

**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
JULY 17, 2019
7:30 PM OPEN SESSION**

**8:00 PM –RECESS FOR PUBLIC HEARING FOR OPERATION AND MANAGEMENT
OF WASTEWATER PLANT CONTRACT (agenda at end of document),
OPEN SESSION RESUMES, Closed Session 6:45 PM**

A draft of the Township Committee Regular Session Agenda is posted on the Township website at www.longhillnj.us on the Monday preceding the meeting.

STATEMENT OF ADEQUATE NOTICE

“In compliance with the Open Public Meetings Law of New Jersey, adequate notice of this meeting was electronically sent to the Echoes Sentinel and the Courier News and posted on the Township Website. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.”

EXECUTIVE SESSION

**RESOLUTION #19-202
EXECUTIVE SESSION**

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

Contracts:

- PBA

Land Acquisition:

- Valley Road Redevelopment properties

Litigation:

- IMO Harold A. White Testamentary Trust

Personnel:

- Zoning Officer
- Clerk

Investigation

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

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-202 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OPEN PUBLIC MEETING:

PLEDGE OF ALLEGIANCE

ROLL CALL:

AUDIT: Ray Sarinelli

**TOWNSHIP OF LONG HILL
RESOLUTION 19-204
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Long Hill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-204 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

**RESOLUTION 19-205
AUDIT CORRECTIVE ACTION PLAN**

WHEREAS, the Long Hill Township Committee is in receipt of the 2018 Report of Audit for the period ending December 31, 2018; and

WHEREAS, the Mayor and Township Committee formally accepted said audit document on July 17, 2019; and

WHEREAS, it is necessary to develop and obtain Mayor and Township Committee approval of an Audit Corrective Action Plan; and

WHEREAS, said plan must be approved and filed within sixty days of formal notice.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Long Hill that the required Audit Corrective Action Plan, having been prepared and submitted by the Chief Financial Officer, is hereby approved and further that said plan document be placed on file and made available for public inspection in the Office of the Township Clerk.

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-205 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

OATH OF OFFICE: Matthew Newschwander

**TOWNSHIP OF LONG HILL
RESOLUTION 19-203
Promotion – Newschwander**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey upon the advice and recommendation of Police Chief Ahmed Naga, does hereby approve the promotion of Acting Sergeant Matthew Newschwander to Sergeant Grade III, effective July 17, 2019 at an annual salary of \$ 113,451.00.

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

MOVED by: _____ of the Township Committee of the Township of Long Hill that Resolution #19-203 is hereby approved for Executive Session. **SECONDED** by:

ROLL CALL VOTE:

POLICE DEPARTMENT RECOGNITION: Chief Naga

LIAISON REPORTS:

ADMINISTRATOR'S REPORT:

CONSENT AGENDA RESOLUTIONS:

The following items are considered to be routine by the Township Committee and will be acted upon in one motion. There will be no separate discussion of these items unless a Committee member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution #19-206 through #19-216 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

**RESOLUTION 19-206
APPROVING PAYMENT OF BILLS**

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

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

**RESOLUTION 19-207
APPROVAL AND RELEASE OF MINUTES**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Minutes of the June 26, 2019 Township Committee Meeting.

BE IT FURTHER RESOLVED that the Township Committee hereby approves June 26, 2019 Executive Session Meeting Minutes as redacted by the Township Attorney.

