

JANUARY 13, 2022

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held via Zoom meeting, on Thursday, January 13, 2022, at 7:00 o'clock in the evening, prevailing time.

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**STATEMENT BY PRESIDING OFFICER:**

Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by posting written notices and agenda of the meeting on the bulletin board in the Municipal Building, 1000 Route 10, Township of Hanover and by hand delivering, mailing or faxing such notice and agenda to the following newspapers:

**HANOVER EAGLE  
MORRIS COUNTY'S DAILY RECORD  
THE STAR LEDGER**

and by filing same with the Township Clerk.

(Signed) John L. Ferramosca, Mayor

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ZOOM ROLL CALL: Mayor Ferramosca and Members Cahill, Francioli Gallagher, and Mihalko

ABSENT:

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**PLEDGE OF ALLEGIANCE TO THE FLAG & OPENING PRAYER**

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**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of December 20, 2021 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Cahill moved that the Minutes be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed. Member Mihalko did not vote due to his absence at the December 20, 2021 meeting.

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**INTRODUCTION OF ORDINANCES**

**ORDINANCE NO. 1-2022**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED "RECREATION DEPARTMENT FEES" UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP ENTITLED FEES WITH THE INCLUSION OF NEW 2022 FEES RELATED TO VARIOUS RECREATION AND PARK ADMINISTRATION DEPARTMENT PROGRAMS AND ACTIVITIES AND THE INCLUSION OF NEW RESIDENT AND NON-RESIDENT POOL MEMBERSHIP FEES FOR THE YEAR 2022 BEE MEADOW SWIMMING POOL SEASON**

**WHEREAS**, the Board of Recreation Commissioners, during its December 14, 2021 regular meeting, approved a new 2022 fee schedule for various programs and activities sponsored by the Township's Recreation and Park Administration Department and the new 2022 Bee Meadow Swimming Pool season membership fees; and

**WHEREAS**, in memoranda dated December 15, 2021 to the Mayor and Township Committee, the Superintendent of the Recreation and Park Administration Department, in accordance with the recommendations of the Board of Recreation Commissioners, submitted a list of the revised program fees for various fall, winter and spring programs including other events sponsored by the Department and the new 2022 pool membership fees; and

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WHEREAS, the memoranda of the Superintendent of the Recreation and Park Administration Department dated December 15, 2021 are incorporated herein and made a part of this Ordinance as if set forth in full.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

**Section 1**, §125-4. Entitled "Recreation Department Fees." Under Chapter 125 of the Code of the Township entitled Fees is hereby amended and supplemented with the inclusion of new fall, winter and spring program fees and other event fees as set forth below:

\*An asterisk next to each Non-Resident Program denotes an additional \$5.00 Non-Resident fee.

**FALL PROGRAMS:**

	<u>Resident:</u>	<u>Non-Resident:</u>
Adult Indoor Soccer	\$ 60.00	*
Advanced Baking	\$195.00	*
Advanced Body Blast	\$ 65.00	*
Ageless Grace	\$ 55.00	*
Bake Up Some Fun	\$195.00	*
Karate	\$ 55.00	*
Mind Over Matter	\$ 95.00	*
Line Dancing	\$ 40.00	*
LiveLoveMove	\$ 55.00	*
Mahjong	\$ 75.00	*
Men's Basketball	\$ 85.00	*
Pickleball Open Play	\$ n/c	*
Senior Circuit	\$ 65.00	*
Twilight Pickleball	\$ 45.00	*
Wiggle and Grow	\$ 55.00	*
Yoga on the Chair	\$ 55.00	*

\*Non-Resident Fee Add \$5.00

**WINTER PROGRAMS:**

	<u>Resident:</u>	<u>Non-Resident:</u>
Adult Indoor Soccer	\$ 60.00	*
Advanced Baking	\$195.00	*
Afternoon Body Blast	\$ 65.00	*
Ageless Grace	\$ 55.00	*
Bake Up Some Fun	\$195.00	*
Basketball – Travel for Boys	\$150.00	Not Eligible
Basketball – Recreation for Boys and Girls	\$150.00	Not Eligible
Karate	\$ 55.00	*
Line Dancing	\$ 40.00	*
LiveLoveMove	\$ 55.00	*
Mahjong	\$ 75.00	*
Men's Basketball	\$ 85.00	*
Mind Over Matter	\$ 95.00	*
Pickleball Open Play	\$ n/c	*
Senior Circuit	\$ 65.00	*
Ski (Bus only)	\$200.00 to \$250.00	Not Eligible
Twilight Pickleball	\$ 45.00	*
Youth Basketball Clinics K-2	\$ 35.00	Not Eligible
Wiggle and Grow	\$ 55.00	*
Wrestling	\$125.00	Not Eligible
Yoga on the Chair	\$ 55.00	*

\*Non-Resident Fee Add \$5.00

**SPRING PROGRAMS:**

	<u>Resident:</u>	<u>Non-Resident:</u>
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Adult Indoor Soccer	\$ 60.00	*
Advanced Baking	\$195.00	*
Afternoon Body Blast	\$ 65.00	*
Ageless Grace	\$ 55.00	*
Bake Up Some Fun	\$195.00	*
Girls Lacrosse – Grade 3-4	\$150.00	Not Eligible
Girls Lacrosse – Grade 5-8	\$150.00	Not Eligible
Karate	\$ 55.00	*
Kids Triathlon	\$ 25.00	\$25.00
Line Dancing	\$ 45.00	*
LiveLoveMove	\$ 55.00	*
Mahjong	\$ 75.00	*
Men’s Basketball	\$ 85.00	*
Mind Over Matter	\$ 95.00	*
Pickleball Open Play	\$ n/c	*
Senior Circuit	\$ 65.00	*
Sports Buddies	\$ 30.00	Not Eligible
Twilight Pickleball	\$ 45.00	*
Wiggle and Grow	\$ 50.00	*
Yoga on the Chair	\$ 50.00	*

\*Non-Resident Fee Add \$5.00

<b><u>OTHER EVENTS:</u></b>	<b><u>Resident Fee:</u></b>	<b><u>Non-Resident:</u></b>
Broadway Trips	\$125.00-\$175.00	\$125.00-\$175.00
Paper Mill Playhouse	\$100.00	\$ 100.00
Community Garden	\$25.00 /per spot	Not Eligible
Pat Sages Memorial Tournament	\$50.00	\$55.00
Atlantic City Bus Trip	\$35.00	\$40.00

**2022 Team Registration Fee Schedule:**

<u>Season:</u>	<u>Start Date:</u>	<u>End Date:</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Spring	April 1	June 15*	\$200.00	\$400.00	\$800.00	\$1,600.00
Summer	July 1*	August 31	\$200.00	\$400.00	\$800.00	\$1,600.00
Fall	Sept. 1	Nov. 15	\$200.00	\$400.00	\$800.00	\$1,600.00
Winter	N/A	N/A	N/A	N/A	N/A	N/A

\*This Denotes a Mandatory Fee Not Waivable for any Group

**NOTE:** Registration fees include base fee for all categories.  
(Spring and Summer Permits are issued as one permit, unless applied for separately)

The Registration Categories are:

- A. 100% of team members are residents of Hanover Township – only monthly fee required;
- B. 51% or more of team members are residents of Hanover Township;
- C. 50% or less of team members are residents of Hanover Township; and
- D. 100% of team members are non-residents of Hanover Township.

**Groups Exempt from Team Registration Fees:**

Team Sponsored by the Hanover Township Department of Recreation, the Hanover Township Little League (HTLL), Hanover Township Youth Soccer Association (HSC), and the Hanover Township Youth Athletic Association (Football) (HTYFC) shall be exempt from paying team registration fees.

