

**MARCH 14, 2019**

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, March 14, 2019, at 8:00 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Mayor Francioli, Members Ferramosca, Gallagher, Cahill and Mihalko

ABSENT:

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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) Ronald F. Francioli, Mayor

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**PLEDGE OF ALLEGIANCE TO THE FLAG**

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**OPENING PRAYER**

**Almighty God, we ask that you bless this governing body with an abundance of wisdom and understanding so that every deliberation will result in actions which will promote the common good and the general welfare for all of the people of Hanover Township...AMEN**

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**OPEN TO THE PUBLIC**

Motion made by Member Ferramosca to open to the Public and was seconded by Member Gallagher and unanimously passed.

Motion to close made by Member Ferramosca and second by Member Gallagher and unanimously passed.

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**COMMUNICATIONS:**

**Resignation of General Office Part-Time Clerk Melissa Polk Effective February 28, 2019.**

Motion made to accept resignation made by Mayor Francioli and seconded by Member Gallagher.

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**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of February 14, 2019 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Cahill moved that the Minutes of the Regular Meeting of February 14, 2019 have been accepted and approved as presented by the Township Clerk. The motion was seconded by Member Ferramosca and was unanimously passed.

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**INTRODUCTION OF THE 2019 CURRENT FUND BUDGET - \$27,130,970.57**

Mr. Giorgio: The Budget will be further considered for public hearing and adoption at the Township Committee Meeting April 11, 2019 at 8:00pm and at that time any person wishing to be heard concerning the ordinance will be given an opportunity to speak on the budget. At this time are there any comments?

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Mayor: The only comment that the Township Committee has is that they are very pleased with this year's budget and it under 1%

Mr. Esposito: Under 2%

Mr. Giorgio: Under 2%

Mayor: Well it's under well it's under 2 but it is actually 1.9 so it's under 1. Oh you are adding the Open Space Tax.

Mr. Mihalko: Nope it's 1.67.

Mr. Ferramosca: No it's 1.67

Mayor: I stand corrected 1.67; open space tax is 1.5. So to say the least we are pleased we are under the 2% cap anyway. This is the municipal portion of budget and when I say that we have our budgets coming in from the fire companies, we have our budget from the County with education all of which constitutes the total taxes for a home in this town. So that is where we are.

May I have a motion to introduce the 2019 proposed budget and to approve the April 11, 2019 public hearing on the budget; Motion made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

So Introduced.

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**PUBLIC HEARING AND ADOPTION OF ORDINANCES:**

Mr. Giorgio: We have a number of Ordinances for consideration of public hearing and adoption but first Ordinance 4-2019 and if you recall this ordinance was continued to the meeting this evening because the Local Finance Board was not going to meet until March 13<sup>th</sup> so notices were placed in the Daily Record on the 20<sup>th</sup> of February that the public hearing would be continued this evening however on the advice of counsel this ordinance can be withdrawn, but first we have a motion to close the public hearing.

**ORDINANCE NO. 4-2019  
TO BE WITHDRAWN**

**AUTHORIZING THE GUARANTY OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON NOT TO EXCEED \$4,000,000 AGGREGATE PRINCIPAL AMOUNT OF COUNTY GUARANTEED LOAN REVENUE BONDS, SERIES 2019 (WHIPPANY FIREHOUSE PROJECT) ISSUED BY THE MORRIS COUNTY IMPROVEMENT AUTHORITY FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY THEREFOR AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH**

Motion to close public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

This Ordinance is not needed at this time.

Motion to withdraw this Ordinance made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

**Ordinance Withdrawn.**

**CONSENT AGENDA ORDINANCE 5, 6, 8, 9, 10**

**ORDINANCE NO. 5-2019**

**AUTHORIZING A ONE (1%) PERCENT INCREASE IN THE APPROPRIATION LIMIT OF THE TOWNSHIP'S CALENDAR YEAR 2019**

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**CURRENT FUND BUDGET AND FURTHER ESTABLISHING A CAP**  
**BANK, ALL IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14**

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

Motion to close public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

Now on Adoption, Be it resolved, that an Ordinance entitled, **AUTHORIZING A ONE (1%) PERCENT INCREASE IN THE APPROPRIATION LIMIT OF THE TOWNSHIP'S CALENDAR YEAR 2019 CURRENT FUND BUDGET AND FURTHER ESTABLISHING A CAP BANK, ALL IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14"** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

Motion to adopt ordinance made by Member Ferramosca and seconded by Member Gallagher unanimously adopted the Ordinance.

So Adopted.

**ORDINANCE NO. 6-2019**

**AMENDING ARTICLE X, PERFORMANCE AND MAINTENANCE**  
**GUARANTEES, INCLUDING SECTIONS 166-63. THROUGH 166-73.**  
**UNDER CHAPTER 166 OF THE CODE OF THE TOWNSHIP**  
**ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN**  
**ORDER TO MAKE SAID CHAPTER CONSISTENT WITH THE NEW**  
**JERSEY MUNICIPAL LAND USE LAW**

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

Motion to close public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

Now on Adoption, Be it resolved, that an Ordinance entitled, **AMENDING ARTICLE X, PERFORMANCE AND MAINTENANCE GUARANTEES, INCLUDING SECTIONS 166-63. THROUGH 166-73. UNDER CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO MAKE SAID CHAPTER CONSISTENT WITH THE NEW JERSEY MUNICIPAL LAND USE LAW"** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

Motion to adopt ordinance made by Member Ferramosca and seconded by Member Gallagher unanimously adopted the Ordinance.

So Adopted.

**ORDINANCE NO. 8-2019**

**REDUCING THE TWO CENT (\$.02) PER HUNDRED (\$100.00)**  
**DOLLARS OF ASSESSED VALUATION DEDICATED OPEN SPACE**  
**TRUST FUND TAX RATE TO ONE AND ONE-HALF CENT (\$.015) PER**  
**HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DURING**  
**CALENDAR YEAR 2019 ONLY AND FURTHER AUTHORIZING THE**  
**TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO COLLECT**  
**THE ONE AND ONE HALF CENT (\$.015) DEDICATED TAX**

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

Motion to close public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

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Now on Adoption, Be it resolved, that an Ordinance entitled, **REDUCING THE TWO CENT (\$.02) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DEDICATED OPEN SPACE TRUST FUND TAX RATE TO ONE AND ONE-HALF CENT (\$.015) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DURING CALENDAR YEAR 2019 ONLY AND FURTHER AUTHORIZING THE TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO COLLECT THE ONE AND ONE HALF CENT (\$.015) DEDICATED TAX,** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

Motion to adopt ordinance made by Member Ferramosca and seconded by Member Gallagher unanimously adopted the Ordinance.

So Adopted.

**ORDINANCE NO. 9-2019**

**AUTHORIZING THE ACQUISITION OF APPROXIMATELY 65 ACRES OF OPEN SPACE LAND OWNED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND DESIGNATED AS ROUTES 24/178 SECTION 9 EXCESS, SURPLUS PROPERTY NO LONGER NEEDED FOR FREEWAY CONSTRUCTION AND FURTHER APPROPRIATING THE SUM OF \$500,000.00 FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES PROGRAM, PLANNING INCENTIVE GRANT FOR THE PURCHASE OF THE LAND TO BE USED FOR THE PRESERVATION OF OPEN SPACE AND PASSIVE PARKLAND AND RECREATION PURPOSES**

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

Motion to close public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

Now on Adoption, Be it resolved, that an Ordinance entitled, **"AUTHORIZING THE ACQUISITION OF APPROXIMATELY 65 ACRES OF OPEN SPACE LAND OWNED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND DESIGNATED AS ROUTES 24/178 SECTION 9 EXCESS, SURPLUS PROPERTY NO LONGER NEEDED FOR FREEWAY CONSTRUCTION AND FURTHER APPROPRIATING THE SUM OF \$500,000.00 FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES PROGRAM, PLANNING INCENTIVE GRANT FOR THE PURCHASE OF THE LAND TO BE USED FOR THE PRESERVATION OF OPEN SPACE AND PASSIVE PARKLAND AND RECREATION PURPOSES"** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

Motion to adopt ordinance made by Member Ferramosca and seconded by Member Gallagher unanimously adopted the Ordinance.

So Adopted.

**ORDINANCE NO. 10-19**

**AUTHORIZING THE CONVEYANCE OF CERTAIN EASEMENTS TO THE COUNTY OF MORRIS, NEW JERSEY, BAYER CORPORATION AND THE TOWNSHIP OF HANOVER IN CONNECTION WITH THE PROPERTY DESIGNATED AS BLOCK 5801, LOTS 2 AND 5 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

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Motion to close public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

Now on Adoption, Be it resolved, that an Ordinance entitled, "AUTHORIZING THE CONVEYANCE OF CERTAIN EASEMENTS TO THE COUNTY OF MORRIS, NEW JERSEY, BAYER CORPORATION AND THE TOWNSHIP OF HANOVER IN CONNECTION WITH THE PROPERTY DESIGNATED AS BLOCK 5801, LOTS 2 AND 5 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER," be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

Motion to adopt ordinance made by Member Ferramosca and seconded by Member Gallagher unanimously adopted the Ordinance.

So Adopted.

**ORDINANCE NO. 11-2019 (TO BE DEFEATED)**

**AMENDING ARTICLE XXXIB, B-P2 BUSINESS AND PROFESSIONAL DISTRICT, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP, ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, SO AS TO ALLOW FOR INCLUSIONARY HOUSING DEVELOPMENT AT AN INCREASED DENSITY IN ORDER TO ADDRESS THE TOWNSHIP'S CONSTITUTIONAL OBLIGATION TO PROVIDE FOR AFFORDABLE HOUSING**

Mr. Giorgio: Again this is another ordinance that is not needed and had been introduced on the record but there is no public hearing so may we have a motion to withdraw this ordinance.

Motion made by Member Ferramosca to withdraw Ordinance 11-2019 and seconded by Member Gallagher and unanimously agreed to withdrawn.

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**INTRODUCTION OF ORDINANCES:**

**ORDINANCE NO. 12- 2019**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING SECTION 166-155, *REQUIREMENTS FOR OTHER THAN RESIDENTIAL ZONES*, IN ARTICLE XXIII, *OFF-STREET PARKING AND LOADING*, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO REVISE THE PARKING REQUIREMENTS FOR RESTAURANTS**

**WHEREAS**, Section 155 of Chapter 166 currently requires a minimum number of off-street parking spaces for restaurants based upon both floor area and seating; and

**WHEREAS**, the current regulation is the same for all different types of restaurants; and

**WHEREAS**, the Township Planning Board has examined the current regulation and has recommended that different parking requirements apply to different types of restaurants.

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

**Section 1.** Subsection B. of Section 166-155, *Requirements for other than residential zones*, in Article XXIII, *Off-Street Parking and Loading*, is hereby amended to read as follows:

B. Minimum parking ratios. The minimum number of parking spaces for various uses in the nonresidential zones are as follows:

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<b><u>Use</u></b> <b>(where permitted)</b>	<b><u>Minimum Parking</u></b> <b>(number of spaces)</b>
<b><u>Office Buildings:</u></b>	
Less than 50,000 square feet of gross floor area	1 per 200 square feet of gross floor area
50,000 to 99,999 square feet of gross floor area	1 per 250 square feet of gross floor area
100,000 to 199,999 square feet of gross floor area	1 per 275 square feet of gross floor area
200,000 or more square feet of gross floor area	1 per 300 square feet of gross floor area
<b><u>Data Processing Centers:</u></b>	
Low intensity – data processing performed primarily by equipment, not by employees or staff, and having an employee/staffing ratio of not more than one employee/ staff person, on the maximum shift, per 2,500 square feet of gross floor area	1 per 2,500 square feet of gross floor area, provided that the applicant demonstrates, as part of its site plan application, that the proposed number of parking spaces are sufficient for normal operations and that any potential increase in parking demand will only be temporary, sporadic and/or occurring in an emergency. The applicant shall also obtain board approval of a plan for addressing such increased parking demand, which plan may include but is not limited to car- or van-pooling, temporary overflow parking on areas having no pavement or substandard pavement, use of available off-site and/or on-street parking spaces and valet parking
Other than low intensity	Same as required for office buildings
Utility facilities, such as but not limited to power plants, power houses, power generator buildings, sewer or water treatment plants	1 per employee on the peak shift
Industrial, manufacturing, assembly and research or testing laboratory buildings	1 per 800 square feet of gross floor area
Warehouse or distribution facility	1 per 800 square feet of gross floor area
Self-service storage facilities	As required in the I-B2 Zone at § 166-203.4N(4)
<b><u>Hotels and Motels:</u></b>	
Guest rooms only without restaurant or bar facilities or meeting space facilities, such as ballrooms, meeting rooms and conference suites	1.1 per guest room
Guest rooms and restaurant or bar facilities as an ancillary use	1 per guest room, plus 1 per two seats in said restaurant or bar
Guest rooms and restaurant or bar facilities and meeting space facilities, such as ballrooms, meeting rooms and conference suites, as an ancillary use	1 per guest room, plus 1 per two seats in said restaurant or bar, plus 1 per 100 square feet of floor area of said meeting space facilities
<b><u>Restaurant as a Principal Use:</u></b>	
Quality restaurant or high-turnover (sit-down) restaurant with bar or	1 per 55 square feet of gross floor area

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lounge	or 0.55 per seat, whichever is greater
High-turnover (sit-down) restaurant, no bar or lounge	1 per 65 square feet of gross floor area or 0.5 per seat, whichever is greater
Fast food restaurant - no drive through lanes/windows	1 per 75 square feet of gross floor area or 0.65 per seat, whichever is greater
Fast food restaurant - with drive through lanes/windows	1 per 65 square feet of gross floor area or 0.6 per seat, whichever is greater
Other restaurant	1 per 60 square feet of gross floor area or 0.55 per seat, whichever is greater

For purposes of the above restaurant parking requirements, the following definitions shall apply:

“Quality restaurant” - a high-quality, full-service eating establishment with typical turnover rates of at least one hour or longer. Such establishments generally do not serve breakfast; some do not serve lunch, all serve dinner. Reservations are typically accepted or required. Patrons commonly wait to be seated, are served by a waiter/waitress, order from menus and pay for meals after they eat.

“High-turnover (sit-down) restaurant - a sit-down, full-service eating establishment with turnover rates of approximately one hour or less. Such establishments are usually moderately-priced and frequently belong to a restaurant chain. Generally, lunch and dinner are served, and sometimes breakfast as well. Typically, reservations are not taken. Patrons commonly wait to be seated, are served by a waiter/waitress, order from menus and pay for meals after they eat.