**TOWNSHIP OF LONG HILL
RESOLUTION # 19-208
APPOINTING STIRLING LAKE PERSONNEL 2019**

BE IT RESOLVED that the Township Committee of the Township of Long Hill upon the recommendations of the Recreation Director and Lake Director, that the following be appointed to the 2019 Stirling Lake Personnel effective July 17, 2019:

Last Name	First Name	Position	Hourly Rate
Gianakis	Christopher	Lifeguard	10.25
Gianakis	Demetrios	Lifeguard	10.25

**TOWNSHIP OF LONG HILL
RESOLUTION 19-209
CERTIFYING JUNIOR MEMBERSHIP WITH THE STIRLING
VOLUNTEER FIRE COMPANY**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that **JACK ANDREW MAZZUCCO** and **ANDREW SOLIMAN** are Junior Members of the Stirling Volunteer Fire Company, No. 1.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-210
APPROVING SPECIAL EVENT LICENSE
[Fall Fest – Antique & Classic Car Show]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey upon the advice of the Township Clerk, that all documents have been reviewed and are in good order, does hereby authorize the Township Clerk to approve and sign the application and approve License Number S-19-11 for the event to the “Sponsor” Long Hill Community Center, for their Special Event, 13th Annual Fall Fest Antique & Classic Car Show to be held 10:00 AM – 4:00PM on October 6, 2019.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-211
APPROVING BANNER
[Fall Fest – Antique & Classic Car Show]**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill, in the County of Morris, State of New Jersey that by recommendation of the Township Administrator, based on the approval of the Long Hill Township Director of the Department of Public Works that the Township Committee does hereby approve a banner to be hung across Valley Road, County Route 512 for 14 days, starting September 23, 2019 through October 7, 2019 for advertising the Fall Fest – Antique & Classic Car Show on October 7th at the Stirling Hotel.

**TOWNSHIP OF LONG HILL
Resolution No. 19-212**

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Streetscape Project.

NOW, THEREFORE, BE IT RESOLVED that Council of Long Hill Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as application ID #00349 from NJDOT SAGE to the New Jersey Department of Transportation on behalf of the Township of Long Hill.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Long Hill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-213
ADJUSTING COMPENSATION DIRECTOR OF PUBLIC WORKS - Gallo**

WHEREAS, the Governing Body wishes to adjust the compensation of Al Gallo as Director of Public Works for the Township of Long Hill;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Long Hill, County of Morris, New Jersey that Al Gallo's annual salary is hereby adjusted to \$98,800 effective July 8, 2019.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-214
Authorizing Redemption of Outside Lien - #18-0007**

WHEREAS, at the Non Municipal Tax Sale held on 12-03-2018, a lien was sold on Block 11801, Lot 4, also known as 1612 valley Rd. for \$575.65; and

WHEREAS, this lien, known as Tax Sale Certificate #18-0007, was sold to US Bank Cust Actlien Holding, 50 South Street, Suite 2050 Philadelphia, PA 19102 in the amount of \$1,387.46 at 4%: and

WHEREAS, Dovenmuehle Mortgage, INC on behalf of owners, Saldino, Joeseeph R. & Aimee F has redeemed Certificate #18-0007 in the amount of \$1,387.46.

NOW, THEREFORE BE IT RESOLVED, the Tax Collector has shown proof that the redemption calculations are correct, and all redemption monies have been received for all redemptions.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-215
CERTIFYING ACTIVE MEMBERSHIP WITH MILLINGTON VOLUNTEER FIRE COMPANY**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that **Michele E. Pericci** and **Thomas K. Vetter** are active members of the Millington Volunteer Fire Company.

**TOWNSHIP OF LONG HILL
RESOLUTION 19-216
CERTIFYING JUNIOR MEMBERSHIP WITH THE MILLINGTON
VOLUNTEER FIRE COMPANY**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby certify that **KLAY VETTER** is a Junior Member of the Millington Volunteer Fire Company, No. 1.

ORDINANCE:

SECOND READING/ADOPTION

**TOWNSHIP OF LONG HILL
ORDINANCE # 441-19**

**AN ORDINANCE CONCERNING COMMERCIAL CANVASSERS, SOLICITORS AND
PEDDLERS AND AMENDING SECTION 4-3 OF THE TOWNSHIP CODE**

WHEREAS, the Township must amend its solicitor ordinance to bring it into compliance with several recent court decisions;

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

Section 1. Section 4-3 of the Township Code entitled “Canvassers, Solicitors, and Peddlers” is hereby amended to read as follows:

4-3 CANVASSERS, SOLICITORS, AND PEDDLERS.

