 8.01 which shall be kept on file in the Township Clerk's office.
2. This approval is conditioned on a lien being recorded at the Morris County Clerk's office securing the Township's right to the contribution.

3. Upon compliance with the terms of the Developers' Agreement, the property owners shall be entitled to connect to the Township wastewater treatment system.

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: _____ by the Township Committee of Long Hill Township, that Resolution #11-195 through #11-209 are hereby approved.

SECOND by: _____.

ROLL CALL VOTE

RESOLUTION 11-195 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 11-196 DETERMINING THE FORM OF GENERAL REFUNDING BONDS OF 2011 OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, AND DETERMINING CERTAIN DETAILS IN CONNECTION THEREWITH

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

Section 1. Maximum Amount and Title of the Bonds. The Township of Long Hill, in the County of Morris, New Jersey (the "Township") is hereby authorized to issue refunding bonds pursuant to a refunding bond ordinance, entitled: "Refunding bond ordinance authorizing the issuance of \$2,800,000 Refunding Bonds of the Township of Long Hill, in the County of Morris, New Jersey", finally adopted on December 1, 2010, in a principal amount not in excess of \$2,800,000 and entitled "General Refunding Bonds of 2011" (the "Bonds"). The Chief Financial Officer of the Township (the "Chief Financial Officer"), pursuant to N.J.S.A. 40A:2-53 and other applicable law, is hereby delegated the power to determine the final principal amounts of the

Bonds; provided, however, that the maximum principal amount of the Bonds shall not exceed \$2,800,000.

Section 2. Maturities and Interest Rates. The Bonds shall mature annually on such dates and in such principal amounts and shall bear interest at such rates, all as shall be determined by the Chief Financial Officer; provided, however, that (i) the year of final maturity of the Bonds shall be no later than 2014 and (ii) the effective rate of interest on the Bonds will allow the Township to realize a net (i.e., after payment of the costs of issuance of the Bonds) present value debt service savings of at least 3% of the aggregate principal amount of the Refunded Bonds (as defined in Section 16 of this resolution).

Section 3. Denominations, Dates, Interest Payment Dates and Manner of Payment. The Bonds are issuable in fully registered form without coupons and payable to a named person or registered assigns, and each in the denomination of \$5,000 or any whole multiple of \$1,000 in excess thereof. On original issuance the Bonds shall be dated as of, and shall bear interest from, such date as shall be determined by the Chief Financial Officer. Interest on the Bonds shall be payable semi-annually in each year until maturity or earlier redemption, on such dates as shall be determined by the Chief Financial Officer, by check or bank draft mailed (unless other arrangements have been made with any securities depository) to the registered owners thereof whose names appear on the registration books of the Township held by the Chief Financial Officer in the capacity as paying agent (the "Paying Agent") as of the record dates, such record dates to be determined by the Chief Financial Officer. Principal or redemption price, if any, of the Bonds shall be payable upon presentation and surrender (unless other arrangements have been made with any securities depository) of the Bonds at the office of the Chief Financial Officer. Principal or redemption price, if any, of and interest on the Bonds shall be payable in lawful money of the United States of America.

Section 4. Book-Entry-Only Bonds. The Bonds shall be issued by means of a book entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity will be issued to The

Depository Trust Company, New York, New York (“DTC”), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The Purchaser (as defined in Section 7 of this resolution), as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal or redemption price, if any, of and interest on the Bonds will be payable by the Township or its agent to DTC or its nominee as registered owner of the Bonds.

Section 5. Form of the Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and by this reference incorporated as if set forth in full herein, with such changes, insertions and omissions as may be approved by the Chief Financial Officer. The Bonds shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor of the Township (the “Mayor”) and the Chief Financial Officer, under the seal of the Township affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of the Township Clerk (the “Clerk”). The execution of the Bonds by the Chief Financial Officer shall be conclusive evidence of any approval required by this Section.

Section 6. Redemption.