“Fast food restaurant” - an eating establishment characterized by a large carry-out clientele, long hours of service, and high turnover rates for eat-in customers. Table service is typically not provided; patrons generally order at a cash register or drive-through menu board or window, and pay before they eat.

Indoor physical fitness facility	1 per 200 square feet of gross floor area
Retail sales and services	1 per 200 square feet of gross floor area
Independent/assisted living facilities and other residences restricted to occupants at least 62 years of age	0.4 for each living unit or 0.4 for each bed when individual living units are not provided
Other residences	As required by the N.J. Residential Site Improvement Standards
<u>Other Nonresidential Uses:</u>	1 per 250 square feet of gross floor area
Designed shopping centers	1 per 200 square feet of the gross leasable area of all nonresidential uses in the center
Manufacturing use with accessory retail uses and/or accessory assembly uses	Manufacturing portion: same ratio as industrial uses, above Retail portion: same ratio as retail sales and services, above Assembly portion: one per two seats, or one per 100 square feet of gross floor area of assembly area in use at same time

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** This ordinance shall take effect in accordance with the law.

Public Hearing will be held on April 11, 2019 and Notice of Introduction along with the Full Ordinance will appear in the Morris County Daily Record in accordance

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with the law. Motion on introduction made by Member Gallagher and seconded by Member Ferramosca and unanimously approved.

**So Introduced**

**ORDINANCE NO. 13-19**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING ORDINANCE NOS. 16-2016 AND 6-2017 BY AUTHORIZING THE PHASE III RESURFACING OF A PORTION OF RIDGEDALE AVENUE FROM FREDERICK PLACE/EAST FREDERICK PLACE TO ITS INTERSECTION WITH EAST HANOVER AVENUE IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP AND APPROPRIATING THE ADDITIONAL SUM OF \$150,000.00 FROM THE TOWNSHIP'S 2019 CURRENT FUND BUDGET FOR THE FINANCING OF THE PHASE III PROJECT**

**WHEREAS**, in accordance with Ordinance Nos. 16-2016 and 6-2017, the Township Committee authorized the resurfacing of Ridgedale Avenue from Malapardis Road to Frederick Place/East Frederick Place and designated as Phases I and II; and

**WHEREAS**, funds for the resurfacing of Phases I and II were made available through the 2016 and 2017 Road Construction and Reconstruction Accounts of the Township's Calendar Year 2016 and 2017 Current Fund Budgets, and grants from the New Jersey Department of Transportation's Fiscal Year 2016 and 2017 Municipal Aid Program; and

**WHEREAS**, all of the funds appropriated for the Phase I and II projects were not utilized as a result of savings achieved through the competitive bid process; and

**WHEREAS**, as a result, a balance of \$389,525.33 is available in the Township's Capital Improvement Fund, Line Item No. 410-5639-499 for the resurfacing of the final portion of Ridgedale Avenue from Frederick Place/East Frederick Place to its intersection with East Hanover Avenue and designated as Phase III; and

**WHEREAS**, in order to provide sufficient funds to complete the Phase III Section, Ordinance Nos. 16-2016 and 6-2017 need to be amended and supplemented with the inclusion of an additional appropriation of \$150,000.00 which funds have been allocated under the Road Construction and Reconstruction Account in the Township's 2019 Current Fund Budget; and

**WHEREAS**, the resurfacing of the Phase III Section of Ridgedale Avenue from will include milling, a new asphalt riding surface, drainage modifications and other related improvements to be specified in the Township's Construction Plan, Specification and Supplementary Specification.

**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.** The governing body hereby authorizes the Phase III resurfacing of a portion of Ridgedale Avenue from Frederick Place/East Frederick Place in the Cedar Knolls Section of the Township to its terminus at the intersection of East Hanover Avenue. The resurfacing project shall include milling, a new asphalt riding surface, curb and sidewalk, drainage modifications and other related improvements.

**Section 2.** The Township Engineer and Assistant Township Engineer are further authorized and directed to prepare the construction plan, specification and supplementary specification to be utilized in connection with the resurfacing of a portion of Ridgedale Avenue as described in **Section 1.** above, and to publicly advertise and receive sealed competitive bids, all in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-1. et seq.

**Section 3.** Capital Improvement Fund Ordinance Nos. 16-2016 and 6-2017 are hereby amended and supplemented with the inclusion of an additional appropriation of \$150,000.00 to undertake the resurfacing of a portion of Ridgedale



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Avenue, designated as Phase III, and described in **Section 1.** of this Ordinance from the following accounts:

- 1. Year 2019 Current Fund Budget
  - Road Construction & Reconstruction
  - Account, Account No. 048
  - Funds to be Transferred to
  - Line Item No. 410-5643-499.....\$150,000.00
- 2. Uncommitted Balance in the Capital
  - Account, Line Item No. 410-5643-499.....\$389,525.33
  - TOTAL..... \$539,525.33**

**Section 4.** This Ordinance shall take effect in accordance with law.

Public Hearing will be held on April 11, 2019 and Notice of Introduction along with the Full Ordinance will appear in the Morris County Daily Record in accordance with the law. Motion on introduction made by Member Gallagher and seconded by Member Ferramosca and unanimously approved.

**So Introduced**

**ORDINANCE NO. 14-2019**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING ORDINANCE NO, 13-2017 ENTITLED “AUTHORIZING THE PURCHASE, DELIVERY AND INSTALLATION OF THE FOLLOWING ACQUISITIONS FOR THE BEE MEADOW SWIMMING POOL FACILITY: (1) THREE (3) PERMANENT PARAGON NUMBER 20002 PARAFLYTE SUPERFLYTE LIFEGUARD STANDS WITH REAR LADDERS OR APPROVED EQUAL; (2) ONE (1) REPLACEMENT SLIDE WITH TWO (2) FLUMES; AND (3) ONE (1) ROCK CLIMBING WALL, AND FURTHER APPROPRIATING THE SUM OF \$55,000.00 FROM THE SWIMMING POOL ENTERPRISE FUND – CAPITAL ACCOUNT FOR 2017 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT” BY SUPPLEMENTING SECTION 4. WITH AN ADDITIONAL APPROPRIATION OF \$11,500.00 AND SUPPLEMENTING SECTION 5. WITH AN ADDITIONAL APPROPRIATION OF \$8,500.00**

**WHEREAS,** the Engineering Department has advised the Business Administrator that additional funds need to be appropriated in order to retain the services of **Suburban Consulting Engineers, Inc.** in order to prepare the construction and permitting plans and specifications for the Bee Meadow Park Pool Slide Replacement Project as well as funds in order to purchase and install the new slide at a future date; and

**WHEREAS,** in order to provide the necessary funding for professional services and the acquisition of the new slide, Sections 4. And 5. of Ordinance No. 13-2017 need to be amended and supplemented.

**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.** Section 4. Of Ordinance No. 13-2017 is hereby amended and supplemented with the additional appropriation of \$11,500.00 from the 2019 Swimming Pool Enterprise Fund – Capital Account and all prior years for the purchase, delivery and installation of the new pool slide with two (2) flumes at the Bee Meadow Swimming Pool.

**Section 2.** The sum of \$8,500.00 is also appropriated from the 2019 Swimming Pool Enterprise Fund – Capital Account and all prior years in retaining the services of **Suburban Consulting Engineers, Inc.,** in preparing the construction and permitting plans, specifications and observation services related to the new pool slide.

**Section 3.** This Ordinance shall take effect in accordance with law.

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Public Hearing will be held on April 11, 2019 and Notice of Introduction along with the Full Ordinance will appear in the Morris County Daily Record in accordance with the law. Motion on introduction made by Member Gallagher and seconded by Member Ferramosca and unanimously approved.

**So Introduced**

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**RESOLUTIONS:**

**RESOLUTION NO. 53-2019**

**A RESOLUTION PROVIDING FOR THE ADVANCEMENT IN GRADE AND COMPENSATION FOR SERGEANT PAUL GUNDERSDORF AND PATROLMEN STEPHEN MANNEY AND MICHAEL PUSKAS IN THE POLICE DEPARTMENT HAVING RECEIVED SATISFACTORY JOB PERFORMANCE EVALUATIONS**

**WHEREAS**, in accordance with the Police Department's Job Performance Evaluation System, the employees named below have received a satisfactory job performance evaluation from the Chief of Police, and subject to Township policy, are entitled to advance in grade and compensation based on their anniversary date as described below; and

**WHEREAS**, the Township's Chief Municipal Finance Officer has certified that the advancement in grade and compensation for the officers mentioned below is correct.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hanover in the County of Morris that the individuals named below, in accordance with the current Collective Negotiations Agreement with the Policeman's Benevolent Association, PBA Local No. 128 and Salary Ordinance No. 21-14 shall be advanced in grade and compensation on their anniversary date as follows:

**POLICE:**

<b>Sergeant Paul Gundersdorf</b> PBA – Sergeant 3	\$120,023.00 per annum Effective Date: 4/01/19
<b>Patrolman Stephen Manney</b> PBA – Sergeant 4	\$ 76,814.00 per annum Effective Date: 4/01/19
<b>Patrolman Michael Puskas</b> PBA – Patrolman 3	\$70,005.00 per annum Effective Date: 4/01/19

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be transmitted to the Township's Chief Municipal Finance Officer and Chief of Police for their reference and action.

**RESOLUTION NO. 54-2019**

**A RESOLUTION APPROVING THE REAPPOINTMENT OF KURT CERRATO TO SERVE AS A FULL-TIME, TEMPORARY, SEASONAL INTERN ASSIGNED TO THE BUILDING DEPARTMENT AND ESTABLISHING HIS COMPENSATION AT \$14.49 PER HOUR AS SET FORTH UNDER SECTION 14. OF SALARY ORDINANCE NO. 8-2018**

**WHEREAS**, the Building Department, seeks to provide a college student with the opportunity to gain hands on experience and an understanding of the functions and responsibilities of the Department and the various duties and assignments performed by the Construction Official and his staff; and

**WHEREAS**, **Kurt Cerrato** has filed an application to serve as an intern with the Township during 2019; and

**WHEREAS**, it is the recommendation of the Construction Official that **Kurt Cerrato** be hired for the period commencing on or about May 15, 2019 and ending on

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August 31, 2019.

**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 **Kurt Cerrato** residing at 22 Adams Drive in Whippany, New Jersey 07981 is hereby reappointed to serve as a full-time, temporary, seasonal intern assigned to the Building Department commencing on or about May 15, 2019 and ending August 31, 2019.

2. **Mr. Cerrato** shall be compensated at the rate of \$14.49 per hour as set forth under Section 14. of Salary Ordinance No. 8-2018.

3. Subject to the availability of assignments, **Mr. Cerrato** may also return to serve as an intern during his semester break in January, 2020.

4. Irrespective of the Building Department assignment, the Business Administrator/Township Clerk reserves the right to assign **Mr. Cerrato** to any other Department based on the work load needs of other departments.

5. Except for disciplinary removal, all appointment as a seasonal employee shall terminate on or before August 31, 2019.

6. That a certified copy of this resolution be transmitted to the Construction Official and the Township's Chief Municipal Finance Officer for reference and information purposes.

**RESOLUTION NO. 55-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING ANNIE MA TO FILL A VACANT SEAT AS A REGULAR MEMBER OF THE HANOVER TOWNSHIP ENVIRONMENTAL COMMISSION FOR A THREE (3) YEAR TERM OF OFFICE EXPIRING ON DECEMBER 31, 2021 AND AS A MEMBER OF THE GREEN TEAM WITH AN EXPIRATION DATE OF DECEMBER 31, 2019**

**WHEREAS**, Section 22-1. of Chapter 22 of the Code of the Township of Hanover entitled Environmental Commission provides for the appointment of seven (7) members and two (2) alternate members to the Commission; and

**WHEREAS**, regular and alternate members are appointed for terms of three (3) years; and

**WHEREAS**, a vacant seat exists on both the Environmental Commission and Green Team; and

**WHEREAS**, in a letter received by the Business Administrator on February 13, 2019, **Ms. Annie Ma**, a resident of the Township, and a current member of the Township's Cultural Arts Committee, expressed an interest to serve on the Environmental Commission and Green Team; and

**WHEREAS**, Township Committee policy requires that any candidate interested in serving on a board, commission or committee shall be interviewed by the Chairperson of the board, commission or committee, and a recommendation forwarded to the governing body for consideration; and

**WHEREAS**, pursuant to the Township Committee's policy, Dennis Wilson, the Chairman of the Environmental Commission and Green Team interviewed **Ms. Ma** and advised the Business Administrator of his recommendation that **Ms. Ma** should be appointed to the Commission and Green Team; and

**WHEREAS**, in accordance with Chairman Wilson's recommendation, Committeeman John L. Ferramosca, in his capacity as Liaison to the Environmental Commission and Green Team, also recommends the appointment of **Ms. Ma** to serve a three (3) year term of office on the Environmental Commission commencing

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immediately and expiring on December 31, 2021 and, as a member of the Green Team for the balance of 2019 which term shall expire on December 31, 2019.

**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 Sections 22-1. and 22-2. of Chapter 22 of the Code of the Township entitled Environmental Commission, the governing body hereby concurs with and approves the nomination and appointment of **Ms. Annie Ma**, a resident of 15 Smithfield Road in the Whippany Section of the Township, to serve as a regular member of the Environmental Commission in filling a vacant seat as well as a vacant seat on the Green Team.
2. The three (3) year term of office on the Environmental Commission shall expire on December 31, 2021 and the one (1) year appointment to the Green Team shall expire on December 31, 2019 or until such time as her successors are appointed and qualified. Both appointments shall take effect immediately
3. That certified copies of this resolution shall be forwarded to **Ms. Ma** and the Secretary to the Environmental Commission and Green Team.

**INTRODUCED AND SPONSORED BY COMMITTEEMAN JOHN L. FERRAMOSCA**

**RESOLUTION NO. 56-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER EXTENDING THE APPOINTMENT OF ANTONINO INTILI, JR. AS A REGULAR MEMBER OF THE BOARD OF HEALTH COMMENCING APRIL 1, 2019 AND ENDING ON DECEMBER 31, 2019, IN ORDER TO COINCIDE BOARD OF HEALTH REAPPOINTMENTS WITH THE JANUARY, 2019 REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE**

**WHEREAS**, on March 9, 2017, the Township Committee adopted Ordinance No. 5-2017 which re-established the Board of Health and re-adopted existing Board of Health Legislation under the Code of the Township of Hanover; and

**WHEREAS**, with the re-adoption of Part 1 of the Administrative Legislation of the Code of the Township which includes Chapter 27 of the Code entitled Board of Health, the Township Committee re-established the Board of Health with the appointment of five (5) regular members; and

**WHEREAS**, Section 27-3. entitled "Terms; Vacancies". under Chapter 27 of the Code provides for five (5) regular members to be appointed as follows: one (1) member shall be appointed for a term of one (1) year; two (2) members shall be appointed for a term of two (2) years; and two (2) members shall be appointed for terms of three (3) years. Thereafter, all appointments shall be made for full terms of three (3) years; and

**WHEREAS**, by resolution dated March 23, 2017, **Antonino Intili, Jr.** was appointed by the Township Committee to serve as a regular member of the Board of Health for a two (2) year term of office commencing on April 1, 2017 and ending on March 31, 2019; and

**WHEREAS**, in order to have Board of Health appointments coincide with the annual Reorganization Meeting, so that all appointments are seamless, the appointment of **Mr. Intilli** shall be extended to December 31, 2019, at which time his reappointment to a full three (3) year term in accordance with Section 27-3. entitled "Terms; Vacancies" under Chapter 27 of the Code of the Township entitled Board of Health shall be considered by the governing body.