4-3.1 Commercial Canvassers, Solicitors and Peddlers.

a. *Permit Required.* No person, firm or corporation shall canvass, solicit, distribute circulars or other matter or call from house to house in the Township of Long Hill to sell, promote the sale of or attempt to sell goods by sample or to take or attempt to take orders for the future delivery of goods, merchandise, wares or any property, personal or real, of any nature whatsoever, or take or attempt to take orders for services to be furnished or performed presently or in the future without first having obtained a written permit therefor from the Police Department of the Township of Long Hill. In the case of a firm or corporation, a permit shall be required for each individual who is to conduct such activities.

b. *Exemptions.*

1. Any person engaging in religious proselytizing, anonymous political speech or the distribution of political or religious handbills or circulars or any person, firm or corporation canvassing or soliciting on behalf of a bona fide religious, charitable or political organization shall be subject to the permitted hours of operation set forth in paragraph c. of subsection 4-3.3 below, but shall be exempt from all other provisions of this section. Such persons or groups, however, must give twenty-four (24)-hours’ notice to the Police Department advising the department of the dates, times and neighborhoods in which they

will be canvassing or soliciting.

As used in this section, the following terms shall have the meanings indicated:

Bona fide religious, charitable, educational or political organization shall mean any organization that is qualified under State or Federal law as a tax exempt, nonprofit organization or any organization or group that espouses or advocates a position or belief on any subject of public interest or on behalf of any candidate for public office.

Canvass shall mean to call upon persons to elicit or determine opinions, feelings, sentiments or information of any nature.

Solicit shall mean to call upon persons to seek donations or contributions to such bona fide religious, charitable, educational or political organizations.

2. Candidates for Political Office Exempt. Any candidate for public office or person campaigning on behalf of such a candidate, where such candidate is seeking election to an office to be voted upon by the residents of the Township of Long Hill who are duly registered to vote in elections in accordance with the laws of the State of New Jersey, shall be exempt from the requirements of this section.

3. Any person, firm or corporation delivering goods or performing services which have previously been ordered by the person owning, leasing or occupying the property where such delivery is made, or service performed shall be exempt from the requirements of this section.

4. Any person, firm or corporation calling upon or soliciting from commercial establishments located in the Township of Long Hill shall be exempt from the requirements of this section.

5. Any minor employed by a newspaper as a carrier, who has been issued a minor's carrier permit pursuant to N.J.S.A. 34:2-21.15 and who has been previously registered with the Police Department by the employing newspaper, shall be exempt from the requirements of this section.

6. Any person engaging in any activity found by the Federal or State courts to be exempt from the requirements of obtaining a permit under this section.

c. *Application.*

1. The application form for a permit under this section shall require the following information:

- (a) Name of the applicant.
- (b) Permanent home address.
- (c) Temporary address.
- (d) Name and address and telephone number of the employer or firm represented.
- (e) Place or places of residence of the applicant for the preceding three (3) years.
- (f) Date on which soliciting or canvassing is to commence and end.
- (g) Nature of goods or merchandise to be sold or offered for sale or the nature of the

services to be furnished.

(h) Whether the applicant has been convicted of a crime, disorderly persons offense or violation of any ordinance relating to canvassing or soliciting and, if so, when, where, and the nature of the offense.

(i) The names of other municipalities in New Jersey where the applicant has been issued a permit to solicit in the past two (2) years.

(j) Whether any motor vehicle will be used in connection with the canvassing or soliciting and, if so, the make, year, color, type and license plate number.

(k) Physical description of the applicant.

2. The application shall be accompanied by a letter or other written statement from the individual, firm or corporation employing the applicant certifying that the applicant is authorized to act as the representative of the individual, firm or corporation.