**Park Facility Picnic or Special Event Permit Fees:**

<u>Resident:</u>		<u>Non-Resident:</u>
Individual or Family	\$155.00	\$310.00
Non-Profit Organization	\$155.00	\$310.00
Profit Making Organization	\$220.00	\$440.00
Use of Grill	\$ 25.00	\$50.00
Park Clean-up*	\$ 50.00	\$100.00

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\*This Denotes a Mandatory Fee Not Waivable for any Group

\*\*Parties Interested in Using a Tent Must Notify Either the Whippany or Cedar Knolls Fire Departments Depending on the Location of the Park Facility. The fee structure set forth in Section 125-4 remain the same. However, the following paragraph is added:

Light Fees for Athletic Fields:

Category "A": \$20.00 per hour based on the Rosters

All Other Categories: \$30.00 per hour

Groups Exempt from Light Fees:

Teams sponsored by the Township's Recreation Department, the Hanover Township Little League, Hanover Township Youth Soccer Association and the Hanover Township Youth Athletic Association (football) shall be exempt from paying light fees.

Violation Fees Related to Lights:

When lights are left on longer than the time provided in the schedule, the organization using the athletic field will be subject to the following fines. (This only pertains to teams that are exempt from light fees):

	<u>Sanctioned Teams:</u>
1 <sup>st</sup> Violation:	N/C
2 <sup>nd</sup> Violation:	N/C
Each Additional Violation:	\$15.00 per hour

No Fee Facilities:

- Malapardis Park-Ice Skating Only
- Veterans' Memorial Field-Ice Skating Only
- Central Park-Hockey Skating Only

Rules:

- Hours: Daylight to 10:00 PM
- Hockey skaters must wear protective equipment at all times
- Skating permitted only when Red Ball Flag is flying
- Skaters under 10 years of age must be accompanied by an adult

Community Center Fees

Non-Exempt Groups will pay the following hourly fee for use of the Community Center:

- Big Room: \$50.00/per hour
- Art Room: \$25.00/per hour
- Lounge: \$25.00/per hour
- Kitchen: \$25.00/per hour
- Parking Lot: \$25.00/per hour

In accordance with the July 1, 1992 Policy and Procedures governing the use of the Community Center, the Interfaith Food Pantry is added as an exempt group not required to pay the above referenced fees.

Proctor Fee:

- Community Center - Hourly Rate is \$20.00
- Opening and Closing Fee for Monroe Hall is \$20.00
- Monroe Hall - Cancellation Fee is \$20.00

Cancellation Policy: Failure to cancel a scheduled meeting within twenty-four (24) hours/time will result in a \$40.00 fee.

Section 2. §125-4. Entitled "Recreation Department Fees." under Chapter 125 of the Code of the Township entitled Fees is hereby amended and supplemented with the inclusion of the following new, year 2022 Bee Meadow swimming pool

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membership fees for resident and non-residents who pay prior to April 18, 2022 and after April 18, 2022 as follows:

	<b>DISCOUNTED AND NEW MEMBER RATE (PRIOR TO 4/18/22)</b>	<b>RATE AFTER (4/18/22) (RETURNING MEMBERS)</b>
RESIDENT FAMILY	\$375.00	\$400.00
RESIDENT TWO-PERSON (SAME HOUSEHOLD)	\$330.00	\$355.00
RESIDENT SINGLE	\$265.00	\$290.00
RESIDENT ASSOCIATE	\$220.00	\$245.00
RESIDENT SENIOR COUPLE	\$230.00	\$255.00
RESIDENT SENIOR COUPLE WITH GRANDCHILDREN (MAX 3)	\$285.00	\$310.00
RESIDENT SENIOR SINGLE	\$155.00	\$180.00
RESIDENT SENIOR SINGLE WITH GRANDCHILDREN (MAX 3)	\$210.00	\$235.00
NON-RESIDENT FAMILY	\$590.00	\$615.00
NON-RESIDENT TWO-PERSON (SAME HOUSEHOLD)	\$520.00	\$545.00
NON-RESIDENT SINGLE	\$445.00	\$470.00
NON-RESIDENT ASSOCIATE	\$400.00	\$425.00
NON-RESIDENT SENIOR COUPLE	\$415.00	\$440.00
NON-RESIDENT SENIOR SINGLE	\$340.00	\$365.00
CORPORATE FAMILY	\$590.00	\$615.00
CORPORATE TWO-PERSON (SAME HOUSEHOLD)	\$520.00	\$545.00
CORPORATE SINGLE	\$445.00	\$470.00

**Section 3. §125-4. Is hereby amended and supplemented as follows to include the following new guest fees for the year 2022 pool season.**

**Guest Punch Card: 10 Guests for \$85.00 – No expiration date – Purchased at Pool Office.**

**Guests**

The number of times a guest may come to the pool is at the discretion of pool management.

**Guest Fees: \$10.00.**

**Section 4. §125-4. Is also amended with the inclusion of the following reduced pool fees for the year 2022 season beginning on Monday, August 1, 2022 to Monday September 5, 2022.**

	<b>RESIDENT FEE</b>	<b>REDUCED FEE</b>	<b>DISCOUNT AMOUNT</b>
<b>FAMILY</b>	\$400.00	\$240.00	\$160.00
<b>TWO PERSON</b>	\$355.00	\$213.00	\$142.00
<b>SINGLE</b>	\$290.00	\$174.00	\$116.00
<b>SENIOR COUPLE/ GRANDCHILDREN</b>	\$255.00 \$310.00	\$153.00 \$186.00	\$102.00 \$124.00
<b>SENIOR SINGLE/ GRANDCHILDREN</b>	\$180.00 \$235.00	\$108.00 \$141.00	\$72.00 \$94.00
<b>ASSOCIATE</b>	\$245.00	\$147.00	\$98.00
	<b>NON-RESIDENT FEE</b>	<b>REDUCED FEE</b>	<b>DISCOUNT AMOUNT</b>
<b>FAMILY</b>	\$615.00	\$369.00	\$246.00
<b>TWO PERSON</b>	\$545.00	\$327.00	\$218.00
<b>SINGLE</b>	\$470.00	\$282.00	\$186.00

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<b>SENIOR COUPLE</b>	\$440.00	\$264.00	\$176.00
<b>SENIOR SINGLE</b>	\$365.00	\$219.00	\$146.00
<b>ASSOCIATE</b>	\$425.00	\$255.00	\$170.00

	<b>CORPORATE FEE</b>	<b>REDUCED FEE</b>	<b>DISCOUNT AMOUNT</b>
<b>FAMILY</b>	\$615.00	\$369.00	\$246.00
<b>TWO PERSON</b>	\$545.00	\$327.00	\$218.00
<b>SINGLE</b>	\$470.00	\$282.00	\$188.00

It was agreed that from the period of August 15 – August 31, 2022, an “End of Season – One Day Pass” will be available on a daily basis to residents only at a cost of \$10.00 per day.

**Section 5. §125-4.** Entitled “Recreation Department Fees” under Chapter 125 of the Code entitled Fees is hereby amended with the inclusion of the following:

**SWIM LESSONS:**

Private Lessons at \$25.00 for each half-hour;  
Group Lessons at \$55.00 (10 Classes)

**BEE MEADOW POOL PTA POOL PARTY FEES:**

The following fees and number of lifeguards required for PTA pool parties shall be as follows:

<b>Average Lifeguard Pay/Hourly Rate \$15.00</b>	<b>Number of Lifeguards Required – Twelve (12)</b>	<b>Number of Hours Four (4)</b>	<b>Total Amount \$720.00</b>
<b>Average Office Staff Pay Per Hr. \$17.00</b>	<b>Number of Office/Mgmt Staff Required One (1)</b>	<b>Number of Hours Four (4)</b>	<b>Total Amount \$68.00</b>
<b>Average Mgmt Staff Pay Per Hr. \$30.00</b>	<b>Number of Mgmt Staff Required Two (2)</b>	<b>Number of Hours Five (5)</b>	<b>Total Amount \$300.00</b>
<b>GRAND TOTAL:</b>			<b>\$1,088.00</b>

Parties Include an extra hour for thirty (30) minutes of set-up time before a party begins and thirty (30) minutes after a party for clean-up. Office staff shall also supervise recreation area once the event has begun.

**Section 6.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 7.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 8.** This ordinance shall take effect in accordance with the law.