(A) Optional and Mandatory Redemption. The Bonds shall be subject to redemption at the option of the Township and mandatory sinking fund redemption at such times, on such dates and in such amounts as may be determined by the Chief Financial Officer; provided, however, that there shall be no premium associated with any such redemption.

(B) Notice of Redemption. Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof

specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond (unless other arrangements have been made with any securities depository), there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 7. Sale of the Bonds. Subject to the terms of and the limitations set forth in this resolution, the Chief Financial Officer is hereby authorized to award and sell the Bonds to Roosevelt & Cross, Inc., Jersey City, New Jersey (the "Purchaser"); provided, however, that the underwriter's discount does not exceed \$11,500.

Section 8. Purchase Contract. The Chief Financial Officer is hereby authorized and directed to execute and deliver a contract for the sale of the Bonds with the Purchaser, in a form approved by bond counsel to the Township.

Section 9. Delivery of the Bonds. The Bonds, in registered form, shall be numbered and lettered for identification purposes, in such manner as shall be determined by the Chief Financial Officer, and shall, as soon as practicable, be prepared, executed and delivered in definitive form to or upon the order of the Purchaser at the expense of the Township upon payment in full of the purchase price for the Bonds.

Section 10. Additional Matters Contained in the Bonds. The Township Clerk is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed to cause the applicable CUSIP numbers (if any) assigned for each of the Bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on the Bonds.

Section 11. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the Purchaser and the payment of the

purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to the Purchaser (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the "Code"), (b) an undertaking to provide continuing disclosure in order to assist the Purchaser in complying with Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

Section 12. Delegation of Power to Award the Bonds. Pursuant to N.J.S.A. 40A:2-53 and other applicable law, the Township Committee of the Township does by this resolution delegate to the Chief Financial Officer the power to sell and award the Bonds to the Purchaser in accordance with the terms of and the limitations set forth in this resolution. The Chief Financial Officer shall report in writing to this governing body at its next meeting thereafter as to the details of the Bonds, including the principal amounts, interest rates, maturities, interest payment dates, record dates, redemption features and purchase price.

Section 13. Preliminary Official Statement. The Chief Financial Officer is hereby authorized to deliver a Preliminary Official Statement with respect to the Bonds to the Purchaser for use in connection with the sale, resale and distribution of the Bonds. The Chief Financial Officer is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Section 14. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer with respect to the issuance of the Bonds by and on behalf of the Township is hereby authorized, and the Chief Financial Officer and the Mayor are hereby authorized to execute the same in the name and on behalf of the Township and to deliver said final Official Statement in

executed form for its use in connection with the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer or the Mayor shall be conclusive evidence of any approval required by this Section.

Section 15. Appointment of Escrow Agent. The Township does hereby appoint The Bank of New York Mellon, Woodland Park, New Jersey, or such other bank or trust company as may be determined by the Chief Financial Officer, as escrow agent (the "Escrow Agent") with respect to a portion of the proceeds of the Bonds that will be held for payment of the Refunded Bonds (as defined in Section 16 of this resolution).

Section 16. Election to Redeem. The Township hereby irrevocably elects to redeem as soon as practicable, \$1,938,000 aggregate principal amount of General Bonds of 2001 of the Township, dated August 15, 2001, and maturing on and after August 15, 2012 (the "Refunded Bonds"). The Refunded Bonds shall be redeemed at a redemption price equal to 100% of the principal amount thereof, plus interest accrued to the date fixed for redemption. The elections set forth in this Section shall be effective upon the issuance of the Bonds.

Section 17. Notice of Redemption. The Escrow Agent is hereby authorized and directed to give notice of redemption of the Refunded Bonds in substantially the form attached to the Escrow Deposit Agreement (as defined in Section 20 of this resolution) with such changes, insertions and omissions as are acceptable to the Township and the Escrow Agent. Unless some other method of delivery and time is acceptable to the recipient, such notice of redemption shall be given not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to (a) the registered owners of the Refunded Bonds (i.e., The Depository Trust Company) and (b) the Municipal Securities Rulemaking Board. Any failure to mail, to publish or to receive such notice, or any defect therein, shall not affect the validity of the proceedings for redemption. The Chief Financial Officer of the Township is hereby authorized to give such notice in lieu of the Escrow Agent after consultation with bond counsel to the Township.