**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:

**MARCH 14, 2019**

1. The appointment of **Antonino Intili, Jr.** residing at 7 Oak Glen Place in Whippany, New Jersey 07981 is hereby extended beginning April 1, 2019 through December 31, 2019, at which time his reappointment to serve as a regular member of the Board of Health for a three (3) year term of office, all in accordance with Section 27-3 entitled "Terms; Vacancies" shall be considered as part of the January, 2020 Reorganization Meeting of the Township Committee.
2. That a certified copy of this resolution shall be transmitted to **Mr. Intili** and the Hanover Township Health Department.

**RESOLUTION NO. 57-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER EXTENDING THE APPOINTMENT OF MARLENE PETERSON AS A REGULAR MEMBER OF THE BOARD OF HEALTH COMMENCING APRIL 1, 2019 AND ENDING ON DECEMBER 31, 2019, IN ORDER TO COINCIDE BOARD OF HEALTH REAPPOINTMENTS WITH THE JANUARY, 2019 REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE**

**WHEREAS**, on March 9, 2017, the Township Committee adopted Ordinance No. 5-2017 which re-established the Board of Health and re-adopted existing Board of Health Legislation under the Code of the Township of Hanover; and

**WHEREAS**, with the re-adoption of Part 1 of the Administrative Legislation of the Code of the Township which includes Chapter 27 of the Code entitled Board of Health, the Township Committee re-established the Board of Health with the appointment of five (5) regular members; and

**WHEREAS**, Section 27-3. entitled "Terms; Vacancies". under Chapter 27 of the Code provides for five (5) regular members to be appointed as follows: one (1) member shall be appointed for a term of one (1) year; two (2) members shall be appointed for a term of two (2) years; and two (2) members shall be appointed for terms of three (3) years. Thereafter, all appointments shall be made for full terms of three (3) years; and

**WHEREAS**, by resolution dated March 23, 2017, **Marlene Peterson** was appointed by the Township Committee to serve as a regular member of the Board of Health for a two (2) year term of office commencing on April 1, 2017 and ending on March 31, 2019; and

**WHEREAS**, in order to have Board of Health appointments coincide with the annual Reorganization Meeting, so that all appointments are seamless, the appointment of **Ms. Peterson** shall be extended to December 31, 2019, at which time his reappointment to a full three (3) year term in accordance with Section 27-3. entitled "Terms; Vacancies" under Chapter 27 of the Code of the Township entitled Board of Health shall be considered by the governing body.

**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 appointment of **Marlene Peterson** residing at 33 ½ Manger Road in Cedar Knolls, New Jersey 07927 is hereby extended beginning April 1, 2019 through December 31, 2019, at which time his reappointment to serve as a regular member of the Board of Health for a three (3) year term of office, all in accordance with Section 27-3 entitled "Terms; Vacancies" shall be considered as part of the January, 2020 Reorganization Meeting of the Township Committee.
2. That a certified copy of this resolution shall be transmitted to **Ms. Peterson** and the Hanover Township Health Department for information purposes.

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RESOLUTION NO. 58-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
HANOVER PERMITTING THE TOWNSHIP TO ASSUME THE RESPONSIBILITY OF  
CONDUCTING A SELF-EXAMINATION OF THE CALENDAR YEAR 2019 CURRENT  
FUND BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hanover has been declared eligible to participate in the program by the Division of Local Government Services and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

**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 N.J.A.C. 5:30-7.6a and 7.6b, and based upon the Chief Financial Officer's Certification, the governing body has found that the calendar year 2019 Current Fund Budget has met the following requirements:
  - A. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
    1. Payment of interest and debt redemption charges;
    2. Deferred charges and statutory expenditures;
    3. Cash deficit of preceding year;
    4. Reserve for uncollected taxes;
    5. Other reserves and non-disbursement items; and
    6. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the 2019 budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - A. All estimates of revenue are reasonable, accurate and correctly stated;
  - B. Items of appropriation are properly set forth; and
  - C. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the Township.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.
7. That certified copies of this resolution shall be transmitted to the Chief Municipal Finance Officer and forwarded to the Director of the Division of Local Government Services upon adoption.

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RESOLUTION NO. 59-2019

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, RESCINDING THE FEBRUARY 14, 2019 RESOLUTION APPOINTING JOSEPH H. BURGIS, PP, AICP OF BURGIS ASSOCIATES, INC. IN PREPARING A PRELIMINARY INVESTIGATION RELATED TO BLOCK 4001, LOTS 6, 7, 10, 11, 12, 13 AND 14 AND A PART OF LOT 9 AND, BLOCK 8803, LOT 17 IN QUALIFYING AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.**

**WHEREAS**, by resolution dated February 14, 2019, the Township Committee, in accordance with N.J.S.A. 40A:12A-4 and N.J.S.A. 40:12A-6, authorized the Planning Board to undertake a preliminary investigation of Block 4001, Lots 6, 7, 10, 11, 12, 13 and 14 and a part of Lot 9 and, Block 8803, Lot 17 (hereinafter referred to the "study area") as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, the resolution further authorized the Planning Board to utilize the services of **Joseph H. Burgis, PP, AICP of Burgis Associates** to prepare the preliminary investigation of the study area described above as well as a second Study Area; and

**WHEREAS**, the Township Committee's Affordable Housing Subcommittee now believes it to be in the best interest of the Township to bifurcate the two (2) preliminary investigations whereby **Paul A. Phillips, PP, AICP of Phillips Preiss** will perform the preliminary investigation of the study area described in paragraph 1 above.

**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. Pursuant to the recommendation of the Township Committee's Affordable Housing Subcommittee, the resolution appointing **Joseph H. Burgis, PP, AICP of Burgis Associates** to prepare a preliminary investigation of Block 4001, Lots 6, 7, 10, 11, 12, 13 and 14 and a part of Lot 9 and Block 8803, Lot 17 designated as the "Study Area" as set forth on the Tax Map of the Township of Hanover is hereby rescinded.
2. That a certified copy of this resolution shall be transmitted to the Secretary of the Planning Board for reference and information purposes.

RESOLUTION NO. 60-2019

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PAUL A. PHILLIPS, PP, AICP AND THE FIRM OF PHILLIPS PREISS FOR THE PURPOSE OF PREPARING AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION AND AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-5 FOR PROPERTY LOCATED AT BLOCK 4001, LOTS 6, 7, 10, 11, 12, 13 AND 14 AND A PART OF LOT 9 AND, BLOCK 8803, LOT 17, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AND PAY-TO-PLAY LAWS AT N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND 19:44A-20.26 ET SEQ. AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH PAUL A. PHILLIPS IN AN AMOUNT NOT TO EXCEED \$55,000.00**

**WHEREAS**, the Local Redevelopment Housing Law at N.J.S.A. 40A:12A et seq. ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Township to declare an area of redevelopment, along with the development and achievement of a Redevelopment Plan; and

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**WHEREAS**, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12-6 to undertake a preliminary investigation of a study area designated as Block 4001, Lots 6, 7, 10, 11, 12, 13 and 14 and a part of Lot 9 and, Block 8803, Lot 17 ("Study Area") as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, the governing body wishes to direct the Planning Board to utilize the services of **Paul A. Phillips, PP, AICP of Phillips Preiss** to prepare a preliminary investigation to determine whether the proposed Study Area qualifies as an Area in Need of Condemnation Redevelopment, pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-5.(1)(a)(i) and the Pay-to-Play regulations at N.J.S.A. 19:44A-20.5 and 19:44A-20.26, it is the intention of the Township Committee to retain the services of **Paul A. Phillips, PP, AICP**, a professional planner licensed by the State of New Jersey and the Firm of **Phillips Preiss** for the purpose of preparing a preliminary Area in Need of Redevelopment Investigation and an Area in Need of Condemnation Redevelopment Plan if the Study Area described above satisfies the criteria in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Township's Business Administrator/Township Clerk requested that **Paul A. Phillips** submit a written proposal to the Township describing the scope of services to be performed in the preparation of the Area in Need of Redevelopment Investigation and Condemnation Redevelopment Plan; and

**WHEREAS**, in a letter dated February 26, 2019, **Mr. Phillips** submitted a letter proposal and quotation outlining the specific scope of services in the preparation of the Investigation Study and Plan described above; and

**WHEREAS**, the total cost to prepare the Investigation Study and Plan shall not exceed \$55,000.00; 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 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 contract for the performance of professional planning consultant services has an estimated value in excess of \$17,500.00; and

**WHEREAS**, **Paul A. Phillips, PP, AICP**, as the principal of **Phillips Preiss** has completed and submitted a Business Entity Disclosure Certification which certifies that **Phillips Preiss** has not made any reportable contributions to a political candidate or candidate committee in the Township of Hanover in the previous one (1) year and that the contract with the Township will prohibit **Phillips Preiss** from making any reportable contributions during the term of the professional services agreement; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.26, **Phillips Preiss** has also filed a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification; and

**WHEREAS**, **Paul A. Phillips, PP, AICP** and the firm of **Phillips Preiss** shall be compensated on an hourly rate basis, in accordance with the Firm's schedule of hourly rates as set forth on page 2 of the February 26, 2019 proposal and quotation. However, the total cost to perform the scope of services shall not exceed \$55,000.00; and

**WHEREAS**, the Local Public Contracts Law at 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.

**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 **Paul A. Phillips, PP, AICP** and the firm of **Phillips Preiss** located at 33-41 Newark Street, Third Floor, Suite D in Hoboken, New Jersey 07030 are hereby retained for the purpose of preparing an Area in Need of Redevelopment Investigation as it relates to Block 4001, Lots 6, 7, 10, 11, 12, 13 and 14 and a part of Lot 9 and, Block 8803, Lot 17 as set forth on the Tax Map of the Township of Hanover. If the Area in Need of Redevelopment Investigation determines that the Study Area meets the statutory criteria of the New Jersey Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5, **Phillips** shall then prepare an Area in Need of Condemnation Redevelopment Plan. The scope of services shall be performed in accordance with the February 26, 2019 letter proposal and quotation submitted by **Paul A. Phillips** which letter proposal and quotation is attached hereto and made a part of this resolution as if set forth in full.

2. The total cost to prepare the Investigation and Plan shall not exceed \$55,000.00. The consultant and firm shall be compensated based on the Firm's 2019 hourly rate schedule which is set forth in the February 26, 2019 letter proposal and quotation.

3. The Mayor and Business Administrator are hereby authorized and directed to execute a Professional Services Agreement on behalf of the Township in an amount not to exceed \$55,000.00.

4. This appointment is awarded without competitive as a "Professional Service" under the provision of the Local Public contracts Law at N.J.S.A. 40A:11-5.(1)(a)(i) because the services to be performed are by a person authorized by law to practice a recognized profession as a professional planner licensed by the State of New Jersey and such services are not subject to competitive bid.

5. 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. 61-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH JOSEPH H. BURGIS, PP, AICP AND THE FIRM OF BURGIS ASSOCIATES, INC. FOR THE PURPOSE OF PREPARING AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION AND AN AREA IN NEED OF REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-5 FOR PROPERTY LOCATED AT BLOCK 3801, LOT 2 AND BLOCK 4101, LOT 23, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AND PAY-TO-PLAY LAWS AT N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND 19:44A-20.26 ET SEQ. AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH JOSEPH H. BURGIS IN AN AMOUNT NOT TO EXCEED \$30,000.00**

**WHEREAS**, the Local Redevelopment Housing Law at N.J.S.A. 40A:12A et seq. ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Township to declare an area of redevelopment, along with the development and achievement of a Redevelopment Plan; and

**WHEREAS**, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board pursuant to N.J.S.A 40A:12A-4 and N.J.S.A. 40A:12-6 to undertake a preliminary investigation of a study area designated as Block 3801, Lot 2 and Block 4101, Lot 23 ("Study Area") as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, the governing body wishes to direct the Planning Board to utilize the services of **Joseph H. Burgis, PP, AICP** of **Burgis Associates, Inc.** to

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prepare a preliminary investigation to determine whether the proposed Study Area qualifies as an Area in Need of Redevelopment, pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-5.(1)(a)(i) and the Pay-to-Play regulations at N.J.S.A. 19:44A-20.5 and 19:44A-20.26, it is the intention of the Township Committee to retain the services of **Joseph H. Burgis, PP, AICP**, a professional planner licensed by the State of New Jersey and the Firm of **Burgis Associates, Inc.** for the purpose of preparing a preliminary Area in Need of Redevelopment Investigation and an Area in Need of Condemnation Redevelopment Plan if the Study Area described above satisfies the criteria in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Township's Business Administrator/Township Clerk requested that **Joseph H. Burgis** submit a written proposal to the Township describing the scope of services to be performed in the preparation of the Area in Need of Redevelopment Investigation and Condemnation Redevelopment Plan; and

**WHEREAS**, in a letter dated March 11, 2019, **Mr. Burgis** submitted a letter proposal and quotation outlining the specific scope of services in the preparation of the Investigation Study and Plan described above; and

**WHEREAS**, the total cost to prepare the Investigation Study and Plan shall not exceed \$30,000.00; 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 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 contract for the performance of professional planning consultant services has an estimated value in excess of \$17,500.00; and

**WHEREAS**, **Joseph H. Burgis, PP, AICP**, as the principal of **Burgis Associates, Inc.** has completed and submitted a Business Entity Disclosure Certification which certifies that **Burgis Associates, Inc.** has not made any reportable contributions to a political candidate or candidate committee in the Township of Hanover in the previous one (1) year and that the contract with the Township will prohibit **Burgis Associates, Inc.** from making any reportable contributions during the term of the professional services agreement; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.26, **Burgis Associates, Inc.** has also filed a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification; and

**WHEREAS**, **Joseph H. Burgis, PP, AICP** and the firm of **Burgis Associates, Inc.** shall be compensated on an hourly rate basis, in accordance with the Firm's schedule of hourly rates as set forth on page 7 of the March 11, 2019 proposal and quotation. However, the total cost to perform the scope of services shall not exceed \$30,000.00; and

**WHEREAS**, the Local Public Contracts Law at 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.

**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 **Joseph H. Burgis, PP, AICP** and the firm of **Burgis Associates, Inc.** located at 25 Westwood Avenue in Westwood, New Jersey 07675 are hereby retained for the purpose of preparing an Area in Need of Redevelopment Investigation as it relates to Block 3801, Lot 2 and Block 4101, Lot 23 as set forth on the Tax Map of the Township of Hanover. If the Area in Need of Redevelopment Investigation determines that the Study Area meets the statutory criteria of the New Jersey Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5, **Burgis** shall then prepare an Area in Need of Redevelopment Plan. The scope of services shall be performed in

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accordance with the March 11, 2019 letter proposal and quotation submitted by **Joseph H. Burgis** which letter proposal and quotation is attached hereto and made a part of this resolution as if set forth in full.