The Ordinance and Notice of Introduction will be published in full in the Daily Record accordance with the law. Public Hearing is scheduled for February 10, 2022 at 7:00pm via zoom webinar meeting.

Motion on introduction made by Member Gallagher and seconded by Member Mihalko and unanimously approved.

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So Introduced

**ORDINANCE NO. 2-2022**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING SECTIONS 166-4, *DEFINITIONS AND WORD USAGE*, AND SECTION 166-113.1, *BUILDING COVERAGE, IMPROVEMENT COVERAGE AND FLOOR AREA RATIO REQUIREMENTS IN THE RESIDENTIAL ZONE DISTRICTS*, IN CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION**

**WHEREAS**, Chapter 166 of the Code of the Township of Hanover regulates land use and development in the Township and establishes various zone districts, including zone districts intended primarily for single-family detached residential dwellings; and

**WHEREAS**, Section 166-113.1 regulates building coverage, improvement coverage and floor area ratio in the single-family residential zone districts; and

**WHEREAS**, the Hanover Township Board of Adjustment has, in its 2020 annual report, recommended that the Township review and, if deemed appropriate, amend the regulations of improvement coverage in the single-family residential zone districts, due to the number of variance applications involving improvement coverage; and

**WHEREAS**, the Planning Board has reviewed the current improvement coverage regulations and has recommended that they be amended;

**NOW, THEREFORE, BE IT ORDAINED** by Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey that the following amendments be made in Chapter 166 of the Code of the Township entitled Land Use and Development Legislation:

**Section 1.** The definition of Subsection A. in Section 166-4, *Definitions and word usage*, in Article II, *Definitions*, is hereby amended to read as follows:

**IMPROVEMENT COVERAGE** - The horizontal area of all structures and improvements on a lot, including, but not limited to, buildings and other roofed structures; pavement areas and other surface structures such as parking and loading areas, driveways, decks, patios, porches, steps, and walks, the water surface and adjacent patios or decks of swimming pools, etc. Pavement areas are included in improvement coverage regardless of the surface, whether impervious or not, and include asphalt, concrete, brick, porous pavement, gravel, mulch or other pavement surfaces. Excluded from this definition are areas covered with vegetation, soil, and/or mulch in landscape beds located at the ground surface; streams, ponds or other natural water bodies, and subsurface structures or improvements not exposed to the surface, such as subsurface pipes, tanks, chambers, etc.

**Section 2.** Section 166-113.1, *Building coverage, improvement coverage and floor area ratio requirements in the residential zone districts*, in Article XIX, *General Provisions*, is hereby amended to read as follows:

**§ 166-113.1. Building coverage, improvement coverage and floor area ratio requirements in the single-family residential zone districts.**

In addition to all other applicable requirements of this chapter, residential development located in any zone district intended primarily for single-family detached residences (e.g., R-40, R-40N, R-30, R-25, R-21, R-15, and R-10 Zone Districts) shall comply with the building coverage, improvement coverage and floor area ratio requirements set forth below:

A. Maximum building coverage and floor area ratio.

Lot Area (square feet)	Maximum Building Coverage	Maximum Floor Area Ratio
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0 - 14,999	20%, but not above 2,700 s.f.	30%, but not above 3,600 s.f.
15,000 - 19,999	18%, but not above 3,200 s.f.	24%, but not above 4,200 s.f.
20,000 - 24,999	16%, but not above 3,500 s.f.	21%, but not above 4,750 s.f.
25,000 - 29,999	14%, but not above 3,600 s.f.	19%, but not above 5,100 s.f.
30,000 - 34,999	12%, but not above 3,850 s.f.	17%, but not above 5,600 s.f.
35,000 - 40,499	11%, but not above 4,050 s.f.	16%, but not above 6,075 s.f.
40,500 and over	10%	15%

**B. Maximum improvement coverage.**

Lot Area (sq. ft.)	Maximum Improvement Coverage
0-10,000	44.5% of lot area
10,000 - 14,999	4,450 square feet, plus 0.20 square foot for each 1 square foot of lot area over 10,000 square feet
15,000 - 19,999	5,450 square feet, plus 0.18 square foot for each 1 square foot of lot area over 15,000 square feet
20,000 - 24,999	6,350 square feet, plus 0.15 square foot for each 1 square foot of lot area over 20,000 square feet
25,000 - 29,999	7,100 square feet, plus 0.13 square foot for each 1 square foot of lot area over 25,000 square feet
30,000 - 34,999	7,750 square feet, plus 0.13 square foot for each 1 square foot of lot area over 30,000 square feet
35,000 - 39,999	8,400 square feet, plus 0.11 square foot for each 1 square foot of lot area over 35,000 square feet
40,000 - 44,999	8,950 square feet, plus 0.11 square foot for each 1 square foot of lot area over 40,000 square feet
45,000 - 49,999	9,500 square feet, plus 0.10 square foot for each 1 square foot of lot area over 45,000 square feet
50,000 and over	20% of lot area

As an example, the maximum improvement coverage is 4,850 square feet for a lot with an area of 12,000 square feet, based upon the following calculations:

12,000 sq. ft. lot is in category of 10,000-14,999 sq. ft. lot area.  
 For this category, the maximum improvement coverage is 4,450 sq. ft., plus 0.20 sq. ft. for each 1 sq. ft. of lot area over 10,000 sq. ft.  
 $12,000 \text{ sq. ft.} - 10,000 \text{ sq. ft.} = 2,000 \text{ sq. ft.}$   
 $2,000 \text{ sq. ft.} \times 0.20 = 400 \text{ sq. ft.}$   
 $4,450 \text{ sq. ft. base coverage} + 400 \text{ sq. ft. additional coverage} = 4,850 \text{ sq. ft.}$

**Section 3.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or



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provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 4.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 5.** This ordinance shall take effect in accordance with the law.

The Ordinance and Notice of Introduction will be published in full in the Daily Record accordance with the law. Public Hearing is scheduled for February 10, 2022 at 7:00pm via zoom webinar meeting.

Motion on introduction made by Member Gallagher and seconded by Member Mihalko and unanimously approved.

So Introduced

### ORDINANCE NO. 3-2022

#### AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING SECTIONS 166-136, *PATIOS AND DECKS*, AND SECTION 166-136.1, *OUTDOOR RECREATIONAL FACILITIES ACCESSORY TO SINGLE-FAMILY DWELLINGS*, IN CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED, LAND USE AND DEVELOPMENT LEGISLATION

**WHEREAS**, Chapter 166 of the Code of the Township regulates land use and development in the Township and establishes various zone districts, including zone districts intended primarily for single-family detached residential dwellings; and

**WHEREAS**, Section 166-113. contains general regulations for yards and setbacks on lots; and

**WHEREAS**, Section 166-114. regulates accessory buildings and other roofed structures; and

**WHEREAS**, Section 166-136. regulates patios and decks in the single-family residential zone districts; and

**WHEREAS**, Section 166-136.1 regulates outdoor recreational facilities accessory to single-family dwellings; and

**WHEREAS**, the Hanover Township Board of Adjustment has, in its 2020 annual report recommended that the Township review and, if deemed appropriate, amend the setback requirements for decks, patios, and swimming pools in the single-family residential zone districts, due to the number of variance applications involving these structures; and

**WHEREAS**, the Planning Board has reviewed the current setback regulations and has recommended that they be amended;

**NOW, THEREFORE, BE IT ORDAINED** by Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey that the following amendments be made in Chapter 166 of the Code of the Township entitled Land Use and Development Legislation:

**Section 1.** Paragraphs (2) and (4) in Subsection B. of Section 166-113, *Yards*, in Article XIX, *General Provisions*, are hereby amended to read as follows:

- (2) Ingress and egress structures. Ingress and egress structures, for purposes of this subsection, the following definitions shall apply:

**INGRESS AND EGRESS STRUCTURE** – An unenclosed above-grade structure, which may include a stairway or ramp to grade, which is designed primarily to provide ingress and/or egress to a building, porch, deck, raised patio, or other similar raised floor level. Excluded from this definition shall be

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at-grade or below-grade structures, as well as the decks, raised patios, and other similar raised outdoor recreational structures to which the ingress and egress structure(s) is(are) accessory.