Section 18. Notice of Refunding. The Escrow Agent or the Chief Financial Officer is hereby authorized and directed to give notice of refunding of the Refunded Bonds in substantially the form attached to the Escrow Deposit Agreement with such changes, insertions and omissions as are acceptable to the Township and the Escrow Agent. Such notice shall be given as soon as practicable after the date of delivery of the Bonds to the registered owners of the Refunded Bonds and to the Municipal Securities Rulemaking Board.

Section 19. Application of Proceeds of the Bonds. The proceeds of sale of the Bonds shall be applied by the Township to the payment of the principal or redemption price, if any, of and interest on the Refunded Bonds through and including the date of redemption thereof and to the costs of issuance of the Bonds. The proceeds of the Bonds to be applied to the principal or redemption price, if any, of and interest on the Refunded Bonds, together with any other moneys of the Township to be used therefor, shall be held, in accordance with the provisions of the Escrow Deposit Agreement, in trust by the Escrow Agent on behalf of the Township pending application thereof to the payment of the principal or redemption price, if any, of and interest on the Refunded Bonds. Simultaneously with the issuance of the Bonds, the Chief Financial Officer is hereby authorized and directed, after consultation with and upon the advice of bond counsel to the Township and the Township Auditor, to deposit in the escrow account established by the Escrow Deposit Agreement all or a portion of the moneys budgeted or anticipated to be budgeted by the Township in the fiscal year in which the Bonds are issued to pay principal and interest due on the Refunded Bonds.

Section 20. Escrow Deposit Agreement. The substance and form of the escrow deposit agreement attached hereto as Exhibit B and by this reference incorporated as if set forth in full herein (the "Escrow Deposit Agreement") to be dated the date of delivery of and payment for the Bonds, by and between the Township and the Escrow Agent are hereby approved, adopted and agreed to by the Township with such modifications, additions or deletions as may hereafter be approved by the Chief Financial Officer upon advice from bond counsel to the Township and the Township Auditor. The Chief Financial Officer is hereby authorized and

directed to execute and deliver the Escrow Deposit Agreement and to carry out the transactions contemplated thereby and the Clerk is hereby authorized and directed to affix the seal of the Township on the Escrow Deposit Agreement and attest same. The execution of the Escrow Deposit Agreement by the Chief Financial Officer shall be conclusive evidence of any approval required by this Section.

Section 21. Purchase of Escrow Securities. The Mayor and Chief Financial Officer each is hereby authorized and directed, if necessary, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities - State and Local Government Series - Time Deposit Securities ("SLGS"), and any related certification, each in form and substance satisfactory to bond counsel to the Township. The Purchaser, the Escrow Agent or bond counsel to the Township each is hereby authorized to execute said initial SLGS subscription letter on behalf of the Township. The Purchaser, the Escrow Agent or bond counsel to the Township each is hereby authorized to execute said final SLGS subscription on behalf of the Township. In addition, the Chief Financial Officer is hereby authorized and directed, if necessary, to execute and deliver any agreement, document or instrument relating to the purchase of securities for deposit in the escrow account established by the Escrow Deposit Agreement.

Section 22. Appointment of Verification Agent. The Township does hereby appoint Nisivoccia & Company LLP, of Mt. Arlington, New Jersey, as verification agent with respect to the Bonds. The verification agent shall, among other things, deliver a report verifying (a) the yield on the Bonds for arbitrage purposes and (b) the sufficiency of the escrow deposit to accomplish the refunding of the Refunded Bonds.