2. The total cost to prepare the Investigation and Plan shall not exceed \$30,000.00. The consultant and firm shall be compensated based on the Firm's 2019 hourly rate schedule which is set forth in the March 11, 2019 letter proposal and quotation.

3. The Mayor and Business Administrator are hereby authorized and directed to execute a Professional Services Agreement on behalf of the Township in an amount not to exceed \$30,000.00.

4. This appointment is awarded without competitive as a "Professional Service" under the provision of the Local Public contracts Law at N.J.S.A. 40A:11-5.1(a)(i) because the services to be performed are by a person authorized by law to practice a recognized profession as a professional planner licensed by the State of New Jersey and such services are not subject to competitive bid.

6. 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. 62-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF HANOVER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 4001, LOTS 6, 7, 10, 11, 12, 13 AND 14 A PART OF 9 AND BLOCK 8803, LOT 17, QUALIFIES AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ. AND FURTHER AUTHORIZING THE PLANNING BOARD TO UTILIZE SERVICES OF PAUL A. PHILLIPS, PP, AICP OF PHILLIPS PREISS IN PREPARING THE PRELIMINARY INVESTIGATION**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area")"; and

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**WHEREAS**, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board, pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6, to undertake such preliminary investigation of the study area which includes property designated as Block 4001, Lots 6, 7, 10, 11, 12, 13 and 14 a part of Lot 9 and, Block 8803, Lot 17 ("study area"); and

**WHEREAS**, the Township of Hanover wishes to direct the Planning Board to undertake a preliminary investigation utilizing **Paul A. Phillips, PP, AICP**, of **Phillips Preiss** to prepare the preliminary investigation to determine whether the proposed study area qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hanover, in the County of Morris, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing **Paul A. Phillips, PP, AICP**, of **Phillips Preiss** to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 4A:12A-5.

**BE IT FURTHER RESOLVED**, that, pursuant to N.J.S.A. 40A:12A-1 *et seq.*, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain ("Condemnation Redevelopment Area").

**BE IT FURTHER RESOLVED**, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall to be forwarded to the Planning Board of the Township of Hanover.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**RESOLUTION NO. 63-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE ENDORSING THE SUBMISSION  
OF A MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND 2019  
CONSTRUCTION GRANT APPLICATION IN THE AMOUNT OF \$40,000.00 FOR THE  
PURPOSE OF PRESERVING HEADSTONES AT THE TOWNSHIP'S HISTORIC  
WHIPPANY BURYING YARD AND FURTHER PLEDGING  
A \$10,000.00 CASH MATCH**

**WHEREAS**, the Township of Hanover is the owner of the historic Whippany Burying Yard, (hereinafter referred to as the "Burying Yard") also known as the Whippany Cemetery, located on the southerly side of New Jersey State Highway Route 10 eastbound, is the earliest colonial graveyard in northwest New Jersey; and

**WHEREAS**, the establishment of the Burying Yard in 1718 predates the founding of Hanover Township and Morris County, and is the site of the first school and church in the County of Morris; and

**WHEREAS**, the Township's Landmark Commission, in keeping with the purpose and intent of its creation to protect, enhance and preserve sites and structures which exhibit historical, architectural or cultural significance, serves as the "caretaker organization" over the Burying Yard; and

**WHEREAS**, age and weather conditions have taken their toll on many of the gravestone monuments/markers at the Burying Yard; and

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**WHEREAS**, as a result of the deterioration and disintegration of various headstones, the Landmark Commission proposed a long term plan to stabilize, restore and preserve various interment monuments, gravestones and markers; and

**WHEREAS**, to achieve the goals and objectives of preserving and restoring various headstones at the Whippany Burying Yard, the Township retained the services of artisans having experience and expertise in the repair, rehabilitation and restoration of gravestones; and

**WHEREAS**, since 2002, the Township has completed seven (7) phases of successfully preserving and restoring over fifty (50) headstones at the Cemetery; and

**WHEREAS**, on August 9, 2018, the Township executed an contract for the restoration of an additional eighteen (18) gravestones which are currently being restored; and

**WHEREAS**, the Landmark Commission is interested in continuing work to restore and preserve additional gravestones at the Cemetery; and

**WHEREAS**, the Landmark Commission has selected nine (9) "top priority" gravestones in need of restoration as identified in the Whippany Burying Yard Historic Preservation Plan; and

**WHEREAS**, the Landmark Commission, with the support and endorsement of the Township Committee, is applying to the County of Morris for a 2019 Construction Grant in the amount of \$40,000.00 to be applied toward the continuing restoration work in protecting and preserving the artifacts of an important historical Township and County landmark; and

**WHEREAS**, in support of the Township's application for a \$40,000.00 grant through the Morris County Historic Preservation Trust Fund, the Township Committee commits to a match of \$10,000.00 in cash, or 20% of the total project cost of \$50,000.00.

**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 endorses and supports the submission of a 2019 Construction Grant Application in the amount of \$40,000.00 to the County of Morris' Historic Preservation Trust Fund. The purpose and intent of the Grant Application is to assist the Township in continuing its work to restore and preserve additional gravestones at the Township's historic Whippany Burying Yard.
2. To support the work to be performed under the Grant Project, the governing body commits and guarantees a \$10,000.00 cash match, or 20% of the \$50,000.00 project cost.
3. That a certified copy of this resolution shall be submitted to the County of Morris along with the Grant Application, to the Landmark Commission, Township Engineer and Chief Municipal Finance Officer for reference and information purposes.

**RESOLUTION NO. 64-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE AWARD OF AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT WITH JOANNA PIETRUSZEWSKI AND THE FIRM OF AEGIS RESTAURO, LLC IN AN AMOUNT NOT TO EXCEED \$7,400.00 FOR THE PURPOSE OF REPAIRING, RESTORING AND PRESERVING NINE (9) GRAVESTONE MARKERS AT THE TOWNSHIP'S HISTORIC WHIPPANY BURYING YARD SUBJECT TO THE RECEIPT OF A 2019 MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT PLUS A \$10,000.00 TOWNSHIP CASH MATCH**

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**WHEREAS**, the Whippany Burying Yard, (hereinafter referred to as the “Burying Yard”) also known as the Whippany Cemetery, located on the southerly side of New Jersey State Highway Route 10 eastbound, is the earliest colonial graveyard in northwest New Jersey; and

**WHEREAS**, the establishment of the Burying Yard in 1718 predates the founding of Hanover Township and Morris County, and is the site of the first school and church in the County of Morris; and

**WHEREAS**, the Township’s Landmark Commission, in keeping with the purpose and intent of its creation: to protect, enhance and preserve sites and structures which exhibit historical, architectural or cultural significance, serves as the “caretaker organization” over the Burying Yard; and

**WHEREAS**, age and weather conditions have taken their toll on many of the interment monuments, gravestones and markers at the Burying Yard; and

**WHEREAS**, in calendar years 2003, 2005, 2006, 2007, 2008, 2016, 2017 and 2018, under the auspices of the Landmark Commission, the Township restored and preserved eighty-eight (88) interment gravestones; and

**WHEREAS**, the Landmark Commission has recommended that the Township continue to stabilize, restore and preserve nine (9) additional gravestones at the historic Whippany Burying Yard; and

**WHEREAS**, the restoration and preservation of these gravestone monuments/markers would represent a Phase VIII in the Township’s plan to stabilize and preserve historic gravestones which date back to the early 18<sup>th</sup> century; and

**WHEREAS**, pursuant to the provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5, and 19:44A-20.26, the Township of Hanover is in need of retaining the services of a professional consultant with experience and expertise in the restoration of gravestone monuments as a Non-Fair and Open Contract; 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 contract for the repair, restoration and preservation of the gravestone monuments/markers does have an anticipated value in excess of \$17,500.00; and

**WHEREAS**, on February 22, 2019, the Business Administrator/Township Clerk, in accordance with N.J.S.A. 40A:11-6.1 and 11-5.(1)(a)(ii) sent a written Request for Proposal (RFP) and quotation to five (5) professional consulting firms having expertise as gravestone conservators; and

**WHEREAS**, the five (5) firms that were solicited were as follows:

Joanna S. Pietruszewski of Aegis Restauero, LLC;  
Mary Jablonski of Jablonski Building Conservation, Inc.; and  
Augerson Art Conservation.  
Schnabel Conservation, LLC  
SBE Conservation, LLC

**WHEREAS**, the Township requested that the consultant conservators submit their written proposals and quotations for the repair and restoration of nine (9) gravestone markers to include cleaning, the filling of all cracks and crevices and the filling of interior; and

**WHEREAS**, the Township requested that the consultant conservators submit their written proposals and quotations on or before March 11, 2019; and

**WHEREAS**, of the five (5) consultant conservators, the Township received written proposals and quotations from two (2) conservators:

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Aegis Restauro, LLC.....\$ 7,400.00  
Jablonski Building Conservation, Inc..... 40,488.00

**WHEREAS**, based on the recommendation of the Business Administrator/Township Clerk, the governing body intends to award an Extraordinary, Unspecifiable Services Agreement to **Aegis Restauro, LLC** in an amount not to exceed \$7,400.00 for the repair and restoration of nine (9) gravestone monument/ markers; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids, and the contract itself, must be available for public inspection; and

**WHEREAS**, in compliance with N.J.S.A. 40A:11-6.1 and 11-5(1)(a)(ii), the Township’s Business Administrator has filed a Certificate attached hereto, setting forth the nature of the work, and the reasons why the contract is an Extraordinary, Unspecifiable Service; and

**WHEREAS**, while it is the intention of the Township Committee to approve the restoration of nine (9) gravestones by **Aegis Restauro, LLC**, as described in this resolution, the actual performance of the scope of work shall not be authorized to commence unless and until the Township receives notification from the County of Morris that the Township will receive a 2019 Morris County Historic Preservation Trust Fund grant with a cash match from the Township of Hanover.

**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 restoration of nine (9) additional gravestones as Phase IX of the Whippany Burying Yard Restoration Project is hereby approved. However, authorization to proceed with the scope of services as described in the Township’s February 22, 2019 Request for Proposal and Quotation (RFP/RFQ) shall not commence unless and until the Township receives formal written notification from the County of Morris that the Township shall receive a 2019 Morris County Historic Preservation Trust Fund grant. The Township appropriated a \$10,000.00 cash match toward the Whippany Burying Yard projects.
2. Upon formal written notification from the County, the Business Administrator/Township Clerk, in his capacity as the Township’s Qualified Purchasing Agent, is authorized and directed to prepare an Extraordinary, Unspecifiable Services (EUS) Agreement with **Aegis Restauro, LLC**, which Conservator firm is located at 586 River Road in Belle Mead, New Jersey 08502. **Ms. Joanna Pietruszewski** will head the project.
3. The total amount of the EUS Agreement shall not exceed \$7,400.00 for the repair, restoration and preservation of nine (9) gravestone monuments/markers at the Township’s Historic Whippany Burying Yard.
4. The **Aegis Restauro, LLC’s** Letter Proposal and Quotation dated March 11, 2019 is attached hereto and made a part of this resolution as if set forth in full.
5. This contract is awarded without competitive bid 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 critical that individuals with proven expertise and demonstrated technical competence and skills in repairing, restoring and rehabilitating items of unique artistic or historical character, be retained for the purpose of properly repairing and preserving nine (9) gravestone monuments/markers that date back to the early 18<sup>th</sup> Century.

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

That a certified copy of this resolution be transmitted to **Joanna Pietruszewski** as Project Manager at **Aegis Restauo, LLC**, the Chairman of the Landmark Commission, the Township Engineer and Chief Municipal Finance Officer for reference and information purposes.

**RESOLUTION NO. 65-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE APPROVING THE REPAIR AND REINSTALLATION OF THE THREE (3) WHIPPANY BURYING YARD WROUGHT IRON GATES AND THE PURCHASE OF TWENTY-FIVE (25) CAST IRON FLORAL FINIALS, SMALL AND LARGE SPEARS AND ROSETTES FROM LODI WELDING COMPANY INC. IN AN AMOUNT NOT TO EXCEED \$22,280.00 AS PART OF THE PHASE IX GRAVESTONE RESTORATION PROJECT, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-6.1 WHICH PURCHASES AND REPAIR ARE SUBJECT TO THE RECEIPT OF A 2019 MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT PLUS A TOWNSHIP CASH MATCH**

**WHEREAS**, as part of the Phase IX Gravestone Restoration Project at the Township's Historic Whippany Burying Yard, the Landmark Commission wishes to remove and repair the three (3) wrought iron gates including the replacement of a total of twenty-five (25) floral finials, small and large spears, and rosettes which are attached to the Burying Yard's gate that was constructed in 1851; and

**WHEREAS**, the Township is applying for a grant through the Morris County Historic Preservation Trust Fund in order to restore nine (9) gravestone markers and repair the three (3) wrought iron gates; and

**WHEREAS**, the Township has allocated \$10,000.00 in its 2019 Current Fund Budget in providing a cash match to the grant; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-6.1, the Township's Landmark Commission attempted to obtain several written quotations for the repair of the three (3) wrought iron gates and the production of twenty-five (25) cast iron finials, small and large spears and rosettes; and

**WHEREAS**, upon research by a member of the Landmark Commission, it was determined that only one (1) vendor in the area had the ability to repair the gates and cast and fabricate the adornments which require a foundry; and

**WHEREAS**, it is the recommendation of the Landmark Commission that subject to the award of a grant through the Morris County Historic Preservation Trust Fund, that the Township Committee authorize the removal, repair and reinstallation of the three (3) wrought iron gates, and the purchase of twenty (25) cast iron floral finials, small and large spears and rosettes from **Lodi Welding Company Inc.** located at 133 Willow Grove Street in Hackettstown, New Jersey 07840, all in accordance with **Lodi's** written quotation dated March 13, 2019, a copy of which is attached hereto and made a part of this resolution.