ABOVE GRADE – Located at least one foot in elevation above the elevation of normal grade directly below the point of measurement (see “normal grade” in definition of “height of building or structure” in §166-4).

Ingress and egress structures may encroach into the minimum required yards as set forth below:

- (a) Any encroachment into the minimum required front, side and rear yards shall only be permitted for such structures located at an elevation at or below the level of the ground/first floor and/or basement, except as provided below for fire escapes. In the case of split-level, bi-level, or other situations involving multiple floor levels, the determination of what is the ground/first floor and/or basement levels shall be made by the Zoning Officer, the intent being to only permit encroachment into yards only by such structures that provide ingress and egress to lower, and not upper, floor levels.
  - (b) No encroachment into the minimum required front, side or rear yards shall be permitted for any ingress and egress structure that is enclosed by walls, screens, windows or other similar enclosures.
  - (c) Ingress and egress structures shall be permitted a roof, canopy, awning or similar covering, as well as any necessary support columns and open railings subject, however, to the provisions of Paragraph (4) below.
  - (d) Setback from front lot lines. Ingress and egress structures shall not encroach more than 10 feet into the minimum required front yard(s). The cumulative area of all such encroachments shall not exceed 150 square feet for each front yard.
  - (e) Setback from side lot lines. Ingress and egress structures shall not be located closer to each side lot line than 5 feet less than the minimum required for principal buildings. For example, if the principal building is required to be set back at least 15 feet from the side lot line, ingress and egress platforms shall be located at least 10 feet from the side lot line. The cumulative area of all such encroachments shall not exceed 75 square feet for each side yard.
  - (f) Setback from rear lot lines. Ingress and egress structures shall be set back from the rear lot line(s) a distance not less than one half the minimum rear yard depth required for principal buildings. For example, if the principal building is required to be 50 feet from the rear lot line, ingress and egress platforms shall be located at least 25 feet from the rear lot line.
- (4) Awnings, roofs, and canopies over ingress and egress structures, doors and windows may encroach up to 5 feet into any required minimum front yard for principal buildings. Awnings, roof, and canopies over ingress and egress structures shall be set back from the side and rear lot lines a distance not less than that required for the ingress/egress structure.

**Section 2.** Paragraph (2) in Subsection B. of Section 166-114., Accessory buildings, in Article XIX, *General Provisions*, is hereby amended to read as follows:

- (2) Required setbacks.
  - (a) Attached structures. When an accessory building or other roofed accessory structure is attached to a principal building or is separated from the principal building by a distance less than 10 feet or the height of said accessory building or roofed structure, whichever is greater, such accessory building shall be subject to the same minimum yard setback requirements as the principal building. In cases where the setback regulation is based upon the height of the building, the applicable setback requirement shall be based upon the height of the accessory building or roofed structure.
  - (b) Detached structures in side yard. Detached accessory buildings and other roofed detached accessory structures located within the side yard

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shall be subject to the required minimum front and side yard setbacks for principal buildings in the zone.

- (c) Detached structures in rear yard. Detached accessory buildings and other roofed detached accessory structures located within the rear yard shall be subject to the following:
  - [1] Accessory buildings and other roofed accessory structures in the rear yard on corner lots or through lots shall be subject to the required minimum front yard setbacks for principal buildings in the zone.
  - [2] Accessory buildings and other roofed accessory structures which are enclosed by walls, or which are not used or intended for use for outdoor recreational activity, and which are located in the rear yard shall be located at least 10 feet from the side and rear lot lines.
  - [3] Accessory buildings and other roofed accessory structures which are not enclosed by walls and which are used or intended for use for outdoor recreational activity, such as certain cabanas, gazebos, and similar structures, and which are located in the rear yard shall comply with the setback requirements applicable to patios, porches, and decks in §166-136.

**Section 3.** Section 166-136., *Patios and decks*, in Article XIX, *General Provisions*, is hereby amended to be entitled, *Patios, porches, and decks*, and to read as follows:

**§ 166-136. Patios, porches, and decks.**

Notwithstanding any other provisions of this chapter, patios, porches, and decks accessory to single-family or two-family dwellings are subject to the following requirements; provided that in case of conflict between the provisions of this section and other provisions of this chapter, the more restrictive requirement shall apply.

- A. Such structures shall comply with the minimum front yard required for principal buildings in the zone.
- B. Such structures shall be set back from the side lot line(s) a distance not less than the minimum side yard required for principal buildings in the zone. In cases where the setback regulation is based upon the height of the building, the applicable setback requirement shall be based upon the height of the porch, patio, or deck and any roof or canopy for the same.
- C. When such structures are attached to the principal building and located at or below the ground/first floor elevation of the principal building, or when such structures are detached from the principal building, they shall be set back from the rear lot line(s) a distance not less than one half the minimum rear yard required for principal buildings in the zone. For example, if the principal building is required to be 50 feet from the rear lot line, such structures shall be located at least 25 feet from the rear lot line. In the case of split-level, bi-level, or other situations involving multiple floor levels, the determination of what is the ground/first floor level shall be made by the Zoning Officer.
- D. When such structures are attached to the principal building and located above the ground/first floor elevation of the principal building, they shall comply with the minimum rear yard requirements applicable to the principal building. In the case of split-level, bi-level, or other situations involving multiple floor levels, the determination of what is the ground/first floor level shall be made by the Zoning Officer.
- E. Any ingress and egress structure for patios, porches, or decks shall be subject to the provisions of §166-113B(2).
- F. Any roof, canopy, awning or similar covering structure over patios, porches, or decks, as well as any necessary support columns and open railings for such covering structures, shall be subject to the same minimum setback requirements as the patios, porches, or decks that they cover.

**Section 4.** Subsection B. of Section 166-136.1, *Outdoor recreational facilities accessory to single-family dwellings*, in Article XIX, *General Provisions*, is hereby amended to read as follows:

- B. Minimum setbacks from lot lines. Outdoor recreational facilities shall be located in accordance with the following requirements, provided that the setbacks shall be measured to the closest paved or other artificial surface designed to be used as part of the facility, except as provided otherwise below:

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- (1) Game or sport courts, and similar facilities shall be located at least 25 feet from any side or rear lot line, except as provided otherwise below.
- (2) When the established front yard depth is less than the minimum front yard depth required by the zone regulations as a result of a variance or as a legally nonconforming condition, the outdoor recreational facilities shall be located a distance from the front lot line not less than the minimum front yard requirement of the zone district in which the lot is located.
- (3) Basketball backboards located within or adjacent to a driveway shall be set back at least 10 feet from any rear and side property lines and at least 20 feet from the front lot line.
- (4) Treehouses, elevated playhouses, and similar raised platforms and structures shall be setback at least 10 feet from any rear and side property lines.
- (5) Children's playsets, sandboxes, and similar equipment and structures shall be exempt from the foregoing setback requirements.
- (6) Swimming pools.
  - (a) The outer limit of the coping, wall, or other structure that contains the water surface of swimming pools shall be set back from the side lot lines not less than 5 feet greater than the minimum side yard required for principal buildings. For example, if the principal building is required to be set back at least 15 feet from the side lot line, the water surface of the swimming pool must be set back at least 20 feet from the side lot line. In cases where the setback regulation is based upon the height of the building, the applicable setback requirement shall be based upon the height of the swimming pool and any roof or canopy for the same.
  - (b) The outer limit of the coping, wall, or other structure that contains the water surface of swimming pools shall be set back from the rear lot line(s) not less than one half the minimum rear yard required for principal buildings in the zone. For example, if the principal building is required to be 50 feet from the rear lot line, such structures shall be located at least 25 feet from the rear lot line. This setback requirement is the same as the setback requirement for patios or decks adjacent to the pool as set forth in Paragraph (7) below and in §166-136; therefore, if a pool is located at the minimum required setback, no patio or deck adjacent to the pool shall be permitted to have a lesser setback.
- (7) Any patio, porch, or deck adjacent or accessory to a swimming pool or other outdoor recreational structure shall be subject to the same requirements for patios, porches, and decks in §166-136.

