

JANUARY 14, 2021

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 14, 2021, at 6:30 o'clock in the evening, prevailing time.

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

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

ABSENT:

PLEDGE OF ALLEGIANCE TO THE FLAG & OPENING PRAYER

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of December 21, 2020 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.

INTRODUCTION OF ORDINANCES

ORDINANCE NO. 1-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER DELETING ARTICLE XIXA ENTITLED "*TRANSFER OF DEVELOPMENT CREDITS*", UNDER CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED, *LAND USE AND DEVELOPMENT*

The Ordinance and Notice of Introduction will be published in full in the Daily Record on January 20, 2021 in accordance with the law. Public Hearing is scheduled for February 11, 2020 at 6:30pm via zoom webinar meeting.

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

So Introduced

ORDINANCE NO. 2-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING SECTION 141-7. ENTITLED "*BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD*" UNDER ARTICLE III ENTITLED *GENERAL PROVISIONS* OF CHAPTER 141 OF THE CODE OF THE TOWNSHIP ENTITLED *FLOODPLAIN MANAGEMENT*

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The Ordinance and Notice of Introduction will be published in full in the Daily Record on January 20, 2021 in accordance with the law. Public Hearing is scheduled for February 11, 2020 at 6:30pm via zoom webinar meeting.

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

So Introduced

ORDINANCE NO. 3-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED *LAND USE AND DEVELOPMENT* LEGISLATION IN ORDER TO REVISE THE STORMWATER MANAGEMENT REQUIREMENTS FOR MAJOR DEVELOPMENT IN ORDER TO COMPLY WITH STATE REGULATIONS AND TO PROMOTE THE OBJECTIVES OF STORMWATER MANAGEMENT

The Ordinance and Notice of Introduction will be published by summary in the Daily Record on January 20, 2021 in accordance with the law. Public Hearing is scheduled for February 11, 2020 at 6:30pm via zoom webinar meeting.

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

So Introduced

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 18-2021

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 2021

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-three (43) years; and

WHEREAS, the Township Committee reappointed Mr. Semrau at its January 7, 2021 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 2021; and

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WHEREAS, the Township finds itself in what is described as difficult financial times, particularly for the 2021 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 2021 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 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 2021 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. 131-0009-083 to meet the need of this award during the first quarter of 2021 and, it is anticipated that sufficient funds will be appropriated and available in the 2021 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 2021 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 \$75,000.00 during calendar year 2021. 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..... \$163.00 per hour
Associate.....\$137.00 per hour

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Paralegal.....\$ 87.00 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 2021 Temporary Current Fund Budget - Legal - Other Expenses, Line Item No. 131-0009-083 to meet the need of this award during the first quarter of 2021 and it is anticipated that sufficient funds will be appropriated and available in the 2021 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 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. 19-2021

**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 2021**

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

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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 2021; 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 2021; and

WHEREAS, the Township's Chief Municipal Finance Officer has certified that funds are available in the 2021 Temporary Current Fund Budget – Legal O/E, Labor Negotiations, Line Item No. 131-0009-095 to meet the need of this award during the first quarter of 2021 and that it is anticipated that sufficient funds will be appropriated and available in the 2021 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 **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 2020. 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 271 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 2021 Temporary Current Fund Budget – Legal O/E, Labor Negotiations, Line Item No. 131-0009-095 to meet the need of this award during the first quarter of 2021 and that it is anticipated that sufficient funds will be appropriated and available in the 2021 Current Fund Budget, all in accordance with the requirements of the Local

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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. 20-2021

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH KATHRYN L. MANTELL, CPA, RMA AND THE FIRM OF NISIVOCCIA LLP TO CONDUCT AN INDEPENDENT AUDIT OF THE TOWNSHIP'S FINANCIAL RECORDS FOR THE YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$33,200.00 FOR THE GENERAL AUDIT, \$300.00 FOR THE ADDITIONAL TESTING REQUIREMENTS PURSUANT TO THE UNIFORM CONSTRUCTION CODE AND \$3,500.00 FOR THE SWIMMING POOL ENTERPRISE FUND AUDIT, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AT N.J.S.A. 40A:11-5.(1)(a)(i) AND THE PAY-TO-PLAY PROVISIONS FOR NON-FAIR AND OPEN CONTRACTS AT N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26 ET SEQ.