**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 N.J.S.A. 40A:11-6.1, the governing body authorizes the repair, removal and reinstallation of the three (3) wrought iron gates (priming and coating included) at the Whippany Burying Yard and the purchase of twenty-five (25) cast iron floral finials, small and large spears and rosettes from **Lodi Welding Company Inc.** located at 133 Willow Grove Street in Hackettstown, New Jersey 07840 in an amount not to exceed \$22,280.00 is hereby approved as part of the Phase IX Whippany Burying Yard Restoration Project. The finials, spears and rosettes will be installed on the refurbished historic Burying Yard gate constructed in 1851. However, authorization to proceed with the repair of the three (3) wrought iron gates and the purchase of the adornments



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shall not be made until the Township receives formal written notification from the County of Morris that the Township shall receive a 2019 Morris County Historic Preservation Trust Fund grant. The Township appropriated a \$10,000.00 cash match toward the Whippany Burying Yard projects.

2. Upon formal written notification from the County, the Business Administrator/Township Clerk, in his capacity as the Township's Qualified Purchasing Agent, is authorized and directed to prepare a Purchase Order for the purchase of the adornments from **Lodi Welding Company Inc.**
3. The March 13, 2019 written quotation from **Lodi Welding Company Inc.** is attached hereto and made a part of this resolution as if set forth in full.
4. A brief notice of this award shall be published in the Daily Record as required by law within ten (10) days of its passage.
5. That a certified copy of this resolution be transmitted to the Chairman of the Landmark Commission, the Township Engineer and Chief Municipal Finance Officer for reference and information purposes.

**RESOLUTION NO. 66-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP AND 1515 PARSIPPANY, LLC AS THE REDEVELOPER AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE REDEVELOPER AGREEMENT**

**WHEREAS**, the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A et seq. (hereinafter referred to as the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within their jurisdictions constitute an Area in Need of Redevelopment; and

**WHEREAS**, by resolution dated June 11, 2015, the Township Committee directed the Township's Planning Board to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the property identified as Block 303, Lots 13 and 14 as set forth on the Tax Map of the Township and also known as 1515 Route 10 (the "Hanover Parcel") constitutes a non-condemnation area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5, and to develop a map reflecting the boundaries of the proposed redevelopment area; and

**WHEREAS**, the Planning Board completed its investigation of the Hanover Parcel and received and reviewed the "Non-Condensation Area in Need of Redevelopment Study", including a map of the subject property ("Area in Need Study") prepared by the Township's Professional Planner Blais L. Brancheau, P.P., dated August 11, 2017; and

**WHEREAS**, following a public hearing held on September 18, 2017, at which time members of the public were given an opportunity to be heard, the Planning Board adopted a resolution at its September 26, 2017 meeting memorialized its decision recommending that the Hanover Site be designated by the Township Committee as a Non-Condensation Redevelopment Area as provided under the Redevelopment Law; and

**WHEREAS**, on September 28, 2017, the Township Committee accepted the recommendation of the Planning Board, and adopted a resolution designating the Hanover Parcel as a Non-Condensation Area in Need of Redevelopment; and

**WHEREAS**, on December 13, 2018, the governing body adopted a Redevelopment Plan as part of Ordinance No. 37-2018, following the public hearing and

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pursuant to N.J.S.A. 40A:12A.-7(e), for property located 1515 Route 10 in the Whippany Section of the Township; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f), the Township Committee is empowered to designate a redeveloper to effectuate the Redevelopment Plan; and

**WHEREAS, 1515 Parsippany, LLC** (the “Redeveloper”) has expressed a desire to undertake the redevelopment of the Hanover Redevelopment Area (the “Redevelopment Project”), in accordance with the Redevelopment Law and the Redevelopment Project; and

**WHEREAS**, the Township Committee has determined that the Redeveloper possesses the proper qualifications, financial resources and capacity to implement and complete the Redevelopment Project in accordance with the Redevelopment Plan, and all other applicable laws, ordinances and regulations; and

**WHEREAS**, Block 200, Lot 1.2 as set forth on the Tax Map of the Township of Parsippany-Troy Hills constitutes the Parsippany Redevelopment Area and is contiguous with the Hanover Redevelopment Area both of which were previously designated in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, a Redevelopment Plan for the Parsippany Redevelopment Area has been adopted by the Parsippany-Troy Hills Township Council and a Redevelopment Agreement has been executed by Parsippany which addresses the redevelopment of the Parsippany Parcel; and

**WHEREAS**, the Hanover Township Redevelopment Plan contemplates the redevelopment of the Hanover Redevelopment Area in a manner that is compatible with the Parsippany Redevelopment Plan; and

**WHEREAS**, it is anticipated that the common municipal boundary between the Parsippany parcel and the Hanover parcels shall be adjusted at a future date to facilitate the creation of optimized development sites in both municipalities; and

**WHEREAS**, in order to set forth the terms and conditions under which the Township Committee and the Redeveloper will carry out their respective obligations and complete the Redevelopment Project, the Township Committee and the Redeveloper have determined to execute a Redevelopment Agreement; and

**WHEREAS**, the Township Committee believes it to be in the best interest of the Hanover community, in accordance with the purpose and provisions of the Redevelopment Law, to execute the Redevelopment Agreement by and between the Township and **1515 Parsippany, LLC** as the Redeveloper; and

**WHEREAS**, the Township Committee desires to designate the Redeveloper as the redeveloper for the Redevelopment Project and to authorize the execution of a Redevelopment Agreement memorializing the terms and conditions under which the Township Committee and the Redeveloper will carry out their respective obligations with regard to the Redevelopment Project.

**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. **1515 Parsippany, LLC** is hereby designated as redeveloper of the Hanover Redevelopment Area for the Redevelopment Project.
2. The Redevelopment Agreement by and between the Township of Hanover and **1515 Parsippany, LLC**, the Redeveloper, as it relates to the redevelopment of property located within the Township of Hanover and designated as Block 301, Lots 13 and 14 as set forth on the Tax Map of the Township of Hanover is hereby approved.
3. The Mayor and Township Clerk are hereby authorized and directed to execute the Redevelopment Agreement on behalf of the Township.

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4. That certified copies of this resolution shall be transmitted along with the signed Redevelopment Agreement to **1515 Parsippany, LLC**, the Township Attorney and the Attorney representing **1515 Parsippany, LLC**.

**RESOLUTION NO. 67-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER REFERRING A PETITION TO ALLOW ANNEXATION OF A PORTION OF BLOCK 303, LOTS 13 & 14 IN THE TOWNSHIP OF HANOVER BY THE TOWNSHIP OF PARSIPPANY TO THE PLANNING BOARD FOR REVIEW**

**WHEREAS**, the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A et seq. (hereinafter referred to as the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within their jurisdictions constitute an Area in Need of Redevelopment; and

**WHEREAS**, by resolution dated June 11, 2015, the Township Committee directed the Township's Planning Board to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the property identified as Block 303, Lots 13 and 14 as set forth on the Tax Map of the Township and also known as 1515 Route 10 (the "Hanover Parcel") constitutes a non-condemnation area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5, and to develop a map reflecting the boundaries of the proposed redevelopment area; and

**WHEREAS**, the Planning Board completed its investigation of the Hanover Parcel and received and reviewed the "Non-Condensation Area in Need of Redevelopment Study", including a map of the subject property ("Area in Need Study") prepared by the Township's Professional Planner Blais L. Brancheau, P.P., dated August 11, 2017; and

**WHEREAS**, following a public hearing held on September 18, 2017, at which time members of the public were given an opportunity to be heard, the Planning Board adopted a resolution at its September 26, 2017 meeting memorialized its decision recommending that the Hanover Site be designated by the Township Committee as a Non-Condensation Redevelopment Area as provided under the Redevelopment Law; and

**WHEREAS**, on September 28, 2017, the Township Committee accepted the recommendation of the Planning Board, and adopted a resolution designating the Hanover Parcel as a Non-Condensation Area in Need of Redevelopment; and

**WHEREAS**, on December 13, 2018, the governing body adopted a Redevelopment Plan (the "Hanover Redevelopment Plan") as part of Ordinance No. 37-2018, following the public hearing and pursuant to N.J.S.A. 40A:12A-7(e), for property located 1515 Route 10 in the Whippany Section of the Township (the "Hanover Redevelopment Area"); and

**WHEREAS**, Block 200, Lot 1.2 as set forth on the Tax Map of the Township of Parsippany-Troy Hills constitutes the Parsippany Redevelopment Area and is contiguous with the Hanover Redevelopment Area, both of which were previously designated in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, a redevelopment plan for the Parsippany Redevelopment Area has been adopted by the Parsippany-Troy Hills Township Council (the "Parsippany Redevelopment Plan") and a redevelopment agreement has been executed by Parsippany which addresses the redevelopment of the Parsippany Redevelopment Area; and

**WHEREAS**, the Hanover Township Redevelopment Plan contemplates the redevelopment of the Hanover Redevelopment Area in a manner that is compatible with the Parsippany Redevelopment Plan; and

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**WHEREAS**, it is anticipated by the Hanover Redevelopment Plan that the common municipal boundary between the Parsippany parcel and the Hanover parcels shall be adjusted at a future date to facilitate the creation of optimized development sites in both municipalities; and

**WHEREAS**, the Township Committee has been presented with a petition to allow the annexation of a portion of Block 303, 13 and 14 in the Township of Hanover to be annexed by the Township of Parsippany-Troy Hills (the "Petition"); and

**WHEREAS**, the Petition is required, pursuant to N.J.S.A. 40A:7-12, to have attached thereto the oath of the assessor of the municipality in which the land to be annexed is located, or of some other person having access to the assessor's books, setting forth the assessed value of the real estate contained within the boundaries for the preceding year, and the amount of real estate assessed to any of the persons whose names are signed to the Petition, when the Petition is presented to the Parsippany-Troy Hills Township Council; and

**WHEREAS**, the Township Committee is required, pursuant to N.J.S.A. 40A:7-12, to refer the Petition to the Planning Board to report on the impact of such annexation upon the Township.

**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 Petition is hereby referred to the Planning Board for its report on the impact upon the Township of the annexation of a portion of Block 303, Lots 13 and 14 by the Township of Parsippany-Troy Hills.
2. The Hanover Township Tax Assessor is hereby authorized and directed to set forth under oath the assessed value of the real estate contained within the boundaries described in the Petition for the preceding year, and the amount of real estate assessed to any of the persons whose names are signed to the Petition.
3. The Business Administrator/Township Clerk is hereby authorized and directed to transmit a copy of the Petition to the Hanover Township Planning Board and the Township Tax Assessor.

**RESOLUTION NO. 68-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING BOND REDUCTION NO. 2 BY REDUCING THE \$232,032.00 PERFORMANCE SURETY BOND SUBMITTED BY FLEET HANOVER, LLC TO \$198,068.00 AND REDUCING THE 10% CASH BOND FROM \$42,559.00 TO \$22,008.00 PLUS A PORTION OF THE INTEREST PURSUANT TO P.L. 1985, c.315, AS A RESULT OF COMPLETING 70% OF THE BONDED SITE IMPROVEMENTS RELATED TO THE CONSTRUCTION OF TWENTY-FOUR (24) SINGLE-FAMILY ATTACHED TOWNHOUSE DWELLINGS IN SIX (6) SEPARATE BUILDINGS AND RELATED SITE IMPROVEMENTS ON PROPERTY LOCATED AT 325 WHIPPANY ROAD IN THE WHIPPANY SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 29 IN BLOCK 4701, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS**, Whippany Road Developers, as applicant, applied to the Planning Board of the Township of Hanover for preliminary and final site plan to construct twenty-four (24) single-family attached townhouse dwellings in six (6) separate buildings and other related site improvements on property located at 325 Whippany Road in the Whippany Section of the Township and designated as Lot 29 in Block 4701 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, by resolution adopted by the Planning Board on February 23, 2016 and memorialized on March 8, 2016, **Fleet Hanover, LLC** received preliminary and final site plan and variance approval subject to conditions which were outlined in the March 8, 2016 resolution; and

**WHEREAS**, subsequent to the granting of Planning Board approval,

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**Whippany Road Developers LLC**, as applicant, by assignment dated June 21, 2016 assigned all their rights attendant to the Planning Board's preliminary and final site plan approvals in and to the property described in the Developer's Agreement to **Fleet Hanover, LLC** located at 225 Millburn Avenue, Suite 202 in Millburn, New Jersey 07041; and

**WHEREAS**, the Developer was required to install certain improvements for the residential development in accordance with the Planning Board approvals and the subsequent Developer's Agreement dated August 15, 2016; and

**WHEREAS**, as a result of completing a substantial portion of the project, the Township Committee by resolution dated April 13, 2017 authorized Bond Reduction No. 1 by reducing the Performance Surety Bond from \$661,327.00 to \$383,032.00 and the 1--% cash bond from \$74,481.00 to \$42,559.00 plus a portion of the interest; and

**WHEREAS**, in a letter dated February 13, 2019, **Fleet Hanover, LLC**, has requested that the performance surety bond and the 10% cash bond be released; and

**WHEREAS**, although a substantial portion of the project has been completed, the Township Engineer believes it to be in the best interest of the Township to request the approval of a second bond reduction and not a release of the remaining surety and cash bonds; and

**WHEREAS**, in accordance with the March 8, 2016 final site plan approval, and the August 15, 2016 Developer's Agreement, **Hanover Fleet, LLC**, has now completed 70% of the bonded site improvements based on an on-site inspection conducted by the Engineering Department for the purpose of ascertaining the percent of completion of the bonded public improvements; and

**WHEREAS**, in a letter dated March 7, 2019, the Township Engineer has recommended a second reduction of the total remaining performance guarantees. Attached to the letter is a Schedule "A" entitled "Reduction II" which describes the percentages of reduction of the bonded on-site improvements and the total amounts of the surety and cash performance bonds to be retained in favor of the Township; and

**WHEREAS**, although the developer was asked to submit a reduced surety bond in the amount of \$383,032.00, the developer inadvertently submitted an amended bond in the amount of \$283,032.00.

**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 Performance Surety Bond, Bond No. S304969 dated May 2, 2017, issued by NGM Insurance Company, in the amount of \$283,032.00 be reduced to \$198,068.00. In accordance with this reduction, it shall be the responsibility of **Fleet Hanover, LLC** to request NGM Insurance Company to submit to the Business Administrator/Township Clerk, a new Performance Surety Bond in the amount of \$198,068.00 in order to guarantee the completion of the remaining on site improvements.
2. The cash performance bond of **Fleet Hanover, LLC** deposited in a TD Bank Escrow Account, Account #7760745145, in the amount of \$42,559.00 is hereby reduced to \$22,008.00. The Developer shall be returned a portion of the cash bond in the amount of \$20,551.00, plus a portion of the interest, all in accordance with P.L. 1985, c.315.
3. A certified copy of this resolution shall be forwarded to **Fleet Hanover, LLC**, the Township Engineer, the Chief Municipal Finance Officer, and NGM Insurance Company for their reference and action purposes.