Section 23. Actions to be Taken on Behalf of the Township. The Mayor, Chief Financial Officer and Township Clerk are hereby authorized and directed to execute the Bonds on behalf of the Township and to do all matters necessary, useful, convenient or desirable to accomplish the sale, issuance and delivery of the Bonds and the refunding and redemption of the Refunded Bonds all in accordance with the provisions of this resolution, including without

limitation (a) the submission of materials to one or more rating agencies for purposes of receiving a credit rating on the Bonds, (b) the selection of a financial printer and website for purposes of disseminating the Preliminary Official Statement and the final Official Statement and (c) the appointment of a redemption agent for purposes of administering any mandatory sinking fund redemptions.

Section 24. Prior Action. All action taken to date by Township officials, employees and professionals with respect to the authorization, sale and issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto, be and the same hereby are ratified, approved, confirmed and adopted in all respects.

Section 25. Effective Date. This resolution shall take effect immediately and, if necessary, when there is endorsed upon a certified copy hereof the consent referred to in N.J.S.A. 40A:2-55.

**RESOLUTION 11-197
PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE
TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, INTO A SINGLE
ISSUE OF GENERAL BONDS AGGREGATING
\$3,684,000 IN PRINCIPAL AMOUNT**

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

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$3,684,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said

several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

<u>Principal Amount of Bonds</u>	<u>Title of Ordinance and Date of Adoption</u>	<u>Period or Average Period of Usefulness (in Years)</u>
\$1,790,500 bonds	“Bond ordinance appropriating \$1,880,100 and authorizing the issuance of \$1,790,500 bonds or notes of the Township for various improvements or purposes authorized to be undertaken by The Township of Long Hill, in the County of Morris, New Jersey”, finally adopted on September 12, 2007 (Ordinance No. 212-07)	27.7
\$1,095,000 bonds	“Bond ordinance appropriating \$1,150,000 and authorizing the issuance of \$1,095,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by The Township of Long Hill, in the County of Morris, New Jersey”, finally adopted on June 11, 2008 (Ordinance No. 229-08)	18.88
\$513,500 bonds	“Bond ordinance appropriating \$541,000, and authorizing the issuance of \$513,950 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by The Township of Long Hill, in the County of Morris, New Jersey”, finally adopted on August 12, 2009 (#250-09)	22.32
\$285,000 bonds	“Bond ordinance appropriating \$300,800, and authorizing the issuance of \$285,300 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by The Township of Long Hill, in the County of Morris, New Jersey”, finally adopted on July 15, 2010 (#265-10)	11.17

Section 3. The following matters are hereby determined with respect to said combined issue of bonds:

(a) The average period of usefulness, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to each of said bond ordinances, respectively, is twenty-three (23) years.

(b) The bonds of said combined issue shall be designated "General Bonds of 2011" and shall mature within the said average period of usefulness hereinabove determined.

(c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

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

(a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.

(b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof and except \$450 Ordinance #250-09 and \$300 Ordinance #265-10.

(c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are not

purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

**RESOLUTION 11-198
ACCEPTING DONATION OF RECREATION EQUIPMENT**

WHEREAS, the owners of Copper Springs Beach & Tennis have determined they are in possession of excess recreation equipment; and

WHEREAS, Copper Springs has approached the Long Hill Recreation Department to determine any interest in accepting said equipment; and

WHEREAS, the Recreation Department and Public Works Department have inspected the equipment and found it usable and recommend acceptance; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby accepts and approves of the donation of the equipment as outlined herein with appreciation to Copper Springs Beach & Tennis for the donation and the Township Administrator is authorized to prepare a letter of acceptance for Cooper Springs.

**RESOLUTION 11-199
AUTHORIZING THE RETURN OF ESCROW – MCDONALD**

WHEREAS, Landon and Lois Mc Donald of Block: 10906, Lot: 1, in regards to Application No. 09-01Z, has requested that the Professional Review Escrow fees be returned; and

WHEREAS, the Township Planning/Zoning Board Administrator has certified that there are no outstanding invoices and have approved the release of this Professional Review Escrow;

WHEREAS, the Chief Financial Officer has determined that \$62.50 remains in the account;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill hereby directs the Chief Financial Officer to return the balance of the Professional Review Escrow in the total amount of \$62.50 to Landon and Lois Mc Donald of 59 Norwood Drive Gillette, NJ.