WHEREAS, N.J.S.A. 40A:5-4 provides that the governing body of every local unit in New Jersey shall cause an annual audit of its books, accounts and financial transactions to be made and for that purpose shall employ a Registered Municipal Accountant of New Jersey; and

WHEREAS, it is necessary that examinations be made of the Year 2020 accounts and records of all Township departments to verify the Treasurer's, Comptroller's and Collector's accounts and records; and

WHEREAS, in accordance with the Local Public Contracts law, the Township Committee, as a result of soliciting written quotations and proposals from three (3) accounting firms, authorized the award of a professional services agreement to Nisivoccia LLP on December 12, 2019 for the purpose of reviewing the financial Records of the Township and preparing the 2019 audit report; and

WHEREAS, the Township was satisfied with the performance of Nisivoccia LLP in preparing the 2019 audit report whereby the Business Administrator and Chief Municipal Finance Officer recommend that **Kathryn L. Mantell** and **Nisivoccia LLP** be again retained for the purposes of performing the 2020 audit of the Township's financial accounts based on the firm's considerable experience demonstrated knowledge and expertise in performing municipal audits; and

WHEREAS, in accordance with the request of the Business Administrator, **Ms. Mantell**, a partner in the firm submitted a proposal and quotation dated December 31, 2020 to perform the 2020 audit including other related financial services which proposal and quotation are attached hereto and made a part of this resolution as if set forth in full; and

WHEREAS, it is the recommendation of the Business Administrator and CMFO that **Kathryn L. Mantell, CPA, RMA, a partner in the Firm of Nisivoccia LLP and the Firm of Nisivoccia LLP**, whose members are licensed by the State of New Jersey as Certified Public Accountants and Registered Municipal Accountants, be

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retained by the Township to perform a financial review of the Township's 2020 financial accounts, and the performance of other financial services such as the submission of the Township's review and certification of the audit and budget transmitted through the Division of Local Government Services' "Financial Automation Submission Tracking" (FAST) System; and

WHEREAS, the Local Public Contracts Law N.J.S.A.40A:11-1 et seq.) requires that the resolution authorizing the awards of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, pursuant to the provisions of the Non-Fair and Open Contracts of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S. 19:44A-20.26 et seq., it is the intention of the Township Committee to retain the services of **Kathryn L. Mantell, CPA, RMA, a partner in the Firm of Nisivoccia LLP and the Firm of Nisivoccia LLP**, which members of the Firm have the necessary expertise and experience to audit the financial transactions and accounts of the Township; and

WHEREAS, in keeping with the requirements of the Non-Fair and Open Contracts process of the Pay-to-Play laws 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 Certification" (a copy of which is attached hereto and made a part of this resolution) certifying that the estimated contract for the review of the Township's financial transactions and accounts including the preparation of the 2019 audit report has an anticipated value in excess value of \$17,500.00.

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

1. Pursuant to N.J.S.A. 40A:11-5.(1)(a)(i) 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. of the Non Fair and Open Contracts provisions of the Pay-to-Play laws, **Kathryn L. Mantell, CPA, RMA, a partner in the Firm of Nisivoccia LLP and the Firm of Nisivoccia LLP**, a Professional Corporation located at the Mount Arlington Corporate Center, 200 Valley Road, Suite 300 in Mount Arlington, New Jersey 07856, and whose members are licensed by the State of New Jersey, are hereby retained to conduct an independent audit of the Township's Year 2020 accounts and records.
2. The compensation for the services to be rendered shall not exceed Thirty Thousand (\$37,000.00) Dollars which fee encompasses \$33,200.00 for the General Audit, \$300.00 for the additional testing examination and calculations pursuant to the Uniform Construction rule and \$3,500.00 for the Swimming Pool Enterprise Fund Audit.
3. In the event the Township's Chief Municipal Finance Officer requests **Nisivoccia** to submit the review and certification of the 2020 audit, financial statements and budget through the Division's Financial Automation Submission Tracking System (FAST), **Nisivoccia LLP** will bill the Township its standard hourly rates, which will vary according to the degree of responsibility involved and the experience level of the personnel assigned for these services.
4. The Business Disclosure Entity Certification Form, the Chapter 271 Political Contribution Disclosure Form and the Stockholder Disclosure Certification submitted by **Kathryn L. Mantell, CPA, RMA, a partner in the Firm of Nisivoccia LLP** 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 also attached hereto and made a part of this resolution as if set forth in full.
5. This appointment is awarded without competitive bidding as a

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“Professional Service” under the provision of the Local Public Contracts Law because the services performed are by persons authorized by law to practice a recognized profession as Registered Municipal Accounts licensed by the State of New Jersey and such services are not subject to competitive bidding.