**Section 5.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 6.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 7.** This ordinance shall take effect in accordance with the law.

The Ordinance and Notice of Introduction will be published in full in the Daily Record accordance with the law. Public Hearing is scheduled for February 10, 2022 at 7:00pm via zoom webinar meeting.

Motion on introduction made by Member Gallagher and seconded by Member Mihalko and unanimously approved.

So Introduced

WITHDRAWN

ORDINANCE NO. 4-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED *LAND USE AND DEVELOPMENT LEGISLATION* BY AMENDING THE TOWNSHIP'S ZONING MAP TO CHANGE THE ZONE CLASSIFICATION OF CERTAIN PROPERTIES FROM THE R-40N DISTRICT TO THE PU ZONE DISTRICT AND FROM THE R-40N DISTRICT TO THE R-10 ZONE

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DISTRICT, TO AMEND THE PARKING REQUIREMENTS, AND TO AMEND THE  
DEVELOPMENT STANDARDS FOR THE PU ZONE DISTRICT

Motion was made by Member Ferramosca to withdrawn Ordinance No. 4-2022 and a second motion was made by Member Gallagher and unanimously voted in favor to withdraw Ordinance.

WITHDRAWN

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**RESOLUTIONS AS A CONSENT AGENDA:**

**RESOLUTION NO. 29-2022**

**APPOINTING BRIANNA N. IGLESIAS AS A FULL-TIME DEPUTY MUNICIPAL COURT ADMINISTRATOR FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING FEBRUARY 1, 2022 AND ENDING AUGUST 1, 2022 AND ESTABLISHING HER COMPENSATION AT \$25.28 PER HOUR, OR IF ANNUALIZED, A SALARY OF \$46,000.00 IN ACCORDANCE WITH JOB GROUP VI UNDER SCHEDULE "B" AND SALARY GUIDE "C" OF SALARY ORDINANCE NO. 15-2021 CONDITIONAL OFFER OF EMPLOYEMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, CRIMINAL HISTORY RECORD CHECK AND SATISFACTORY BACKGROUND CHECK)**

**WHEREAS**, with the promotion of Linda D'Archangel, full-time Deputy Municipal Court Administrator to the position of Executive Assistant in the Department of Administration, it is essential to the organizational structure of the Violations Bureau to fill the vacancy; and

**WHEREAS**, pursuant to Section 201.7 of the Township's Employee Personnel and Policies and Procedures Manual/Handbook entitled Recruitment and Hiring, notice of the open position was posted on the Township's bulletin board and website and the New Jersey Municipal Court Career Opportunity website; and

**WHEREAS**, several applications were received by the Certified Municipal Court Administrator; and

**WHEREAS**, on November 30, 2021, the Business Administrator and Municipal Court Administrator interviewed **Ms. Brianna N. Iglesias**; and

**WHEREAS**, as a result of the interview, the Business Administrator recommends that **Ms. Iglesias** be appointed to the position of full-time Deputy Municipal Court Administrator because he has determined that **Ms. Iglesias** has the necessary job skills, knowledge and experience and expertise to assume the position; and

**WHEREAS**, it is the intention of the Township Committee to accept the recommendation of the Business Administrator and appoint **Ms. Iglesias** to the vacant full-time Deputy Municipal Court Administrator position; and

**WHEREAS**, the position of full-time Deputy Municipal Court Administrator is classified as falling within Job Group VI under Schedule "B" and Salary Guide "C" of Salary Ordinance No. 15-2021 with a salary range of \$36,940.00 to \$75,673.00; and

**WHEREAS**, **Ms. Iglesias** shall commence her duties as Deputy Municipal Court Administrator and act in that position in a probationary capacity for a six (6) month probationary period beginning on February 1, 2022 and ending on August 1, 2022, subject to the terms and conditions set forth below; and

**WHEREAS**, it is the recommendation of the Business Administrator, with the concurrence of the Township Committee, that **Ms. Iglesias** possesses the necessary job skills, knowledge experience and expertise to perform the duties and responsibilities of full-time Deputy Municipal Court Administrator.

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

1. That **Brianna N. Iglesias** residing at 512 Bloomfield Avenue, Apt. 5C in Caldwell, New Jersey 07006 is hereby appointed to serve as a full-time Deputy Municipal Court Administrator for a six (6) month probationary period commencing on Tuesday, February 1, 2022 and ending on Monday, August 1, 2022, subject to the terms and conditions set forth herein. In accordance with Job Group VI under Schedule "B" and Salary Guide "C" of Salary Ordinance No. 15-201, **Ms. Iglesias** shall receive a salary based on the rate of \$25.28 per hour or, if annualized a salary of \$46,000.00 per annum.
2. Upon satisfactorily completing the six (6) month probationary period, **Ms. Iglesias** shall be eligible for reappointment to serve as a full-time Deputy Municipal Court Administrator and receive a salary increase to \$50,000.00 per annum on Monday, August 1, 2022, subject to the approval of the Township Committee. Pursuant to Township policy, **Ms. Iglesias** shall not be entitled to receive any other salary increases other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee.
3. This offer of employment is conditional and subject to **Ms. Iglesias** receiving a satisfactory medical examination, a negative criminal history information check and a satisfactory background check, all in accordance with the Township's Personnel Policies and procedures
4. **Ms. Iglesias** shall be subject to the requirements of the Employee Job Performance Evaluation System as described in full in Section 201.24 of the Township of Hanover Employee Personnel Policies and Procedures Manual. At least twenty (20) working days prior to the end of the probationary period, it shall be the responsibility of the Municipal Court Administrator to complete a written Job Performance Evaluation. In the event that **Ms. Iglesias** receives an unsatisfactory evaluation during the probationary period, **Ms. Iglesias** shall cease to serve as the probationary full-time Deputy Municipal Court Administrator and shall be terminated at the conclusion of the probationary period or sooner, whichever is applicable.
5. **Ms. Iglesias** shall be eligible to receive health and dental benefits, sick leave and vacation time, and other such terms and conditions of employment as provided for and in compliance with current Township ordinances and the current Township of Hanover Employee Personnel Policies and Procedures Manual applicable to the Township's non-union civilian employees, and applicable law. **Ms. Iglesias** shall be entitled to 5.5 vacation days during calendar year 2022 but shall not be permitted to utilize these days until she has completed her six (6) month probationary period and received a satisfactory job performance evaluation. In addition, **Ms. Iglesias** shall be eligible to earn and accrue .5 sick leave days per month up to six (6) sick leave days in each calendar year of service.
6. To the extent the terms of this resolution are inconsistent with applicable law, applicable law shall control, but all other provisions of this resolution that are not inconsistent with applicable law shall continue in full force and effect.
7. Unless otherwise stated to the contrary, **Ms. Iglesias** shall be subject to the applicable terms and conditions of employment for probationary, non-union civilian employees set forth in the Township's Personnel Policies and Procedures Manual/Handbook and, in applicable law. Nothing herein shall be construed to in any way vary, amend or modify **Ms. Iglesias's** status as an employee at-will of the Township.

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8. Certified copies of this resolution shall be transmitted to **Ms. Iglesias**, the HR Manager and Township's Chief Municipal Finance Officer.