~~3. All applicants under this section shall be fingerprinted and photographed by the Long Hill Township Police Department.~~

d. *Permit Fee; Term.* Each applicant for a permit shall pay the fee of twenty (\$20.00) dollars for an annual permit. In the case of a firm or corporation, a permit shall be required for each individual who is to conduct such activities. The permit shall expire on December 31 of each year, and no permit fee shall be prorated for part of a year.
(Ord. No. 147-04 § 1)

4-3.2 Administration; Regulations.

a. Administration.

1. Any person, firm or corporation seeking a permit to canvass or solicit shall file an application with the Long Hill Township Police Department on a form supplied by the Department. The application shall include the names and addresses of all persons who will be soliciting or canvassing on behalf of the applicant along with a certification by the applicant that it has conducted a background check on all of those persons and none of them has been convicted of any of the following crimes and offenses:

a. A crime or offense bearing upon or involving a sexual offense or child molestation or endangering the welfare of children or incompetents.

b. A crime or offense within the last twenty (20) years involving the manufacture, transportation, sale, possession or habitual use of a "controlled dangerous substance" as defined in the New Jersey Controlled Dangerous Substance Act, N.J.S.A. 2C:35-1, et seq.

c. A crime or offense involving the use of force or the threat of force to or upon a person or property including armed robbery, assault, kidnapping, arson, manslaughter and murder.

d. A crime or offense involving theft and related offenses or forgery and fraudulent practices under Chapters 26 or 27 of the Title 2C of the New Jersey Statutes.

2. The Long Hill Township Police Department shall accept applications for processing

only between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. No applications shall be processed on weekends or holidays.

~~b. *Issuance of Permits.* The Long Hill Township Police Chief or his designee shall ordinarily act on all applications within forty eight (48) hours after submission of a complete application. Saturdays, Sundays and holidays shall be excluded from such computation. If the Police Chief or his designee feels that the application should be denied, then the application shall be submitted to the Township Committee in accordance with the provisions of paragraph f. below. The Long Hill Township Police department shall issue a Permit within 48 hours of a complete application that satisfies all of the requirements set forth in paragraph "a" above.~~

c. *Permitted Hours of Peddling, Soliciting and Canvassing.* Peddling, soliciting and canvassing shall be allowed only between the hours of 9:00 a.m. and 9:00 p.m.

d. *Display of Permit.* Each permittee shall be issued a permit which shall be prominently displayed upon the person of the permittee whenever such permittee is engaged in canvassing or soliciting.

e. *Permit Not Transferable.* No permit shall be transferable. In the case of a firm or corporation, each person representing such firm or corporation shall be issued a separate permit.

~~f. *Action by Chief of Police Regarding Revocation, Denial or Suspension of Permit.*~~

~~1. In any case where, in the opinion of the Chief of Police or his designee, a permit should be revoked or should not be issued, the Chief shall immediately forward such matter to the Township Committee for its consideration. Such transmittal shall include the application together with supporting data and information and the reasons which form the basis of his recommendation for revocation or denial. The Township Committee may deny or revoke a permit where it finds the applicant or permittee has failed to comply with any of the provisions of this section or has been convicted of a crime, disorderly person's offense or ordinance violation which relates adversely to the activity for which the permit has or would be issued.~~

~~2. In cases where a permit is subject to revocation for any reason provided for in this section, the Chief of Police may temporarily suspend such permit, pending consideration of the matter by the Township Committee.~~

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.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, June 12, 2019, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, July 17, 2019 at the Municipal Building, 915 Valley Road, Gillette, New Jersey, when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

OPEN PUBLIC
CLOSE PUBLIC

MOVED by: _____, of the Township Committee of the Township of Long Hill, that Ordinance 441-19 is hereby adopted.