6. The Mayor and Township Clerk are hereby authorized to execute a Professional Services Agreement, not to exceed Thirty Thousand (\$37,000.00) Dollars with **Kathryn L. Mantell, CPA, RMA, a partner in the Firm of Nisivoccia LLP and the Firm of Nisivoccia LLP**, whose members are Certified Public Accountants and Registered Municipal Accountants licensed by the State of New Jersey.
7. 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. 21-2021

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE RENEWAL OF A LIMITED EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT WITH 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, 2021 AND ENDING FEBRUARY 28, 2022, 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 nineteen (19) 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

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 limited “project specific” extraordinary, unspecifiable 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 during 2021; (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 EUS Agreement, the **Conservancy** shall submit a separate proposal(s) and quotation(s) only when such proposals are requested by the Township Committee; and

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

WHEREAS, it is the intention of the Township Committee to renew a limited Extraordinary, Unspecifiable Services 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, 2021 and ending February 28, 2022; 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, 2021 and ending on February 28, 2022 will not exceed \$17,500.00 and therefore, the filing of a Business Entity Disclosure Certification, the Chapter 271 Political Contribution Form and the Stockholder Disclosure Certification by the **Conservancy** with the Township pursuant to N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq. will not be necessary; 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 Extraordinary, Unspecifiable Services provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(ii), **The Land Conservancy of New Jersey**, with offices located at 19 Boonton Avenue in Boonton, New Jersey 07005, is 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 a limited, project specific scope of services agreement which services are enumerated in the Extraordinary, Unspecifiable Services Contract.
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 Extraordinary, Unspecifiable Services Agreement during the period commencing March 1, 2021 and ending February 28, 2022. 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 an "Extraordinary, Unspecifiable Service", in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) 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.
6. 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.

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7. 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. 22-2021

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A ONE (1) YEAR CONTRACT WITH RAMAS CLIMATE AND REFRIGERATION, LLC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE PERFORMANCE OF PREVENTIVE MAINTENANCE SERVICES IN THE LUMP SUM AMOUNT OF \$7,000.00 FOR THE PERIOD COMMENCING JANUARY 1, 2021 TO DECEMBER 1, 2021 AND REPAIR SERVICES, ON AN HOURLY RATE BASIS, WHEN NEEDED, FOR THE AIR CONDITIONING, HEATING AND VENTILATION SYSTEMS AT THE MUNICIPAL BUILDING COMPLEX, (INCLUDING POLICE HEADQUARTERS AND THE WHIPPANONG LIBRARY), MULTI-PURPOSE COMMUNITY CENTER, MONROE HALL, AND THE PUBLIC WORKS DEPARTMENT GARAGE

WHEREAS, there exists a need for the Township to enter into a contract for preventive maintenance and repair services for the heating, ventilation and air conditioning systems located at the Municipal Building Complex (including Police Headquarters and the Whippanong Library), the Multi-Purpose Community Center, Monroe Hall and the Public Works Department Garage; and

WHEREAS, the Township of Hanover, acting in conformity with N.J.S.A. 409A:11-1 et seq., publicly advertised for bids on November 29, 2020 and December 2, 2020 for preventive maintenance and repair services as set forth above, when necessary; and

WHEREAS, pursuant to public advertising, the Township’s Bid Reception Committee received and opened two (2) sealed competitive bids out of five (5) prospective bidders on January 5, 2021; and

WHEREAS, the Township’s Bid Proposal stated that the Township reserves the right to award the contract for preventive maintenance and repair services to the lowest responsive and responsible bidder on the basis of the lowest bid for the combination of Items No. 1 and 2; and

WHEREAS, Ramas Climate and Refrigeration, LLC, was the apparent lowest responsive and responsive bidder; and

WHEREAS, the Township Engineer, acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has carefully examined all the bid documents for this preventive maintenance and repair services contract; and

WHEREAS, it is the recommendation of the Township Engineer that a one (1) year contract be awarded to **Ramas Climate and Refrigeration, LLC** on the basis of the lowest bid for the combination of Items Nos. 1.and 2. as follows:

- Item No. 1. Preventive Maintenance.....\$7,000.00;
- Item No. 2. Repair Services:
- Item No. 2A. Regular Hourly Labor Rate.....\$80.00 per man hour
Monday to Friday Between 8:30 a.m.
To 4:30 p.m.
- Item No. 2B. Week Day Overtime Labor Rate...\$120.00 per man hour
Monday to Friday After 4:30 p.m.
And All Day Saturday
- Item No. 2C. Overtime Labor Rate.....\$120.00 per man hour
Sunday and Holidays

WHEREAS, the bid proposal submitted by **Ramas Climate and Refrigeration, LLC** is in total conformance with the Township’s Specifications and Supplementary Specifications and does not include any exceptions, deviations or

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deficiencies, and is therefore deemed the lowest responsible and responsive bidder for the combination of Item Nos. 1 and 2 in providing preventive maintenance and repair services of the heating, ventilation and air conditioning systems located in various municipal building facilities; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-15 provides that any contract for the provision or performance of goods or services, the statutory length of which contract is for three (3) years or less, may include a term of no more than one two (2) year or two one (1) year extensions subject to certain limitations; and

WHEREAS, the Township's heating, air conditioning and ventilation systems' specification utilized in connection with the receipt of competitive bids on January 5, 2021 provided that the Township reserves the right, in accordance with State Statute, to extend the contract for an additional one (1) year period if it is determined that the services are being performed in an effective and efficient manner; and

WHEREAS, based upon the recommendation of the Township Engineer, it is the intention of the Township Committee, to award a twelve (12) month contract to **Ramas Climate and Refrigeration, LLC** for the period beginning January 1, 2021 through December 31, 2021, for the performance of preventive maintenance, and when necessary, repair services to the Township's HVAC systems, all in accordance with **Ramas Climate and Refrigeration LLC's** January 5, 2021 competitive bid; and

WHEREAS, the award of this contract is subject to the appropriation and availability of sufficient funds in the Year 2021 temporary and final Current Fund Budgets in the Other Expense Buildings and Grounds budgets, Account No. 0012 for the purposes set forth in this resolution, all in accordance with 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 a twelve (12) month contract beginning on January 1, 2021 through December 31, 2021 shall be awarded to:

Ramas Climate and Refrigeration, LLC
208 East Cedar Street
Livingston, New Jersey 07039

for the preventive maintenance and repair services to the heating, ventilation and air conditioning systems, located at the Municipal Building Complex (including Police Headquarters and the Whippanong Library), the Multi-Purpose Community Center, Monroe Hall and the Public Works Department Garage, within the Township, on the basis of the lowest bid for the combination of Items No. 1. and 2. as follows:

Item No. 1. Preventive Maintenance.....\$7,000.00;
Item No. 2. Repair Services:
Item No. 2A. Regular Hourly Labor Rate.....\$80.00 per man hour
Monday to Friday Between 8:30 a.m.
To 4:30 p.m.
Item No. 2B. Week Day Overtime Labor Rate...\$120.00 per man hour
Monday to Friday After 4:30 p.m.
And All Day Saturday
Item No. 2C. Overtime Labor Rate.....\$120.00 per man hour
Sunday and Holidays

2. Subject to the provisions of N.J.S.A. 40A:11-15, the governing body, upon a finding and determination by the Township Engineer that the vendor, **Ramas Climate and Refrigeration, LLC**, has performed in an effective and efficient manner during the twelve (12) month contract period, the governing body may, by resolution, extend the contract for one (1) additional year provided that the terms and conditions of the contract remain substantially the same. Any price change included as part of the

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one (1) year extension shall be based upon the price of the original contract adjusted to an amount not to exceed the Index Rate for the twelve (12) months preceding the most recent quarterly calculation available at the time the contract is renewed.

3. This award is subject to the appropriation and availability of sufficient funds in the 2021 Temporary and Current Fund Budgets, Buildings and Grounds, Line Item Nos. 131-0012-109, 131-0012-110, 131-001-590 and 131-0012-766 for the purposes set forth in the resolution, all in accordance with requirements of the Local Budget Law, N.J.S.A 40A:4-1 et seq.

4. The Mayor and Township Clerk are hereby authorized to execute a twelve (12) month contract on behalf of the Township.

5. A certified copy of this resolution shall be transmitted to the Township Engineer, the Township's CMFO, and **Ramas Climate and Refrigeration, LLC** for reference and information.