**RESOLUTION NO. 30-2022**

**A PROFESSIONAL SERVICES RESOLUTION OF THE TOWNSHIP COMMITTEE  
RETAINING THE SERVICES OF FRED SEMRAU, ESQ AND THE FIRM OF DORSEY  
& SEMRAU AS "TOWNSHIP ATTORNEY" DURING CALENDAR YEAR 2022**

**WHEREAS**, pursuant to the provisions of the Local Public Contracts Law and N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq., the Township of Hanover has a need to retain the services of an attorney as a non-fair and open contract in order to provide the Township with legal counsel and representation in the conduct of the Township's business including the defense of the Township in matters of litigation; and

**WHEREAS**, in keeping with the requirements of the Non-Fair and Open process of the Pay-to-Play legislation at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq., the Township's Business Administrator, in his capacity as the Township of Hanover's Qualified Purchasing Agent has prepared a "Value Determination and Certification", (a copy of which is attached hereto and made a part of this resolution), that the estimated value for the performance of the legal services to be performed during calendar year 2021 has an anticipated value in excess of \$17,500.00; and

**WHEREAS**, **Fred Semrau, Esq.** and the firm of **Dorsey & Semrau** have served the Township of Hanover as Township Attorney during the last forty-four (44) years; and

**WHEREAS**, the Township Committee reappointed **Mr. Semrau** at its January 6, 2022 Reorganization Meeting and is desirous of memorializing his reappointment and that of the Firm of **Dorsey & Semrau** in rendering legal services to the Township during calendar year 2022; and

**WHEREAS**, the Township finds itself in what is described as difficult financial times, particularly for the 2022 budget year, and, as a result wishes to restrict to the extent that it can, legal fees within the current budget year; and

**WHEREAS** **Dorsey & Semrau** have completed and submitted a Business Entity Disclosure Certification form, the Chapter 271 Political Contribution Disclosure form and the Stockholder Disclosure Certification. **Dorsey & Semrau** have certified that the Firm has not made any reportable contributions to a political or candidate committee in the Township of Hanover in the previous one (1) year, and that the new professional services agreement will prohibit **Dorsey & Semrau** from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-5. (1)(a)(i), requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection; and

**WHEREAS**, **Fred Semrau, Esq.** and the Firm of **Dorsey & Semrau** hereinafter referred to as the "Township Attorney" shall be paid a retainer of \$75,000.00 during calendar year 2022 which retainer shall cover all general legal services required by the Township; and

**WHEREAS**, in order to cover those issues involving litigation, tax appeals, condemnations and representation involving land use and corporate development, the Township Attorney shall be compensated based on the Firm's hourly rates, except, however, that the maximum amount for the litigation services shall not exceed \$150,000.00; and

**WHEREAS**, in addition to the annual retainer and those services rendered for general litigation, the Township Attorney shall be reimbursed for out-of-pocket

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disbursements in an amount not to exceed \$3,000.00; and

**WHEREAS** the maximum amount of the litigation shall not exceed \$150,000.00 during calendar year 2022 plus \$3,000.00 for out-of-pocket disbursements; and

**WHEREAS**, the Township's Chief Municipal Finance Officer has certified that funds are available in the 2021 Temporary Current Fund Budget - Legal - Other Expenses, Line Item No. 132-0009-083 to meet the need of this award during the first quarter of 2022 and, it is anticipated that sufficient funds will be appropriated and available in the 2022 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

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

1. That **Fred Semrau, Esq.** and the law firm of **Dorsey & Semrau**, located at 714 Main Street, P.O. Box 228 in Boonton, New Jersey 07005 are hereby retained as the "Township Attorney" during calendar year 2022 in providing the Township with professional legal services, including the preparation of legal opinions and the representation of the Township in litigation, and in any negotiations or representations involving developers and/or corporate property owners, all of which are more particularly described in the attached Agreement.
2. For general legal services, the Township Attorney shall be paid a retainer of \$76,500.00 during calendar year 2022. The Township Attorney shall also be compensated, based on the Firm's hourly fee schedule, in rendering professional legal services regarding litigation, tax appeals, condemnations and in representing the Township regarding any proposed land use and corporate developments at the following hourly rates:
 

Partner.....	\$166.00 per hour
Associate.....	\$140.00 per hour
Paralegal.....	\$ 89.00 per hour

The amount for this portion of the Agreement shall not exceed \$150,000.00.

3. In accordance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq., the Business Entity Disclosure Certification form, the Chapter 271 Political Contribution Disclosure Form, and the Stockholder Disclosure Certification submitted by **Dorsey and Semrau** shall be placed on file with this resolution. The Determination of Value Form certified by the Township's Business Administrator, acting in his capacity as a Qualified Purchasing Agent, is attached hereto and made a part of this resolution as if set forth in full.
4. The Township's Chief Municipal Finance Officer has certified that funds are available in the 2022 Temporary Current Fund Budget - Legal - Other Expenses, Line Item No. 132-0009-083 to meet the need of this award during the first quarter of 2022 and it is anticipated that sufficient funds will be appropriated and available in the 2022 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.
5. The Mayor and Township Clerk are hereby authorized to execute an Agreement with **Fred Semrau, Esq.** on behalf of the Township in an amount not to exceed \$150,000.00, plus out-of-pocket disbursements in an amount not to exceed \$3,000.00.
6. This appointment is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.(1)(a)(i) because the services performed are by a person authorized by law to practice a recognized



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profession as a licensed attorney of the State of New Jersey and such services are not subject to competitive bidding.

7. That a brief notice of this award shall be published in the Daily Record as required by law within ten (10) days of its passage.

**RESOLUTION NO. 31-2022**

**A PROFESSIONAL SERVICES RESOLUTION OF THE TOWNSHIP COMMITTEE  
RETAINING THE SERVICES OF STEPHEN E. TRIMBOLI AND THE FIRM OF  
TRIMBOLI AND PRUSINOWSKI LLC AS "SPECIAL LABOR COUNSEL" TO THE  
TOWNSHIP DURING CALENDAR YEAR 2022**

**WHEREAS**, pursuant to the provisions of the Local Public Contracts Law and in conformance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 44A-20.26 et seq., the Township of Hanover needs to retain the services of a labor attorney as a non-fair and open contract in order to provide the Township with labor and personnel legal counsel and representation in the conduct of the Township's business; and

**WHEREAS**, in keeping with the requirements of the Non-Fair and Open process of the Pay-to-Play legislation at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township's Business Administrator, in his capacity as the Township of Hanover's Qualified Purchasing Agent has prepared a "Value Determination and Certification", (a copy of which is attached hereto and made a part of this resolution), that the estimated value for the performance of the legal services to be performed in calendar year 2021 has an anticipated value in excess of \$17,500.00; and

**WHEREAS**, **Trimboli and Prusinowski LLC** have completed and submitted a Business Entity Disclosure Certification form, the Chapter 271 Political Contribution Disclosure Form, and the Stockholder Disclosure Certification. **Trimboli and Prusinowski LLC** have certified that the Firm has not made any reportable contributions to a political or candidate committee in the Township of Hanover in the previous one (1) year, and that the new professional services agreement will prohibit **Trimboli and Prusinowski LLC** from making any reportable contributions through the term of the contract; and

**WHEREAS**, it is the intention of the Township Committee to retain the services of **Stephen E. Trimboli** and the law firm of **Trimboli and Prusinowski LLC** (hereinafter referred to as the Special Labor Counsel) to serve as the Township's Special Labor Counsel during calendar year 2022; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-5.(1)(a)(i) et seq., requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection; and

**WHEREAS**, the Special Labor Counsel shall be paid for all professional legal services at the rate of \$130.00 per hour plus reimbursement for all necessary disbursements incurred during the performance of legal services; and

**WHEREAS**, the maximum amount of the agreement shall not exceed \$60,000.00 for all legal services plus an amount not to exceed \$750.00 for out-of-pocket disbursements during calendar year 2022; and

**WHEREAS**, the Township's Chief Municipal Finance Officer has certified that funds are available in the 2022 Temporary Current Fund Budget – Legal O/E, Labor Negotiations, Line Item No. 132-0009-095 to meet the need of this award during the first quarter of 2022 and that it is anticipated that sufficient funds will be appropriated and available in the 2022 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