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

TOWNSHIP OF LONG HILL
ORDINANCE #443-19

ORDINANCE OF THE TOWNSHIP OF LONG HILL, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROVING AN AGREEMENT OF SALE BETWEEN THE TOWNSHIP AND NEW JERSEY AMERICAN WATER COMPANY, INC. FOR THE SALE OF THE TOWNSHIP'S WASTEWATER SYSTEM AND AUTHORIZING A PROPOSAL TO BE PRINTED ON THE BALLOT FOR CONSIDERATION BY THE VOTERS WITHIN THE TOWNSHIP AT THE GENERAL ELECTION ON NOVEMBER 5, 2019 PROVIDING FOR THE SALE OF THE TOWNSHIP'S WASTEWATER SYSTEM TO NEW JERSEY AMERICAN WATER COMPANY, INC.

WHEREAS, the Township of Long Hill, in the County of Morris, New Jersey (the "Township") currently owns and operates a wastewater system servicing the residents and property owners (the "Customers") within the geographic boundaries of the Township (the "System"); and

WHEREAS, the Township has determined that is in the best interest of such Customers within the Township to sell the System to an entity with experience and expertise in owning and operating such systems in order to meet all necessary demands associated with such System including all present and future requirements of various state and federal regulatory agencies and to make necessary capital improvements to the System; and

WHEREAS, the Township prepared and distributed a Request for Bids for the Sale of the Wastewater System (the “RFB”) dated April 18, 2019 requesting bids for the purchase of the System pursuant to N.J.S.A. 40:62-1 et seq. (the “Public Utilities Law”); and

WHEREAS, on June 4, 2019 the Township received one bid from a regulated water and wastewater company, New Jersey American Water Company, Inc., to purchase the Township’s System; and

WHEREAS, based on the review of the above referenced bid, the Township has determined that the bid submitted by New Jersey American Water Company, Inc. in the amount of \$12,700,000 was the highest responsible (and only) bid; and

WHEREAS, under the terms of the RFB, the Township would sell all of the Township’s rights and interests in the land and improvements comprising the System, provided that any purchaser of the System would continue to provide wastewater treatment services to the Customers in accordance with all applicable state and local standards, make all capital improvements necessary to lift the existing sewer ban, and meet other requirements set forth in the RFB; and

WHEREAS, the Township and New Jersey American Water Company, Inc. have agreed to the terms of the sale of the System; and

WHEREAS, the Public Utilities Law requires that in addition to the approval of the Township, the legal voters of the Township must also approve the sale of the System; and

WHEREAS, the Public Utilities Law, specifically N.J.S.A. 40:62-5, authorizes the Township to request that the clerk of the County of Morris place the question of the sale of the System on the ballot used at the next general election in the Township, which is scheduled for November 5, 2019; and

WHEREAS, the Township desires to enter into the Agreement of Sale, subject to the approval of the voters of the Township as set forth in N.J.S.A. 40:62-5 and any other regulatory approvals set forth in the Public Utilities Law.

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

SECTION I

The recitals are hereby incorporated as if set forth in full herein.

SECTION II

The Township hereby approves the sale of the System to New Jersey American Water Company, Inc. for \$12,700,000 in accordance with its bid and in accordance with the terms and conditions of the RFB and the Agreement of Sale, subject to the approval of the voters of the Township as set forth in N.J.S.A. 40:62-5.

This Ordinance shall take effect as provided by law.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, June 26, 2019 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, July 17, 2019 at the Municipal Building, 915 Valley Road, Gillette, New Jersey, when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

OPEN PUBLIC
CLOSE PUBLIC

MOVED by: _____, of the Township Committee of the Township of Long Hill, that Ordinance 443-19 is hereby adopted.

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

DISCUSSION:

- Utility Work

OLD/NEW BUSINESS:

ANNOUNCEMENTS:

- The Summer Concert series : 4 Flight Rock on August 3rd (raindate August 10th), 6:30 to 8:30pm at Stirling Lake.