RESOLUTION NO. 23-2021

A RESOLUTION OF THE TOWNSHIP COMMITTEE AWARDING A CONTRACT TO LA FORZA CONSTRUCTION, LLC THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR BID NO. 14 – THE CONSTRUCTION OF SIDEWALKS, DRIVEWAY APRONS AND CURBS FOR THE CONTRACT PERIOD BEGINNING JANUARY 15, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, the Township of Hanover, acting in conformity with N.J.S.A. 40A:11-1 et seq. publicly advertised for bids on November 29 and December 2, 2020 for the construction and installation of sidewalks, driveway aprons and curbs on an as needed basis; and

WHEREAS, pursuant to public advertisement, the Township's Bid Reception Committee received and opened a total of seven (7) sealed competitive bids out of ten (10) prospective bidders on January 5, 2021; and

WHEREAS, the Township Engineer, acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has carefully examined all of the bid documents received on January 5, 2021 and has set forth his recommendations concerning the award of a contract to the lowest responsive and responsible bidder for Bid No. 14 as set forth above; and

WHEREAS, the Township Engineer's Letters of Recommendation dated January 11, 2021 is attached hereto and made a part of this resolution as if set forth in full; and

WHEREAS, in accordance with N.J.A.C. 5:34-5.1 et seq., and the Local Budget Law, N.J.S.A. 40A:4-1 et seq., the Township's Chief Municipal Finance Officer has certified as to the availability of funds appropriated through the 2021 Temporary Fund Budget - Other Expense Line Item.

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 recommendations of the Township Engineer, in his Recommendation Letter dated January 11, 2021, which is incorporated herein, and made a part of this resolution as if set forth in full, the governing body authorizes the following:

A. Bid No. 14: To LaForza Construction, LLC, with a mailing address of 524 Valley Brook Avenue in Lyndhurst, New Jersey 07071 for the construction and installation of sidewalks, driveway aprons and curbs. **LaForza Construction, LLC**, the lowest responsive and responsible bidder submitted all of the documentation pursuant to the Township's bid documentation submission checklist.

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The bid of **LaForza Construction, LLC** is in total compliance with the Township's Bid Specifications and Supplementary Specifications for Bid No. 14 and did not include any exceptions, deviations or deficiencies and therefore, the contractor is deemed the lowest responsive and responsible bidder.

2. The Mayor and Township Clerk are hereby authorized to execute a contract with **LaForza Construction, LLC** all for a one (1) year period commencing January 15, 2021 through December 31, 2021.

3. Subject to the provisions of N.J.S.A. 40A:11-15, the governing body, upon a finding and determination by the Township Engineer that **LaForza Construction, LLC** has performed in an effective and efficient manner during the twelve (12) month contract period, the governing may, by separate resolution, extend the contract for one (1) additional year provided that the terms and conditions of the 2021 contract remains substantially the same. Any price changes included as part of the one (1) year extension shall be based on the price of the original contracts adjusted to an amount not to exceed the Index Rate for the twelve (12) months preceding the most recent quarterly calculation available at the time the contract is renewed.

4. That certified copies of this resolution shall be transmitted to **LaForza Construction, LLC**, the Township's Chief Municipal Finance Officer, the Township Engineer, and the Superintendent of Public Works, Buildings and Grounds and Park Maintenance for reference and information purposes.

RESOLUTION NO. 24-2021

A RESOLUTION OF THE TOWNSHIP COMMITTEE AWARDING A CONTRACT TO NAVA CONSTRUCTION, LLC THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR BID NO. 15 – THE CONSTRUCTION OF STORM SEWER INLETS AND MANHOLES FOR THE CONTRACT PERIOD BEGINNING JANUARY 15, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, the Township of Hanover, acting in conformity with N.J.S.A. 40A:11-1 et seq. publicly advertised for bids on November 29 and December 2, 2020 for the construction and installation of sidewalks, driveway aprons and curbs on an as needed basis; and

WHEREAS, pursuant to public advertisement, the Township's Bid Reception Committee received and opened a total of six (6) sealed competitive bids out of twelve (12) prospective bidders on January 5, 2021; and

WHEREAS, the Township Engineer, acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has carefully examined all of the bid documents received on January 5, 2021 and has set forth his recommendations concerning the award of a contract to the lowest responsive and responsible bidder for Bid No. 15 as set forth above; and

WHEREAS, the Township Engineer's Letters of Recommendation dated January 11, 2021 is attached hereto and made a part of this resolution as if set forth in full; and

WHEREAS, in accordance with N.J.A.C. 5:34-5.1 et seq., and the Local Budget Law, N.J.S.A. 40A:4-1 et seq., the Township's Chief Municipal Finance Officer has certified as to the availability of funds appropriated through the 2021 Temporary Fund Budget - Other Expense Line Item.