**RESOLUTION 11-200
AUTHORIZING RECREATION PROGRAM REFUNDS**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill upon the advice and recommendation of the Recreation Director, does hereby authorize refunds to the following:

Ms. Christine Cowan
396 High Street
Stirling, NJ 07980
Program: Summer Recreation Program
Refund Amount: \$260.00

Ms. Stephanie Andrews
41 Summit Avenue
Berkeley Heights, NJ 07922
Program: Summer Recreation Program
Refund Amount: \$520.00

Ms. Mary Caggiano
282 Essex Street
Stirling, NJ 07980
Program: Summer Recreation Program
Refund Amount: \$130.00

RESOLUTION 11-201
2011 1st QUARTER TAX REFUND

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorizes a refund of 2011 1st quarter taxes due to overpayment of taxes to the following:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Refund Amount</u>
11401	14	Sobel, Stephen Brell 1158 Valley Road Stirling, NJ 07980	\$4,177.85

RESOLUTION 11-202
EXTEND 2011 SEWER BILL PAYMENT DATE

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice of the Tax Collector does hereby authorizes an extension of the Sewer bill receipt date to July 10, 2011.

RESOLUTION 11-203*
A RESOLUTION AUTHORIZING FILING OF MORRIS COUNTY OPEN SPACE GRANT

*Resolution 11-203 will be provided on meeting night.

RESOLUTION 11-204
AUTHORIZING RENEWING OF LIQUOR LICENSES FOR 2011-2012

BE IT RESOLVED that all applications being in good order and the required \$2,500.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Plenary Retail Consumption Licenses for the year beginning July 1, 2011 and ending June 30, 2012:

Stirling Hotel, Inc.
t/a Stirling Hotel Inc
227 Main Street
Stirling, NJ 07980
License No. 1430-33-001-003

The Primavera, Inc.
t/a The Primavera Regency
1080 Valley Road
Stirling, New Jersey 07980
License No. 1430-33-002-006

Barton's Pub, Inc.
t/a Barton's Pub
37 Plainfield Road

Caralen Corporation
t/a Meyersville Inn
632 Meyersville Road

Stirling, NJ 07980
License No. 1430-33-005-007

Gillette, NJ 07933
License No. 1430-33-007-008

C.R.I. Long Hill, Inc
t/a Chimney Rock Inn
342 Valley Road
Gillette, NJ 07933
License No. 1430-33-008-005

Bensi of Gillette, LLC
t/a Bensi
977 Valley Road
Gillette, NJ 07933
License No. 1430-33-011-006

BE IT FURTHER RESOLVED that all applicants being in good order and the required \$1,740.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Plenary Retail Distribution Licenses for the year beginning July 1, 2011 and ending June 30, 2012.

The Bottle Depot L.L.C.
t/a Wine World
1001 Valley Road
Gillette, NJ 07933
License No. 1430-44-003-007

Ansoni, Inc.
t/a Gillette Liquors
399 Valley Road
Gillette, NJ 07933
License No. 1430-44-014-010

Richard McAdam Inc.
t/a Stirling World of Liquors
1168 Valley Road
Stirling, NJ 07980
License No. 1430-44-015-005

BE IT FURTHER RESOLVED that all applicants being in good order and the required \$63.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Limited Retail Distribution Licenses for the year beginning July 1, 2011 and ending June 30, 2012.

Dorsi's Deli & Pharmacy, Inc.
t/a Dorsi's Store
184 Central Avenue
Stirling, NJ 07980
License No. 1430-43-006-003

Dharma Bhakti Corporation
t/a Millington Food Store Corporation
87 Division Avenue
Millington, NJ 07946
License No. 1430-43-013-005

Ladida Kitchen Creations LLC
t/a Meyersville Cafe
625 Meyersville Road
Gillette, NJ 07933
License No. 1430-43-010-007

BE IT FURTHER RESOLVED that all applicants being in good order and the required \$188.00 fee having been paid, the Township Committee of the Township of Long Hill does hereby grant the following Club Licenses for the year beginning July 1, 2011 and ending June 30, 2012.