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

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1. That **Stephen E. Trimboli** and the law firm of **Trimboli and Prusinowski LLC**, located at 268 South Street in Morristown, New Jersey 07960, are hereby retained to provide the Township with professional legal services, as Special Labor Counsel, for calendar year 2022. Services shall include, but not be limited to, preparation for and attendance at negotiations meetings with various labor organization representatives, the preparation of written legal opinions and the representation of the Township in litigation arising out of matters for which the attorney is retained.
2. For all services rendered under the terms of the Agreement, **Mr. Trimboli** shall be paid at the rate of \$130.00 per hour plus reimbursement for all necessary disbursements incurred during the performance of legal services. The total contract amount for all legal services shall not exceed the maximum amount of \$60,000.00 plus an amount not to exceed \$750.00 for out-of-pocket disbursements.
3. In accordance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 44A-20.26, the Business Entity Disclosure Certification form, the Chapter 71 Political Contribution Disclosure form and the Stockholder Disclosure Certification submitted by **Trimboli and Prusinowski LLC** shall be placed on file with this resolution. The Determination of Value Form certified by the Township's Business Administrator, acting in his capacity as a Qualified Purchasing Agent, is attached hereto and made a part of this resolution as if set forth in full.
4. The Township's Chief Municipal Finance Officer has certified that funds are available in the 2022 Temporary Current Fund Budget – Legal O/E, Labor Negotiations, Line Item No. 132-0009-095 to meet the need of this award during the first quarter of 2022 and that it is anticipated that sufficient funds will be appropriated and available in the 2022 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.
5. The Mayor and Township Clerk are hereby authorized to execute an agreement with **Stephen E. Trimboli** and the Firm of **Trimboli and Prusinowski LLC** on behalf of the Township in an amount not to exceed \$60,000.00 for all legal services plus an amount not to exceed \$750.00 for out-of-pocket disbursements.
6. This appointment is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.(1)(a)(i) because the services performed are by a person authorized by law to practice a recognized profession as a licensed attorney of the State of New Jersey and such services are not subject to competitive bidding.
7. That a brief notice of this award shall be published in the Daily Record as required by law within ten (10) days of its passage.

**RESOLUTION NO. 32-2022**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING  
DR. NICHOLAS P. TWORISCHUK TO SERVE AS THE ALTERNATE 2 MEMBER  
ON THE LANDMARK COMMISSION FOR A TERM OF OFFICE WHICH SHALL  
EXPIRE ON DECEMBER 31, 2023**

**WHEREAS**, the Alternate 2 position on the Landmark Commission is vacant as a result of Michael Knauss advising the Township Committee that he will not seek reappointment at the end of his term of office on December 31, 2021; and

**WHEREAS**, Section 31-5. Entitled "Terms; Remuneration." Under Chapter 31 of the Code of the Township entitled Landmark Commission provides that the terms

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of the Alternate 1 and 2 members of the Landmark Commission shall be for a term of two (2) years; and

**WHEREAS**, in an email to the Business Administrator on January 7, 2022, **Dr. Nicholas P. Tworischuk**, a resident of the Township has expressed an interest to serve as a member of the Landmark Commission; and

**WHEREAS**, **Dr. Tworischuk** submitted his Curriculum Vitae along with the e-mail request; and

**WHEREAS**, as a need exists to fill the vacant Alternate 2 position, Landmark Commission Chairman Michael Czuchnicki has recommended to the Township Committee that **Dr. Tworischuk** be appointed to fill Mr. Knauss' vacant seat; and

**WHEREAS**, in accordance with Mr. Czuchnicki's recommendation, **Dr. Tworischuk** shall be appointed to serve as the Alternate 2 member of the Landmark Commission with an expiration date of December 31, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, of the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

1. In accordance with Landmark Commission Chairman Czuchnicki's recommendation **Dr. Nicholas P. Tworischuk** residing at 28 South Belair Avenue in the Cedar Knolls Section of the Township is hereby appointed to serve as the Alternate 2 member of the Landmark Commission.
2. This appointment shall take effect immediately upon the approval of this resolution and shall expire on December 31, 2023 or until such time as **Dr. Tworischuk's** successor shall be appointed and qualified.
3. That a certified copy of this resolution shall be transmitted to the Chairman and Secretary of the Landmark Commission, and **Dr. Tworischuk** for reference and information purposes.

**RESOLUTION NO. 33-2022**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH BARBARA DAVIS, A PROFESSIONAL PLANNER LICENSED BY THE STATE OF NEW JERSEY AND THE LAND CONSERVANCY OF NEW JERSEY FOR THE PERFORMANCE OF VARIOUS OPEN SPACE PRESERVATION TECHNICAL SERVICES AT THE RATE OF \$125.00 PER HOUR AND A TOTAL COST NOT TO EXCEED \$8,000.00 DURING THE PERIOD BEGINNING MARCH 1, 2022 AND ENDING FEBRUARY 28, 2023, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-5.(1)(a)(ii), N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26 ET SEQ.**

**WHEREAS**, pursuant to the Pay-to-Play provisions of the Non-Fair and Open Process at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq., the Township Committee and the Township's Open Space Park Land and Facilities Preservation Trust Fund Advisory Committee (hereinafter referred to as "OSAC") are in need of retaining the services of an open space preservation consultant whose staff members have technical expertise and experience in the field of open space conservation; and

**WHEREAS**, during the past twenty (20) years, the Morris Land Conservancy, and now known as **The Land Conservancy of New Jersey** (hereinafter referred to as the "**Conservancy**") has served as the technical advisor to the Township Committee and the OSAC in assisting the Township with a variety of tasks and activities related to the preservation and conservation of open space within the Township; and

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**WHEREAS**, based on its past performance and service to the Township, the Township Committee believes that the staff of the **Conservancy** has the technical expertise, demonstrated knowledge and experience to continue assisting the Township Committee, the Open Space Advisory Committee and the Township's professional staff, with essential open space services; and

**WHEREAS**, as with the 2021-2022 EUS Agreement, the Township desires to execute a "project specific" professional services agreement with **The Land Conservancy of New Jersey** which scope of services shall be limited to: (a) assisting the Township in the preparation of materials to keep the Township's Green Acres Planning Incentive Grant up to date; (b) to assist the Township in developing up to two (2) grant applications to be submitted to the Morris County Open Space Preservation Trust Fund and Green Acres Program during 2022; (c) to provide on-going communication and coordination with State and County agencies responsible for land preservation and (d) to attend up to three (3) Township or County meetings to discuss issues with the Township's Open Space Advisory Committee or to assist in the presentation of the Township's grant applications before the Morris County Open Space Committee; and

**WHEREAS**, in the event the Township requires the preparation of maps or the performance of other services related to specific special projects not included under this Agreement, the **Conservancy** shall submit a separate proposal(s) and quotation(s) only when such proposals are requested by the Township Committee; and

**WHEREAS**, the services of the **Conservancy** fall under the category of a professional service, N.J.S.A. 40A:11-5 (1)(a)(i), which services are specialized and qualitative in nature and requiring expertise, extensive training and a proven reputation of successful activities in the area of professional planning and open space conservation; and

**WHEREAS**, it is the intention of the Township Committee to renew its Agreement with the **Conservancy** for the performance of various technical open space services to be performed at the rate of \$125.00 per hour and a total cost not to exceed \$8,000.00 during the period commencing March 1, 2022 and ending February 28, 2023; and

**WHEREAS**, the Township's Business Administrator, acting in his capacity as the Qualified Purchasing Agent, has determined and certified in writing that the value of the open space preservation consultant services for the period beginning March 1, 2022 and ending on February 28, 2023 will not exceed \$17,500.00; however, the **Conservancy** has been asked to file a Business Entity Disclosure Certification, the Chapter 271 Political Contribution Form and the Stockholder Disclosure Certification with the Township in conformance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq.; and

**WHEREAS**, the Township's Chief Municipal Finance Officer has certified that sufficient funds are available in the Township's Open Space Trust Fund Account, Line Item No. 254-3509-499 to fund this award, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

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

1. In accordance with the Professional Services provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), Barbara Davis, a professional planner licensed by the State of New Jersey and a principal member of **The Land Conservancy of New Jersey**, with offices located at 19 Boonton Avenue in Boonton, New Jersey 07005, are hereby retained to provide the Township Committee, the Open Space Park Land and Facilities Preservation Trust Fund Advisory Committee, and the Township's professional staff with technical open space consultant services.