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 recommendations of the Township Engineer, in his Recommendation Letter dated January 11, 2021, which is incorporated herein, and made a part of this resolution as if set forth in full, the governing body authorizes the following:

A. Bid No. 15: To **NAVA Construction, LLC**, with a mailing address of 1216 Stockton Drive in North Brunswick, New Jersey 08902 for the construction and

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installation of storm sewer inlets and manholes. **NUVA Construction, LLC**, the lowest responsive and responsible bidder submitted all of the documentation pursuant to the Township’s bid documentation submission checklist.

The bid of **NAVA Construction, LLC** is in total compliance with the Township’s Bid Specifications and Supplementary Specifications for Bid No. 15 and did not include any exceptions, deviations or deficiencies and therefore, the contractor is deemed the lowest responsive and responsible bidder.

2. The Mayor and Township Clerk are hereby authorized to execute a contract with **NAVA Construction, LLC** all for a one (1) year period commencing January 15, 2021 through December 31, 2021.

3. Subject to the provisions of N.J.S.A. 40A:11-15, the governing body, upon a finding and determination by the Township Engineer that **NAVA Construction, LLC** has performed in an effective and efficient manner during the twelve (12) month contract period, the governing may, by separate resolution, extend the contract for one (1) additional year provided that the terms and conditions of the 2021 contract remains substantially the same. Any price changes included as part of the one (1) year extension shall be based on the price of the original contracts adjusted to an amount not to exceed the Index Rate for the twelve (12) months preceding the most recent quarterly calculation available at the time the contract is renewed.

4. That certified copies of this resolution shall be transmitted to **NAVA Construction, LLC**, the Township's Chief Municipal Finance Officer, the Township Engineer, and the Superintendent of Public Works, Buildings and Grounds and Park Maintenance for reference and information purposes.

RESOLUTION NO. 25-2021

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING 2020 BUDGETARY APPROPRIATION TRANSFERS IN ACCORDANCE WITH N.J.S.A. 40A:4-58

WHEREAS, N.J.S.A. 40A:4-58 sets forth the manner in which appropriation transfers may be made; and

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the appropriation for contingent expenses or deferred charges) to meet the demands thereon for the balance of the 2020 current year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris, that this resolution be adopted (by not less than two-thirds of all the members thereof affirmatively concurring) in accordance with the provision of N.J.S.A. 40A:4-58, part of the surplus in the accounts mentioned below be and the same are hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands of the 2020 operating budget.

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

FROM:			TO:		
ACCOUNT					
ACCOUNT					
<u>NO</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>	<u>NO</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
130-			130-		
"-0018-029	Group Hlth Ins. OE	\$ 5,000	"0350-064	Audit Serv. (Fees)	\$ 5,000
		\$ 5,000			\$ 5,000

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Motion made by Member Ferramosca to accept and approve all resolutions as a consent agenda. Motion was seconded by Member Gallagher and unanimously passed by the Governing Body.

SEPARATE VOTE TAKEN FOR THIS RESOLUTION

RESOLUTION NO. 26-2021

AUTHORIZING THE TOWNSHIP’S PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 4802, LOT 2, QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

Mr. Brancheau: This resolution will authorize the Planning Board to conduct a study to see whether a certain property identified in the resolution as block 4802 Lot 2 would qualify as an area in need of redevelopment. Under the Law there are certain criteria that have to be met before that can be done, what happens is the Planning Board has a study done, then will hold a public hearing on the findings of that study and at the conclusion of the public hearing the Planning Board will vote to recommend either the designated as an area in need of redevelopment or to not designate it as an area in need of redevelopment. That will then go to the governing body which will then make a final determination as to whether it is or is not a qualifying area in need of redevelopment. An area in need of redevelopment is an area that obviously needs redevelopment but it also gives the municipality greater powers than it would than in a typical zoning or land use regulation including eminent domain but this not calling for imminent domain this is calling for use of other powers including redevelopment agreements that can be done with the redeveloper and so forth before it comes in for an application.