Passaic Township Memorial Post 484
t/a Passaic Township Memorial Post 484
234 Union Street
Stirling, NJ 07980
License No. 1430-31-019-001

BPO Elks No. 2392
t/a Stirling Elks #2392
1138 Valley Road
Stirling, NJ 07980
License No. 1430-31-018-001

**RESOLUTION 11-205
REAPPOINTING BRETT TROUT AS TAX ASSESSOR (WITH TENURE)**

WHEREAS, Brett Trout holds a tax assessor certificate in accordance with the requirements of *N.J.S.A 54:1-35.25 et seq.*; and

WHEREAS, Brett Trout was initially appointed Assessor in December 2006 to fill the unexpired term of Ernest DelGuercio, which expired on June 30, 2007; and

WHEREAS, Brett Trout was reappointed Assessor in June 2007 for a four-year term expiring June 30, 2011; and

WHEREAS, Brett Trout shall hereafter “hold his position during good behavior and efficiency and compliance with requirements for continuing education. . . and he shall not be removed therefrom for political reasons but only for good cause shown and after a proper hearing before the director [of the Division of Taxation] or his designee after due notice.” (*N.J.S.A . 54:1-35.31*);

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey hereby reappointments Brett Trout as Long Hill Township Assessor for a four-year term expiring June 30, 2015.

**RESOLUTION 11-206
AUTHORIZE SUBSTITUTE INSPECTORS
FOR CONSTRUCTION OFFICE**

BE IT RESOLVED by the Township Committee of the Township of Long Hill upon the advice of the Construction Code Official does hereby the following individuals as “on-call” Sub-Code Inspectors:

Electrical Inspector	Eric Delizio
Plumbing Inspector	William Olinger
Fire Inspector	Louis Aroneo

**RESOLUTION 11-207
AUTHORIZING CHANGE ORDER NO. 8 TO THE
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company under a locally bid contract for the Rehabilitation of 5 Pump Stations.

WHEREAS, it is necessary to adjust the contract to reflect a change in the monitoring systems at all pump stations

Change Order #	Description	Amount	Net Amount of Contract
8	20 ft of force main and replacement of failed electrical breaker	\$3,078.51	\$976,009.83

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

1. Change Order Number 8 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 11-208
AUTHORIZING CHANGE ORDER NO. 9 TO THE
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company under a locally bid contract for the Rehabilitation of 5 Pump Stations.

WHEREAS, it is necessary to adjust the contract to reflect a change in the monitoring systems at all pump stations

Change Order #	Description	Amount	Net Amount of Contract
9	Replace specified wet well fan with hazardous materials certified fan	\$1,741.90	\$977,751.73

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

1. Change Order Number 9 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

**RESOLUTION 11-209
AUTHORIZING CHANGE ORDER NO. 10 TO THE
CONTRACT WITH DeMAIO ELECTRICAL COMPANY**

WHEREAS, a purchase order was prepared in the name of DeMaio Electrical Company under a locally bid contract for the Rehabilitation of 5 Pump Stations.

WHEREAS, it is necessary to adjust the contract to reflect a change in the monitoring systems at all pump stations

Change Order #	Description	Amount	Net Amount of Contract
10	Re-route electrical wiring due to error in specifications	\$3,094.23	\$980,845.96

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

1. Change Order Number 10 as described in the preamble is hereby approved.
2. The change order shall be charged to C-04-55-247-000-B. The Chief Financial Officer has determined that a Certification of Available Funds is necessary.

OLD BUSINESS:

1. Emergency Dispatch Services
2. Carlton Road Speed Limit Update
3. Valley Mall Update

NEW BUSINESS:

MEETING OPEN TO PUBLIC COMMENT

At this point in the meeting, the Township Committee welcomes comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes.

MEETING CLOSED TO PUBLIC COMMENT

ADJOURNMENT