MEETING OPEN TO THE PUBLIC:

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

ADJOURNMENT

8:00 pm AGENDA

TOWNSHIP OF LONG HILL

JULY 17, 2019

8:00 P.M.

PUBLIC HEARING ON PROPOSED CONTRACT WITH VEOLIA WATER NORTH AMERICA OPERATING SERVICES, LLC FOR THE PROVISION OF WASTEWATER TREATMENT SERVICES NEGOTIATED PURSUANT TO THE “NEW JERSEY WASTEWATER TREATMENT PUBLIC-PRIVATE CONTRACTING ACT, N.J.S.A. 58:27-19, ET SEQ.

In accordance with the requirements of N.J.S.A. 58:27-23, notice of this hearing was published in the June 27, 2019 edition of the *Echoes Sentinel*

MAYOR TO READ FOLLOWING:

As you know, there will be a public question on the November 5, 2019 general election ballot seeking authorization to sell the Township Wastewater Treatment System to New Jersey American Water. If that public question is defeated, the Township will still need a licensed plant operator to run its wastewater treatment system, so we issued an RFP, pursuant to the New Jersey Wastewater Treatment Public-Private Contracting Act, N.J.S.A. 58:27-19 (the “Act”) seeking proposals for the operation and maintenance of the Township wastewater treatment system. On May 30, 2019, the Township received a proposal from Veolia Water North America Operating Services, LLC (“Veolia”), which is the company that currently operates our wastewater treatment system. No other proposals were submitted. The Township is satisfied with Veolia’s experience and qualifications as a result of the services that Veolia has been performing under the existing contract and Veolia’s proposal was complete and in compliance with the RFP. In accordance with the requirements of the Act, the Township then negotiated a proposed contract with Veolia to operate the wastewater treatment system. It is that proposed contract that is the subject of tonight’s public hearing.

Before opening this hearing to the public, we will explain the terms and conditions of the proposed contract and answer questions raised by prospective consumers and other interested parties. We will also explain the charges, rates or fees that will or may be charged by the Township for wastewater treatment services as a result of the proposed contract.

A court reporter is present tonight to produce a verbatim record of the public hearing. The record of the public hearing will be kept open for a period of seven (7) days following the conclusion of the hearing, during which time interested parties may submit witness statements to be included in the hearing report to be prepared by the Township,

which will include a copy of the proposed contract, a copy of the statement setting forth the Township's reasons for the selection of the proposal submitted by Veolia, authority with which the Township has negotiated a contract, written statements submitted by interested parties, a copy of bond counsel's written opinion required pursuant to N.J.S.A. 58:27-23, and a statement prepared by the Township summarizing the major issues raised at the public hearing and the Township's specific responses to those issues. The Township will make copies of the hearing report available to interested parties, upon request, at a cost not to exceed the actual cost of printing or copying.

PRESENTATION

1. *Explanation of terms and conditions of the proposed contract*
 - a. *The contract is for an initial term of ten (10) years with two five (5) year options, unless the public question to sell the plant to NJ American Water is approved, in which case this contract with Veolia will only cover the period from January 1, 2020 until the closing date on the sale of the system.*
 - b. *[Summary of services to be performed by Veolia]*
 - c. *The Township will remain responsible for setting rates and collecting user and connection fees.*
2. *Explanation of the charges, rates or fees that will or may be charged by the Township for wastewater treatment services as a result of the proposed contract.*
 - a. *The compensation to be paid by the Township to Veolia is \$644,700 per year during the term of the contract.*
 - b. *There is no "concession fee," which is defined in the Act to mean, "a payment from [Veolia] to [the Township]. . . , that is exclusive of or exceeds any contractually specified reimbursement of direct costs incurred by the [the Township]."*

MAYOR TO OPEN PUBLIC HEARING

MAYOR TO CLOSE PUBLIC HEARING

MOTION TO ADJOURN PUBLIC HEARING AND RESUME REGULAR TOWNSHIP COMMITTEE MEETING