Mr. Mihalko: Where is that?

Mr. Brancheau: That is 190 Park Avenue. If you know Park Avenue, it is the next door to the existing hotel.

Mr. Mihalko: Understood. Thank you.

Motion made by Member Gallagher to accept resolution and seconded by Member Cahill. Member Gallagher votes yes and Member Francioli and Member Mihalko recused from voting on Item E.

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of **\$4,941,934.69** 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 Francioli 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.

OPEN TO THE PUBLIC

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

Terri Baird, 180 Parsippany Road, Whippany: I have a question and also in relation to Resolution E and the area in need of redevelopment with non condemnation, would that give the developer access to a PILOT agreement in lieu of taxes?

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Mr. Semrau: Hi Terri, it would. It would potentially do that and part that of our Affordable Housing agreement for this particular project means that if the Township would entertain a PILOT for this project we have done some analysis of the project and because it is at such a high amount of affordable housing set asides because there is going to be over 33% of the units are going to be affordable the analysis that has been prepared independently for the Township supports the concept that combined with the fact that for the most part this would be a very low generator of school children and so to answer your question yes it may very well go down that path.

Ms. Baird: And as a follow up to that would the PILOT be on the full development site or just on the affordable housing portion?

Mr. Semrau: Well that would be on that entire development but there will be no PILOT on the Pine Plaza site as it sits and there is commercial and residential development but this site will be for the entire site because in addition a number of the units there long term stay hotel type units the Township will also qualify by Town Ordinance to have to pay a local hotel tax to the Township as well. So the answer is yes for this site but not the others.

Ms. Baird: Thank you.

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

REPORT OF THE TOWNSHIP ATTORNEY:

STATUS OF THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION

Mr. Semrau: We have a final court date that has been scheduled for April 15th with the Court and if the Judge approves the Township's third round plan this will have to come to a conclusion between now and the end of March there are some steps that the Township will need to take in order to facilitate the change in the plan, and that relates to the site we just spoke about which not only has the 150 units it has 60 senior age restricted affordable units and there is a third site and that site is what the Township has identified as much near Town Hall that will only have 60 age restricted senior units as well. So as mentioned we have doubled our opportunity for seniors on the age restricted units and we have come in which Joe Burgis calls perhaps the highest affordable housing contribution with a for profit developer that he has ever experienced in the State that comes from Joe Burgis so. I just want to add to the point that was made a few moments ago from Ms. Baird that it is a potential PILOT for the Park Ave site but not only for the 60 senior units that are going to be there but because the developer will have to construct another 60 units which we have costs at over \$10 million would have to be constructed as well much that part is to the benefit of the Township, so we have an April 15th date there will be an amendment for the third time cause we did that when we amended Parsippany Road and some other things historically to our affordable housing plan and then also an ordinance to address the uses at the Park Ave site and then I believe we will be in a position where we can make our application to the Court from a compliance standpoint and be in compliance with our plan.

Mayor: I have a question, you said as part of this proposed settlement with this developer this developer will be required to build an additional 60 senior housing units?

Mr. Semrau: Yes.

Mayor: What was the value of the cost?

Mr. Semrau: We had an independent expert and even Joe Giorgio and I were looking for some nonprofit organizations that it is in excess of \$10 million dollars so for each site it would be a \$10 million construction cost and Mayor the rents for one bedroom senior units some of them will be as low as a monthly rent of \$300-\$400 month for a brand new unit and that is a cost that the Township will not going to maintain this it will be the responsibility for the developer to maintain both units, there will be deed restrictions on the property and over at Park Ave as you know you had a

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lead hand in the discussion along with Mr. Gallagher that all of the amenities on Park Ave will be available to the seniors, there will be a number of different high end amenities that has to be available to the seniors as well.

OTHER BUSINESS:

Mayor: Due to the fact that we met a week ago and we had our comments and we say Mr. Mihalko's video I rule to suspend our reading of highlights this meeting and we are all in agreement with that.

ADJOURNMENT

Motion made to close at 7:00 p.m. was by Member Gallagher and seconded by Member Francioli and unanimously passed.

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

Joseph A. Giorgio, Township Clerk