**RESOLUTION NO. 69-2019**

**A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT IN**

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**AN AMOUNT NOT TO EXCEED \$17,942.80 WITH GARDEN STATE FIREWORKS, INCORPORATED FOR AN INDEPENDENCE DAY CELEBRATION OF FIREWORKS ON THE EVENING OF JULY 1, 2019 WITH A RAIN DATE OF JULY 2, 2019 OR THE NEXT CLEAR NIGHT IN CASE OF INCLEMENT WEATHER AT THE VETERANS MEMORIAL PARK ATHLETIC FIELD, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-5.(1)(a)(ii) AND (3) AND N.J.S.A. 40A:11-6.1 OF THE LOCAL PUBLIC CONTRACTS LAW**

**WHEREAS**, the Township of Hanover intends to provide a fireworks display for the 2019 Independence Day Celebration on July 1, 2019 with a rain date of July 2, 2019, or the next clear night in case of inclement weather at the Veterans Memorial Park Athletic Field; and

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

**WHEREAS**, the Township has determined that the performance of a fireworks display requires an expertise and extensive training in this field of endeavor and involves the additional problem that if the displays are not properly furnished in the first instance, there is no opportunity for correction of any errors or omissions on the part of those providing said displays; and

**WHEREAS**, in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-4.5, the Township advertised a Notice to Bidders in the Daily Record on February 8, 2019 requesting proposals and quotations for the performance of a Fireworks Display on July 1, 2019; and

**WHEREAS**, in addition to formerly advertising, the Township sent a Request for Proposal and Quotation to three (3) fireworks display vendors requesting the submission of proposals and quotations to be submitted to the Township's Bid Reception Committee on Tuesday, February 26, 2019; and

**WHEREAS**, only one (1) proposal and quotation was received by the Bid Reception Committee on February 26, 2019 from **Garden State Fireworks, Inc.** in the amount of \$17,942.80; and

**WHEREAS**, the Township's Business Administrator reviewed the proposal and quotation by **Garden State Fireworks, Inc.** and determined that the proposal and quotation was submitted in accordance with the Township's Request for Proposal and does not include any exceptions, deviations or deficiencies, and, is therefore considered the only responsible and responsive bidder; and

**WHEREAS**, the Chief Municipal Finance Officer has certified that sufficient funds have been appropriated and are available for this expenditure through the year 2019 Current Fund Budget - Line Item Number 129-0038-304; and

**WHEREAS**, the Township Committee of the Township of Hanover conclude that the providing of fireworks displays should be classified as an "Extraordinary, Unspecifiable Service" as defined by N.J.S.A. 40A:11-5.(1)(a)(ii) and N.J.S.A. 40A:11-6.1.

**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 N.J.S.A. 40A:11-5.(1)(a)(ii) and (3) and N.J.S.A. 40A:11-6.1, the governing body hereby authorizes the performance of an Independence Day Fourth of July Fireworks Display to be held on Monday evening, July 1, 2019 with a rain date of Tuesday, July 2, 2019, or the next clear night in case of inclement weather which fireworks display shall be held at the Veterans Memorial Park Athletic Field.
2. That the Mayor and Township Clerk are further authorized to execute

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an Extraordinary, Unspecificable Services Agreement with **Garden State Fireworks, Inc.** located at P.O. Box 403, 383 Carlton Road, in Millington, New Jersey 07946 at a cost not to exceed \$17,942.80 for a fireworks program to be displayed at the Veterans Memorial Park Athletic Field on Monday, July 1, 2019, with a rain date of Tuesday, July 2, 2019, in the event of inclement weather, or on the next clear night.

3. This contract is awarded without competitive bidding as an Extraordinary, Unspecificable Service in accordance with N.J.S.A. 40A:11-5.(1)(a)(ii) and N.J.S.A. 40A:11-6.1 of the Local Public Contracts Law guidelines and regulations.
4. The Township's Chief Municipal Finance Officer has certified that sufficient funds have been appropriated in the year 2019 Current Fund Budget, Patriotic Celebration Account, Line Item No. 129-0038-304 and are available for the purpose set forth in this resolution.
5. The contract be awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5.(1)(a)(ii) and (3) because providing Fireworks Displays requires an expertise and extensive training in this field of endeavor and involves the additional problem that if the displays are not properly furnished in the first instance, there is no opportunity for correction of any errors or omissions on the part of those providing said displays.
6. A brief notice of the action taken in this resolution shall be published once in the Daily Record within ten (10) days of its passage.
7. The resolution and contract are on file in the office of the Business Administrator/Township Clerk and are available for public inspection.
8. A certified copy of this resolution shall be transmitted to the Township's Chief Municipal Finance Officer, Acting Superintendent of Recreation and Park Administration, and **Garden State Fireworks, Inc.** for their reference and information.

**RESOLUTION NO. 70-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER GRANTING PERMISSION TO THE ISBI HANOVER HOTEL, LLC, T/A HANOVER MARRIOTT HOTEL (PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-36-003-002) TO SERVE ALCOHOLIC BEVERAGES WITHIN ITS IRISH PUB LOCATED AT 1401 ROUTE 10 EAST IN THE TOWNSHIP OF HANOVER STARTING AT 10:00 A.M. ONLY ON SAINT PATRICK'S DAY, SUNDAY, MARCH 17, 2019**

**WHEREAS**, the owner of the **ISBI Hanover Hotel, LLC, t/a Hanover Marriott Hotel** located at 1401 Route 10 East in the Whippany Section of the Township, in an email to the Township is requesting that the Township Committee grant permission to open its Irish Pub starting at 10:00 a.m. only on Saint Patrick's Day, Sunday, March 17, 2019 as this day is considered one of the busiest days of the year in serving alcoholic beverages; and

**WHEREAS**, the **ISBI Hanover Hotel, LLC** is the holder of Plenary Retail Consumption License No. 1412-36-003-002; and

**WHEREAS**, Section 82-3.A. entitled "Hours" under Chapter 82 of the Code of the Township entitled Alcoholic Beverages prohibits the holders of a Plenary Retail Consumption License from serving or selling any alcoholic beverages on licensed premises, including but not limited to wine, beer and spirituous liquors, between the hours of 2:00 a.m. on Saturdays to 1:00 p.m. on Sundays; and

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**WHEREAS**, the Township received an email from the **ISBI Hanover Hotel, LLC** requesting that its tavern open early on Saint Patrick's Day, Sunday, March 17, 2019; and

**WHEREAS**, as a result of that request, the Township Committee decided to permit the **ISBI Hanover Hotel, LLC** to open its Irish Pub to patrons starting at 10:00 a.m. only on Saint Patrick's Day, Sunday, March 17, 2019 until closing time at 2:00 a.m. the following morning in order to sell and serve alcoholic beverages on the licensed premises.

**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 **ISBI Hanover Hotel, LLC**, trading as Hanover Marriott Hotel, the holder of Plenary Retail Consumption License No. 1412-36-003-002, located at 1401 Route 10 East in the Whippany Section of the Township of Hanover is granted permission to open its Irish Pub only on Saint Patrick's Day, Sunday, March 17, 2019 starting at 10:00 a.m. until closing time at 2:00 a.m. the following morning in order to sell and serve alcoholic beverages on the licensed premises. In accordance with the **ISBI Hanover Hotel, LLC's** request, the Township Committee hereby grants this waiver of the Sunday prohibited hours of sale provision described in Section 82-3.A. Entitled "Hours" under Chapter 82 of the Code of the Township entitled Alcoholic Beverages.
2. That certified copies of this resolution shall be transmitted to Dan Farley, the Hotel manager and the Chief of Police for reference and information purposes.

**RESOLUTION NO. 71-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER GRANTING PERMISSION TO THE DUBLIN PUB OF WHIPPANY, INC., T/A MOLLY MALONES (PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-33-003-002) TO SERVE ALCOHOLIC BEVERAGES WITHIN ITS TAVERN LOCATED AT 352 ROUTE 10 AND TROY HILLS ROAD IN THE TOWNSHIP OF HANOVER STARTING AT 10:00 A.M. ONLY ON SAINT PATRICK'S DAY, SUNDAY, MARCH 17, 2019**

**WHEREAS**, the owner of the **Dublin Pub of Whippany, Inc., t/a Molly Malones** located at 352 Route 10 and Troy Hills Road in the Whippany Section of the Township, in an email to the Mayor is requesting that the Township Committee grant permission to open its tavern starting at 10:00 a.m. only on Saint Patrick's Day, Sunday, March 17, 2019 as this day is considered one of the busiest days of the year in serving alcoholic beverages; and

**WHEREAS**, the **Dublin Pub of Whippany, Inc.** is the holder of Plenary Retail Consumption License No. 1412-33-003-002; and

**WHEREAS**, Section 82-3.A. entitled "Hours" under Chapter 82 of the Code of the Township entitled Alcoholic Beverages prohibits the holders of a Plenary Retail Consumption License from serving or selling any alcoholic beverages on licensed premises, including but not limited to wine, beer and spirituous liquors, between the hours of 2:00 a.m. on Saturdays to 1:00 p.m. on Sundays; and

**WHEREAS**, the Township received an email from the **Dublin Pub of Whippany, Inc.** requesting that its tavern open early on Saint Patrick's Day, Sunday, March 17, 2019; and

**WHEREAS**, as a result of that request, the Township Committee decided to permit the **Dublin Pub of Whippany, Inc.** to open its taverns to patrons starting at 10:00 a.m. only on Saint Patrick's Day, Sunday, March 17, 2019 until closing time at 2:00 a.m. the following morning in order to sell and serve alcoholic beverages on the licensed premises.



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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. The **Dublin Pub of Whippany, Inc.**, trading as Molly Malone's, the holder of Plenary Retail Consumption License No. 1412-33-003-002, located at 352 Route 10 and Troy Hills Road in the Whippany Section of the Township of Hanover is granted permission to open its tavern only on Saint Patrick's Day, Sunday, March 17, 2019 starting at 10:00 a.m. until closing time at 2:00 a.m. the following morning in order to sell and serve alcoholic beverages on the licensed premises. In accordance with the **Dublin Pub of Whippany, Inc.'s** request, the Township Committee hereby grants this waiver of the Sunday prohibited hours of sale provision described in Section 82-3.A. Entitled "Hours" under Chapter 82 of the Code of the Township entitled Alcoholic Beverages.
2. That certified copies of this resolution shall be transmitted to Mary C. Mongey, the Tavern Owner and the Chief of Police for reference and information purposes.

**RESOLUTION NO. 72-2019**

**A RESOLUTION AUTHORIZING THE REFUND OF REDEMPTION MONEYS TO AN OUTSIDE LIENHOLDER**

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 3, 2018, a lien was sold on Block 8702, Lot 24, also known as 18 Marlin Drive, Whippany, New Jersey 07981, for 2017 delinquent taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 2018-06, was sold to M&P Retirement Plan for a 0% redemption fee and a \$700.00 premium paid; and,

**WHEREAS**, Century 21/Nicholas Maria, owner has affected redemption of Certificate 2018-06 in the amount of \$1,629.59.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$1,629.59, payable to M&P Retirement Plan, P.O. Bo 2051, Morristown, New Jersey 07962, for the redemption of Tax Sale Certificate 2018-06.

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

**RESOLUTION NO. 73-2019**

**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:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>QUAL. #</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>
3301	2		Lasser Hochman LLC Hanover Park Partnership 75 Eisenhower Parkway Roseland, NJ 07068 Location: 1294 Route 10 Reserve for Tax Appeal	\$99,140.50

**RESOLUTION NO. 74-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER INAUGRATING A PILOT PROGRAM IN CONJUNCTION WITH THE**

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**HANOVER TOWNSHIP LITTLE LEAGUE TO PROVIDE “PREFERRED PARKING FOR SENIORS” AT ALL BASEBALL GAMES SPONSORED BY THE HANOVER TOWNSHIP LITTLE LEAGUE**

**WHEREAS**, older Americans constitute a vibrant part of the fabric of the United States more so noticeable in Hanover Township which boasts the largest per capita senior citizen population in Morris County; and

**WHEREAS**, the Township’s Recreation and Park Administration Department sponsors many recreational activities and athletic events including co-hosting such events with several different Township non-profit athletic associations including the Hanover Township Little League; and

**WHEREAS**, the Township and the Hanover Township Little League encourage family, friends and members of the public to watch, support and cheer those children who participate in Little League games; and

**WHEREAS**, senior citizens often desire to attend these sporting events to see their grandchildren and great grandchildren participate in baseball games; and

**WHEREAS**, it is essential to recognize the significant contribution senior citizens make in supporting and cheering the teams during these community events; and

**WHEREAS**, the safety and welfare of our senior citizens is important to the Township Committee and the Hanover Township Little League. In this regard, both the Township and the League wish to accommodate senior citizens by providing them with parking spaces in close proximity to the athletic fields.

**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 Township’s Recreation and Park Administration Department will provide each opposing Hanover Township Little League team with two (2) temporary “senior preference” parking spaces in close proximity to the Township’s athletic fields. A total of four (4) spaces only will be designated. The Township will provide the necessary designation signs to the coaches of each team for posting prior to a scheduled game.
2. The signage and temporary spaces shall be effective during the 2019 Hanover Township Little League season only. The reserved spaces are intended to encourage senior citizens to attend Little League games in order to cheer on the players.
3. That certified copies of this resolution shall be transmitted to the Superintendent of the Recreation and Park Administration Department and the Chief of Police for reference and information purposes.

Motion made by Member Ferramosca to approve resolutions and seconded by Member Francioli and unanimously approved.

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of **\$6,893,414.19** 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 Member Francioli 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 APPLICATIONS:**

- RL-3191 – ECLC Foundation – Tricky Tray
- RL-3192 - ECLC – 50/50 off premise
- RL-3193 - Xavierian Guild of St. Elizabeth - Tricky Tray
- RL-3194 – Xavierian Guild of St. Elizabeth – 50/50 on premise
- RL-3195 – Xavierian Guild of St. Elizabeth - -on premise raffle
- RL-3196 – Seton Hall Prep Mothers Auxiliary – off premise raffle
- RL-3197 - Our Lady of Mt. Carmel Church – on premise raffle
- RL-3198 – Hanover Rotary Club – Duck Race

Motion for approval of raffle applications made by Member Mihalko and seconded by Member Ferramosca and unanimously passed.