2. **The Land Conservancy of New Jersey** shall be paid at the rate of \$125.00 per hour for the performance of the scope of services outlined in the Agreement to be prepared by the Business Administrator covering the period

**January 13, 2021**

commencing March 1, 2022 and ending February 28, 2023. The total contract amount shall not exceed \$8,000.00 during the twelve (12) month period.

3. In the event the Township requires mapping and/or other special project services to be performed by the **Conservancy**, the Township's Business Administrator shall request the submission of a written proposal and quotation from the **Conservancy**. If the governing body authorizes the performance of additional services, said services will be billed separately and apart from the EUS Agreement.

4. The Mayor and Township Clerk are hereby authorized to execute a limited EUS Agreement on behalf of the Township Committee

5. This contract is awarded without competitive bidding as a

6. "Professional Service", in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is essential that the governing body obtain the guidance and assistance of individuals possessing the technical expertise, demonstrated knowledge and proven ability to assist the Township with those issues and subjects directly related to open space conservation and preservation.

7. That a certified copy of this resolution shall be transmitted to the, the OSAC, the Chief Municipal Finance Officer and **The Land Conservancy of New Jersey** for reference and information purposes.

8. That a brief notice of this award shall be published in the January 20, 2021 issue of the Daily Record as required by law.

**RESOLUTION NO. 34-2022**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN AND GRANT TO THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE 2022-2023 FISCAL GRANT YEAR ALLIANCE TIER 1, BEGINNING JULY 1, 2022 THROUGH JUNE 30, 2023 PURSUANT TO THE FISCAL GRANT CYCLE FROM JULY1, 2020 THROUGH JUNE 30, 2025**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, The Township Committee of the Township of Hanover in the County of Morris and State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris.

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

1. The governing body hereby authorizes the submission of a Strategic Plan and grant for the Hanover Township Substance Awareness Council Municipal Alliance for the fiscal year July 1, 2022 to June 30, 2023, in the amount of:

DEDR:	\$ 6,523.00
Cash Match:	\$ 1,630.75
In-Kind:	\$ <u>4,892.25</u>

January 13, 2021

**TOTAL ALLIANCE BUDGET: \$ 13,046.00**

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Mayor, Chairperson of the Township's Substance Awareness Council and the Township's Chief Municipal Finance Officer are hereby authorized to execute the Strategic Plan for funding the Township's Municipal Alliance.
4. That certified copies of this resolution shall be submitted to the Morris County Municipal Alliance Coordinator, the Chairperson of the Township's Substance Awareness Council and the Township's Chief Municipal Finance Officer for reference and information purposes.

**RESOLUTION NO. 35-2022**

**A RESOLUTION AUTHORIZING THE REFUND OF REDEMPTION MONEYS TO AN OUTSIDE LIENHOLDER CONCERNING 65 SUMMIT AVENUE**

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 1, 2020, a lien was sold on Block 801, Lot 5 also known as 65 Summit Avenue, Cedar Knolls, New Jersey 07927, for 2020 delinquent taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate 2021-05, was sold to M&P Retirement Plan for a 0% redemption fee and a \$31,000.00 premium paid; and

**WHEREAS, Manuel Sinche**, on behalf of the owner has affected redemption of Certificate 2021-05 in the amount of \$17,706.07.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$17,706.07, payable to M&P Retirement Plan, P.O. Box 109, Cedar Knolls, New Jersey 07927, for the redemption of Tax Sale Certificate 2021-05.

**BE IF FUTHER RESOLVED**, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$31,000.00 (Premium) to the aforementioned lien holder.

**RESOLUTION NO. 36-2022**

**A RESOLUTION AUTHORIZING THE REFUND OF REDEMPTION MONEYS TO AN OUTSIDE LIENHOLDER CONCERNING 2 RIVER PARK COURT**

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 1, 2020, a lien was sold on Block 8901, Lot 11.04 also known as 2 River Park Court, Whippany, New Jersey 07981, for 2020 delinquent taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate 2021-15, was sold to M&P Retirement Plan for a 0% redemption fee and a \$1,706.00 premium paid; and

**WHEREAS, Manuel Sinche**, on behalf of the owner has affected redemption of Certificate 2021-15 in the amount of \$1027.26.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$1027.26, payable to M&P Retirement Plan, P.O. Box 109, Cedar Knolls, New Jersey 07927, for the redemption of Tax Sale Certificate 2021-15.

**BE IF FUTHER RESOLVED**, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$1,700.00 (Premium) to the aforementioned lien holder.

January 13, 2021  
RESOLUTION NO. 37-2022

**A RESOLUTION APPROVING THE REFUND OF TAX OVERPAYMENTS**

*BE IT RESOLVED*, by the Township Committee, of the Township of Hanover, County of Morris and State of New Jersey, that the following tax overpayments, as certified by Silvio Esposito, Collector of Taxes, be and are hereby refunded:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL. #</u>	<u>NAME</u>	<u>AMOUNT</u>
1001	19		New Horizon Abstract, Inc 977 Sate Route 33 West, Suite 102 Monroe Township, NJ 08831 RE: 12 Old Farm Road	\$2,115.18
1307	14		Rostan, David & Ward, Barbara 43 Oak Boulevard Cedar Knolls, NJ 07927	\$1846.33
2502	3.01		Huang, Funan 19 Prospect Place Cedar Knolls, NJ 07927	\$3,470.82
3504	16		Mac Arthur, John J/Maureen B 43 Warren Street Whippany, NJ 07981	\$50.41
4702	13		Melfi, Karren M 15 Knollwood Rd Whippany, NJ 07981	\$38.63
5703	25		James Day Edwards Trust/Nancy LouTrust 31 Valley Forge Drive Whippany, NJ 07981	\$1,811.00
7801	1.08		Chen, Shuling & Hung, Sam 17 Magnolia Drive Whippany, NJ 07981	\$3,106.71
7801	1.13		Girjavallabhan, Vinay & Reshma 27 Magnolia Drive Whippany, NJ 07981	\$424.85
9202	15	C0003	Tawanee, Amit & Dolly 3 Barberry Court Whippany, NJ 07981	\$3,233.08

Motion made by Member Cahill to approve resolutions as a consent agenda and seconded by Member Mihalko and unanimously approved.

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of **\$1,165,454.02** for the payment of all bills as of this Regular Township Committee Meeting. A copy of the "Bills Payment List – by Vendor" is hereby approved and made a part of this resolution as if set forth in full. Moved by Mayor Ferramosca and seconded by Member Gallagher and unanimously passed.

A copy of the Bill Payment List – by Vendor has been incorporated in the Supplemental Minute Book – Payment of Bills which is on file in the Township Clerk's office.

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**RAFFLE APPLICATION:**

January 13, 2021

**RL-3334 Our Lady of Mercy Church – Off Premise 50/50**

Motion made to approve made by Member Mihalko and seconded by Member Gallagher and unanimously approved.

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**OPEN TO THE PUBLIC**

Motion made by Member Mihalko to Open to the Public and seconded by Member Gallagher and unanimously passed.

Terri Baird, 180 Parsippany Road, Whippany: Ms. Baird asked a question to Fred Semrau referring to the number of Committee Members who recused themselves from voting at the Planning Board Meeting and wanted to know if the same members will also recuse themselves tonight regarding Ordinance 4?

Mr. Semrau replied to Ms. Baird stating no, they will not recuse themselves on voting on this ordinance as Township Committee Members. That was a decision of the Governing Body to recuse themselves and elect not to vote at the Planning Board meeting.

Motion made by Member Francioli to close this portion of the meeting and seconded by Member Cahill and unanimously passed.

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**ADJOURNMENT**

Motion made to close at 7:23 p.m. was by Member Gallagher and seconded by Member Ferramosca and unanimously passed.

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

  
\_\_\_\_\_  
Krista M. DiGiorgio, Township Clerk