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**REPORT OF THE TOWNSHIP ATTORNEY CONCERNING THE STATUS OF THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION**

Mr. Semrau: With respect to the Township’s affordable housing the Governing Body and the Township has there immunity in place their compliance at this point in time, there will be a number of things that will have to be addressed going forward but for right now the only concentration with respect to putting together it’s third round plan getting ready to present it to the court and as mentioned we already have our settlement signed by Fair Share Housing. One of the things that myself and the administration have received is that sometimes developers or land owners come around and want to be part of the affordable housing matter and they want to use the affordable housing matter to develop their track of land well the benefit of this settlement is now these property owners need to go through the process, they need to go back and make requests and the Governing Body and Township and the Planning Board will have to make their own determinations but we are no longer with this settlement going forward under the pressures of Fair Share and affordable housing, so I have answered at least in the case of one potential developer who asked about how can I get involved in Fair Share Housing and things like that and the answer is that the Township has resolved this the Township is protected through 2025 and from my perspective for the Township is that any landowner if they are interested in developing their property they have to go through the appropriate process which is not through Fair Share Housing type of applications and litigation and the Township ultimately can make its own decisions based on what the local zoning dictates and what is best for the Township not these Fair Share Housing plans which many of the towns that are still in this litigation are facing. Right now the Township has taken back and maintained really it’s right to make local zoning decisions so to those types of requests I don’t believe there is a place because the Township has made a decision to settle and resolve its fair share housing matters to the satisfaction to the Fair Share Housing and as you see in many other communities developers come in and they want to be part of that and they are still in litigation and that is not the case in Hanover Township.

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**OTHER BUSINESS**

Mr. Gallagher: Believe it or not I will be pretty quick tonight I think Committeeman Cahill said he will be quick tonight as well. We have officially wrapped up our ten consecutive Friday nights at Mennen Arena with Law Enforcement Night it was our biggest night so far and all the numbers are in and we had 310 skaters we had 50-60 youngsters that just came in to meet the police and at any given time we had about 100 parents in there and many many law enforcement officers and law enforcement agencies it was a great night great to see you all there. We sprung from that night into the New Jersey Teen Concert Series which we had 11 performers last Saturday night, everybody did a great job. From there tomorrow night we have a drum master class so it is a drum clinic by a famous drummer Joe Bergamini he lives in Hanover Township. We invited all of the local schools all the music fans and musicians and educator to come hear a world class musicians, he is going to talk about the music business and talk about talent and discipline and structure and different ways you can get into the music business and make a living playing music and getting fulfilled as an artist. It’s going to be a great night, it is free, Cultural Arts with the Drug Coalition have stepped up and are putting this program like many many other programs.

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From there we all got together and decided that this summer we are going to have a teen music festival. We are going to invite all the surrounding municipalities to participate in a night like we had at Whippany Park last week, we are going to do it at Lurker Park in East Hanover at 4:00 in the afternoon and we may even do it before their fireworks because we are trying to work on that group that thinks they are too old and too cool to go somewhere like 14-17 years old. We are working on it is going to be a great festival and Hanover Township is right in the middle of it.

Hanover Township's Big Night Out we always do it in May this year instead of the High School we are doing it at Memorial Junior School because we all got together and realized that our audience and our group that we are targeting is getting younger and younger so we are starting with good activities for our teens but we want to continue to focus on our youngsters. So with Mr. Wasko talking to the PTA's in our group we are going to do it there date yet to be determined, but Committeeman Cahill is working on the Fire Departments because it has to end with the crushed of the tug-of-war between Cedar Knolls and Whippany and it is very important to us and Joe has been the anchor before, hopefully this year too!

Committeeman Mihalko and I are talking about a big night at the Bee Meadow Pool we have been trying for a little while and we have Committeeman Mihalko's commitment and I believe the rest of my committee members, what we are going to do this time is feature something that we have talked about for three years we want to have the big night at the pool and we want to bbq some hot dogs for all the kids ourselves. We are working on, date to be determined but it is going to be a lot of fun and the last thing I'm going to say is Spring sports are just about to begin and I want you to know with cooperation of all of our groups I think we are going to be ready since we have another day or two in the sixties and I went to a few meetings with Brian Foran and Committeeman Mihalko and I think our communication and our bond is tighter and our goals are very clear and baseball has been instrumental with communicating with us on what they need and what they would like and what is realistic so I just want to thank everybody because I think the name of the game is communication and right now I think right now it seems like we are firing our own cylinders and we got to hope the weather cooperates this spring. If we get that we will be in pretty good shape.

Member Cahill: We will start with the Firehouse they've had a couple Re-Organizations meeting and I just want to announce the new roles of the commissioners on Tuesday March 5<sup>th</sup> Cedar Knolls Fire District No. 3 had their meeting and the officers are as follows; Chairman will remain Mike Dugan he was the Chairman last year; Vice Chair is Robert Callas, Treasurer is Peter DeNigris and Secretary is Craig Vagell, Jr. and Clerk is Robert O'Hare. Whippany Fire District No. 2 Ray Woytas is Chairman, Jim Crowley is Vice Chair, Jim Kitchell is Secretary and Treasurer is Randy Polo and Steve Willians is the Clerk.

One final reminder not this Sunday but next Sunday March 24<sup>th</sup> is the Whippany Fire House pancake breakfast 8:00am -12:00 noon at the Recreation Center so if you can attend that would be great.

Last Tuesday night I went to the K-8 Board of Education meeting where they had the special meeting on their preliminary school budget, it was pretty good. It was an hour long presentation so I will just call out a couple of highlights, most importantly of course is what is the percentage, their preliminary budget is within the 2% cap and they estimate that the cost and we usually use this generally in terms of cost of homes that are valued at \$425,000.00 would be about \$85.00 per year as an increase. One of the other things that came up and is always important to us and we are always monitoring it carefully is the enrollment numbers whether they are going up or down, overall K-8 that includes the K-5 and Memorial Junior School has gone down by approximately 29 students, so it is continuing in a trend that has been going on since my time on the board the steady decrease of student population and the biggest chunk of that was 24 students at Mountview Road School but the trend is continuing very slowly, it is good to have not big spikes one way or another so we are in pretty good shape.

State Aid: If you have been reading the newspapers, the State has told us that they are increasing in our State aid across the board and try to make the State aid formula more fair for all schools and with that equated to for Hanover was 8.2% increase which works out to be about \$83,000.00, which is fantastic except for the fact

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that they are already spending about \$85,000.00 on the class III officers for each of the schools, so it is essentially a wash. I want to point out that that is a total amount of State aid, this is a budget that is approximately \$22,000,000.00 and State aid to Hanover Township is \$1.1 million dollars this year roughly, if I go back to when I started on the Board of Education in 2008 it was \$1.4 million back then. When the recession first hit and Christy made cuts we went down to \$865,000.00 so we have been through some rough times, and slowly crawling up but as far as a fairness formula I would argue that but at least we are getting a little bit more. The last thing on the K-8 budget there will be a series of about 6 budget presentations and we can visit the Hanover Township BOE website with the dates.

We just learned the other day that the Hanover Township Recreation Department and the Hanover Township Emergency Services group is going to be holding their Youth Public Safety Academy. They did this a couple of years ago and it was very successful and they decided to do it again. It is a couple weeks long it begins Monday, July 8<sup>th</sup> and goes until Friday, July 19<sup>th</sup> 9:00am-3:00pm 5 days a week so it is a great program and I remember it a couple of years ago when they graduated they came in here for Graduation ceremony and a lot of good training the Cedar Knolls and Whippany Fire Departments, Morris County Sheriff's Office, and of course Hanover Township Police Department were involved in training these kids in public safety. The fee is \$125.00 and you have to register in person at the Hanover Township Community Center and deadline is May 24<sup>th</sup>.

Lastly, the Hanover Township Landmark Commission has been published again, an article around the Whippany Burying Yard, this is New Jersey Municipalities Magazine, you are not going to find this on the rack at CVS or QuickCheck it is targeted towards municipal administrations and officials however a very nice article was printed in it about the historic treasure and talks about the burying yards but mostly talks about it from a Government Administration stand point, how we got grants and what language we put into it to match those grants and some of those things, some of the tactics that we used to put together, the money that we are getting to restore those gravestones and get the burying yard into shape. So while you probably don't have subscriptions to this magazine the actual article is posted on the Township website.

Member Mihalko: We are coming up on spring time and in the Recreation Department that is when we really start getting busy. We always have stuff going on, but spring time we really start opening up the flood gates. But, I want to first personally thank Committeeman Gallagher for all his time and effort that he puts forward, that skating for 10 Friday nights in a row is there from when the doors are unlocked to when the doors lock when it is over. He is there from start to finish every Friday night; his wife must be more patient than mine. The teen concert series which was the next night same thing he was there from 4-5 o'clock in the afternoon till 10:00pm that night and again it was a terrific event, there was about 200 people that showed up and the acts were terrific and really a quality product that was being put forward by Ace and the other people involved. Again, Ace thank you for your time and efforts. It's nice to see dedicated people like that and for that many Friday's in a row he committed and he doesn't get paid for it, to supervise the kids and to get everybody out!

Member Gallagher: Mike I'm almost in Ron's category where if I was home on a Friday night I don't think my wife would give me the remote!

Member Mihalko: People really underestimate the amount of time we are out. So, the Veteran's I just want to remind you that we the Memorial Day Parade on May 27<sup>th</sup> and things are moving along, many of the same acts are going to be there, the Whippany Park Marching Band will be there.

Also, congratulations to James Gigantino, he achieved his Eagle Scout Award and he did work at the American Legion that was an event that Mayor and I went to on Sunday, he did a terrific job. If you guys are familiar with American Legion the front was horrible and he organized businesses and organized the other scouts to help him out, he took out all of the telephone poles that were used as stops he cleaned it up and mulched it put in a beautiful fence and really took it upon himself to beautify the American Legion. Again, the Eagle Scout award is very prestigious and he is a good kid.

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Moving onto Recreation, I just came back from a camp convention which was in Atlantic City, I was there on Tuesday and Wednesday. Denise Brennan, Tom Quirk was also there we got to check out all kinds of need stuff, all kinds of ways to spend our money. Everything from zip lines to programs. Again, we are always looking for new things and new ideas, a lot of seminars on projects and programs to do, again Denise put in a lot of time, she attended a lot of those, you will be hearing more about that with the ideas that we all brought back.

King Kong you have heard about this for a couple of months now it got postponed twice so we have rescheduled it for April 11<sup>th</sup>. So, if you still have your King Kong tickets it's going to be April 11<sup>th</sup>. The Veteran's field play ground will hopefully be going in a few weeks. We are waiting for the weather to break and it seems to have we have a couple other things to get going. The playground itself has been delivered. We are just waiting for some clear weather to get that installed. We are really looking forward to having a playground, it is going in between the two fields.

One of the big things on our agenda is the pool, pool registration; hopefully you have gotten your packet in the mail if you have attended the pool before, get your packet signed and get the early birds rates and its open until April 18<sup>th</sup> after that the rates go up. The rates have stayed the same. They have not increased. We are working very hard to keep those rates down, and it's a self-funding entity but we are really pushing some nice stuff over there.

This is just the short list of the things going on at the pool this summer, there are over 30 items right off the top of the bat and we are working on many more. We are really focusing on some senior citizens programs that we are going to have, getting them involved there is a big senior contingent there. They have their own area and they all meet up and play cards and get together. Again, if you have not joined the pool now is a good time to do it, and, if you have and you let it laps again it's a good year to sign back up, take advantage it's a lot of people, a lot of friends meet up there, and it's a great pool.

Coming up on April 6<sup>th</sup>, mark your calendars 2-4:00 we have hoping down the bunny trail, it's that time of the year again. Also, I just want to remind everybody that spring is coming and fishing season is going to be coming too, so get your boat permits. You can go onto the website and it will give you the criteria to register your boat for pond one. Just a reminder if you do take a boat out there it has to be registered.

Hanover Township Soccer registration K-8 the early registration ends tomorrow so make sure you get that going, if you miss it you can still sign up. It's a great program, a lot of our kids are involved. I want to highlight one more thing, it's called sport buddies and it is for special needs children, registration is going on now and it is all stuff geared for special needs children, they cater to that it is on Sunday's from May-June at Whippany Park High School. Check out the website the particulars are on there but everything from exercise, soccer, Frisbee, yoga all kind of neat stuff directed activities to special needs children.

Camp registration, summer camps are starting to roll out, May 4<sup>th</sup> in person again check out the websites we have so many different camps I can be here all night telling you all the camps we do and the neat stuff that they attend between the parks, plays and so many things these camps do over the summer you really need to take a look at it.

Another one mark your calendars, Monday, July 1<sup>st</sup> will be our fireworks, our patriotic celebration, there will be a concert there and every Monday after that through July we will be our concert series over at the Brick Yard.

We also have another neat program that is going it's called Shakespeare in the Park in Central Park there is going to be a theatrical camp at the Rec Center and then they are going to put on a play at Central Park, date has not been set yet, but again it's another thing to put on the agenda that is coming up. I can't stress enough there is so much going on check out the website and the website is terrific. It is very easy to scroll through and see the items coming up; it's a great new website.

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Mayor: Check the new website it is up, a lot of people have commented on it, it's still a work in progress, we had a few comments about blips we want to fix, you can look at it on your phone, pad or PC. We want to make sure that the formats work for you but we are hoping it is more friendly and give you a lot more information than you were so please check that out.

Member Ferramosca: Spring is in the air. It's coming at last and it's all about the roads and trails tonight's, so the road message is the good news is 7 roads are going to be paved this year and they are as follows; Ridgedale Avenue from East Hanover Avenue to Frederick Place; Troy Road from Troy Hills Road to Algonquin Parkway; East Fairchild from Hansch Drive to Whippany Road; Lara Place from Cove Lane Road to Deerfield Lane; Korda Place from Ridgedale Avenue to Parker Avenue; Parker Avenue from Ridgedale Avenue to McNabb and last but not least Woodland Avenue from its terminus to Parsippany Road. In addition to our roads we have a special presentation tonight about our trails. We have some very exciting things going on in our parks which Committeeman Mihalko spoke about and now our Township Engineer is going to speak about the presentation about the exciting things that are happening in and around Bee Meadow Park.

Mr. Maceira: The Bee Meadow Pond Nature Trail is a new trail to be constructed around the two outer brickyard ponds located within Bee Meadow Park.

Bee Meadow Park is the premier recreational facility in Hanover Township with an ever-expanding array of recreational and cultural/music programs.

Construction of the Nature Trail will occur in two phases.

Phase I will provide the opportunity for residents and visitors to the park to walk along the interior edge of the two outer ponds.

The Bee Meadow Pond Nature Trail will offer residents and visitors a beautiful, wooded pathway along a scenic, secluded corner of the park which had previously been inaccessible to park visitors.

Nearly 3,000 feet of new recreational trail along the eastern shoreline of Bee Meadow Pond

Loop trail with new trail heads at North and South ends of existing parking lot

Mineral stone surface

Open to walking, biking, and cross-country skiing

Majority of project cost will be funded by Morris County Trail Construction Grant Program (\$72,000 grant awarded to Township of Hanover)

Currently in design & permitting stage

Regular inspection of path surface

Identify signs of erosion

Regular inspection of trees within the path fall zone

Monitor mosquito population working with Mosquito Commission

Monitor unauthorized use (e.g. motorized vehicles)

Phase II will be a natural extension of the trail bringing walkers, anglers, strollers along the exterior edge of the two outer ponds.

A \$193,820 grant will be awarded to the Township of Hanover for Phase II, for a total of \$265,820 in grant funds awarded to Hanover for both phases of construction."

Member Ferramosca: Thank you Mr. Maceira, some very exciting news and this really brings some really great opportunities for getting out and enjoying that entire Bee Meadow Park area which is a jewel within Hanover Township.

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**OPEN TO THE PUBLIC**

Motion made by Member Ferramosca to open to the Public and seconded by Member Gallagher and unanimously passed.

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Terri Baird, 180 Parsippany Road, Whippany: I was there at Bee Meadow Pond, the Brick Yard Ponds today for a lunch time stroll. I strolled from where the ditch comes from the pool into the second pond to the no skating sign by the third pond by the riven. What I did was I took some pictures and that is what I am passing out that the pictures because a couple of weeks ago I went to your work session and I did listen to your concerns about the trees and mosquitos that are down there. Since that time what I took pictures of from that path are new trees that have fallen. There are at least 6 new clusters of trees that have fallen across the path since two weeks ago. It is a concern for me and there are a lot of people that go down there, I brought this up to the Recreation, Open Space and the Township Committee before that if somebody gets hurt, the potential for somebody to get hurt down there right now is very very high and not only with the trees falling but they leave holes, they leave divots where the roots were, there are no roots on these trees, they are 125 feet high and old oaks and they are all coming down and when they come down they leave these big holes that now become a vernal pool they hold water and anything that holds water down there breeds mosquitos. We know that there are at least two locations that have been positively identified by Morris County Mosquito Control as being West Nile positive and here we are inviting people to come here and take a walk around. So my question to you is how quickly can these things be rectified? People are going underneath these leaning trees right now, I mean these trees have fallen down, they hit another dead tree, and then everything comes down and they are mostly all coming down in the same direction coming from north to south. We had that big wind a couple of weeks ago, they come down during the wind, I can hear them cause I live on top of the hill and they fall periodically over the next couple of days after we have a heavy wind. We had that heavy wind, there was no leaves on the trees, had there been leaves on the trees that place would have been decimate down there again. There are just trees down all over and there are all of these trees, in fact the kids even have a skull and cross bones on the trees, like if you go this way you are going to get killed if you go this way you'll be ok. The water down there is so bad underneath, I actually saw somebody lost there shoe in the muck and I saw that on the second part of the Phase II that you are actually going around that ravine, because of the water, Morris County Mosquito Control has been down there working diligently but they can't, it is so overwhelming because of the trees being down the ones that are already down have created all of these pools. So now they all have to be treated with larvacide so we don't get mosquito larva growing with their eggs and stuff like that. And then, once they become adults the person has to go down there and spray with a quad, they can't get through. They can't get through anywhere in there and you are going to be having all these concerts there and you have the pool and all these nice events you better include bug spray at this point. I would really like to know right now what is going to be done, people are going there and all of these trees are dangerous. I would be very cautions. I only went as far as I did because I was being cautions.

Mayor: I think the Committee's understanding that along with the issuance of any contract specification to install or improve the area with the trail would include assurances that dead trees or overhanging branches or other types of issues of safety would be there responsibility to address and as finally approved by an inspector by the town in the end so I understand what you are saying Terri, but to some degree we certainly expect that this trail is going to be a dangerous area and it will not be left in that state. The trail itself will be an improvement through there and when I call it an improvement I say that it will be a removal of stumps filling in holes and depressed areas so that the trail is safe and passable, similar to what we did not to this degree with what we did in Phase I with the trails we did through Fairchild to Morris County Mall it was all cleaned out and improved.

Member Ferramosca: I applaud you for bringing this and taking the pictures and bringing it to our attention. We share your concern that we need to provide a safe trail system for those who want to take part in our trails and part of the development of that trail in planning our engineering group will be responsible working closely with DPW and the County to ensure that if there are trees down need to come down they will be taken down. If there are hangers in terms of limbs that are dangerous above that trail, they will be removed. Importantly that we address any of the vernal pools which we spoke to because we want to provide an enjoyable experience as opposed to an experience where somebody is saying I don't want to use those trails because it's loaded with mosquitos. So we are going to work closely with the county and bring them in. The County supported our appeal to implement this trail and this trail is a real gift to our



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community but it has to be done right. It has to be done in a safe manner to your point, and it has to be managed so that as we go forward we are constantly staying on top of it because as you have stated very well the root system of some of these trees is very shallow and in addition if the trees are upended and they are removed we have to address the vernal pool that is leftover otherwise we have a mosquito breeding factory on our hands.

Ms. Baird: One of the major problems though right now is that is happening right now, these mosquito eggs have already been laid and they are going to be developed now that it is getting warmer but by the time your RFP goes out to bid and stuff like that they will have already taken off as far as mosquitos go, and people walk down there now, there are some areas that are really, really unsafe and people walk down there now. So it's not like it's a new path to go in yes you will be encouraging more people but right now it is a park. There are people that have been going there for years and they do walk around there and let me tell you you walk on edge.

Member Ferramosca: Terri I think to your point, Gerry maybe we should have a few signs put up about "this use of this area of the park is closed as it gets redeveloped". And, secondly, and importantly that we get on the county in advance of the months of April and May and have them pretreat for the mosquito to address it invisibly.

Mr. Maceira: I can do that, I can call the County and the Mosquito Commission and come out, we have a good working relationship with them, and I will work with Brian Foran and the DPW and the park guys about setting some kind of warning signage.

Member Gallagher: In that work session that we were at together and the conversation that you and I had on the phone, what we are doing is different here is that we understand that we are inviting people to recreate in a wooded area. We understand that in order for us to sign off on it we can't guarantee it is safe but we have to have reasonable assurance that it is as safe as it can be and it is relatively safe. The good thing about the uprooted stumps that we discussed as a Committee that we were going to insist that they be lifted back into the hole that they created with a front end loader which would take care of the water, I can't speak on what came down from the last two weeks, but one thing that we did and it's when Committeeman was on the Board of Education too with One Day One School when we went in and would do work at schools we said we can't come in here every couple of years and fix everything for you there has to be some type of maintenance program put into place and Hanover Township is the first school district that came in and booked 5-8 days a year to do tree maintenance and guess what happens during a storm, a lot less material falls down. So Hanover Township is creating a forestry division and as Ron joked the other night, it took us 5 years but you know what we are here and we are all going to insist that when we walk through this path and we are going to lean on the professionals that have certification in the world that they can assure us that this is very very good but we are not going to open it up do a ribbon cutting and go away. This is going to be ongoing and you know that you have access to every one of us and you have that microphone once a month if you want it. Are we nervous? Sure. Is it going to be an improvement? It will be, just because if we didn't do this at all the uprooted stumps would stay there, we really as a Governing Body insisted that we go in there with a front end loader and put them back in the holes that they created and right away that will make it safer cause that water will not be there. So I understand you concerns and I appreciate it very much, I haven't been back there until I went there with a couple of these guys, but Gerry will keep you in loop and please keep us in the loop. But you know I'm a pretty boisterous person sometimes I'm not going to sign off on something that I think is as big of a hazard and since 2008 a lot of people lean on me for safety in the schools and we were recognized by 4 different agencies in the State for excellence in forestry for One Day One School and anyone of these guys will tell you that if I walk back there and see something I'm going to have a real problem. I'm not going to be quiet about it, because these are our families that are going to be going back there, could we make it perfect? No, is it a wooded area? Sure, are we inviting people to recreate back there? Yes, but we all understand that we are all going to have to really like Mike Mihalko would say, put our big pants on and step up and push and we are going to be pushing Gerry, and Dave and we have Rich our great arborist. We are going to make sure they all sign off on this. So, we are not just going to do this and run away, this is our Town and we are all going to work together with you and make it as safe as we can. These uprooted stumps

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being put back in the holes if we weren't going back there at all they wouldn't be put back into the holes and we are going to stay on it.

Ms. Baird: They should be put back into the holes because that's where a lot of your mosquitos are and plus how the weather drains down there.

Mr. Gallagher: We told Gerry, the meeting you were at; we want those stumps put back into the holes.

Ms. Baird: Thank you.

Mr. Maceira: We knew this from the beginning. This is already in the specifications that anything in the fall zone is going to get looked at and anything hazardous is going to be removed. The only thing that I can add, this is not the only trail/pathway through the woods that we have in Hanover Township. We maintain Patriot's Path through Central Park, we have pathways that lead to the schools that we maintain we do this maintained and inspections already, and so it's not something new to us.

Member Gallagher: The only difference here Terri is that the ground is saturated because of the terrain back there and the fact of the ponds and even when we get several days of rain, and in my business, that's when we get the trees that fail and fall and they create all kinds of havoc, so what we are just going to have add into this is evaluate it differently than other trails because it is so saturated.

Mr. Maceira: Yes, that is what I said.

Member Gallagher: It's going to be a lot of work, we are concerned. We are all parents and we all want to have a good time and we want trails, but at what cost? So it will get better, better than it is now.

Dan Cassaro, 56 Manger Road, Cedar Knolls: I didn't come here for this issue but the Committeeman that talked about all the grants that we are getting and that is great but what is the Township's money involvement not only in the initial stage but the up keeping as well and would it be more better applied to other areas in this Township than just at the back pond?

Mayor: I think a great deal of study work into this and we have been looking into connectivity in these trails for several years. We have hired consultants through review the trail patters throughout the Town and its part of the Patriot's Path system that has gone back 30 years. This particular area of Bee Meadow is a very attractive area to our community for recreational use, etc., so in phasing it a great deal of consideration was given to how we would go around the ponds and make it more accessible to people and certainly to add to our parks.

Member Ferramosca: Specifically to address the questions why trails, trails were identified approximately 8 years ago by EDAC and Hanover Township has been blessed in terms of really attracting some of the finest corporations to Hanover Township and in the considerations that they expressed to us was the importance of connectivity. We studied more about connectivity and we found out the important in cardiovascular health for our residents. So trails was something that Hanover Township brought to the ballot in the State of New Jersey and it was put on the ballot and 66% of the people in the State of New Jersey voted favorably for the use of Open Space money to advance trails because they are so valuable. They are valuable from a health standpoint and valuable from an economic standpoint, in regard to this specific trails system that we are talking about with the Bee Meadow area the overall cost is probably going to be \$300,000 to use round numbers and using those round numbers that majority of that money is coming from the county grants which have been talked about. So I think from an investment from Hanover's standpoint I think we are getting a very good ROI on those trails and in addition we are cleaning up an area in our town which really needs it and lastly and importantly from a health consideration standpoint, once these trails are perfected in this part of town we hopefully are going to attack the mosquito population which is a negative blight to our community and that is positive thing.

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Motion to close made by Member Ferramosca and seconded by Member Gallagher.

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Mr. Giorgio: One additional item that was brought up by Committeeman Gallagher at the February 28, 2019 conference work session and that was a proposal to provide a pilot program in conjunction with the Hanover Township Little League to provide preferred parking spaces for senior citizens who attend all Hanover Township Little League games. At his request the Township Attorney and I prepared a resolution for consideration by the Township Committee and I believe Committeeman Gallagher would like to address that first.

Mr. Gallagher: I would just like to say briefly that about 4 years ago Committeeman Cahill and I served on the School and Park Traffic Safety discussed the possibility of courtesy senior citizen parking. What really sparked the impetus was when my son was in 2<sup>nd</sup> grade my mom parked in the parking lot at Moutview Road School and had to walk to the baseball field in the back with a lawn chair. We understand that we have about 30% of the residents are senior citizens. Thank God a lot of senior citizens want to stay here, but as a Committee we discussed what we can possibly do and we put the word in there "courtesy" senior citizen parking. Mike Hallabej and baseball is a great friend of ours and a partner and a lot of things in our Drug Coalition and I have talked to time about this and he was very interested in piloting this together with us. So Fred if you would like to take a minute and go over the nuts and bolts briefly, cause what this is again it's only going to be about 2-4 spots per game and pretty close to the action. Recreation, Jim Coiley, the Chair of the Recreation Commission, he loved it and already interested and started to add to it, and I said let us introduce it in a very small manageable piece as a pilot program and then we can look at it and adjust it and take it from here but I just want to say that everybody on this Township Committee has their fingerprints on this and it's something we wanted to do for a while and I think the way Joe and Fred worded it is perfect and again it's a courtesy not an enforceable law but it's just a way to show the respect that our seniors, grandparents, parents deserve for all they have done for us and all they put up with all of us.

Mr. Semrau: Committeeman Gallagher, the pilot program that you outlined is, the framework is that each baseball manager, cause there is two teams at each game, would get two basically certificates to give to players on the team to give to seniors that are coming to the game and they put up two temporary signs for senior preferred parking and that's the way it would work throughout the season at spots that would be a very close proximity to the fields. At the end of game the temporary signs would come down and as you said, it would not be any traffic enforcement but it seems to be a very high probability that everyone would respect that with the signage and that the teams would be able to coordinate that in such a way where if certain players like that situation you said with your mom would notify the coach that they like that certificate or permit for the next game or that particular game they could make sure that those certificates/permits gets distributed and those spots would be designated and used. So it would be four spots for each game two for each team.

**RESOLUTION NO. 74-2019**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER INAUGRATING A PILOT PROGRAM IN CONJUNCTION WITH THE HANOVER TOWNSHIP LITTLE LEAGUE TO PROVIDE "PREFERRED PARKING FOR SENIORS" AT ALL BASEBALL GAMES SPONSORED BY THE HANOVER TOWNSHIP LITTLE LEAGUE**

**(ENTIRE RESOLUTION IS LISTED UNDER RESOLUTIONS)**

Motion made by Member Gallagher and seconded by Member Ferramosca and unanimously passed.

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Mayor: I would like to remind you that the Library is having their craft fair, Saturday, March 30<sup>th</sup> from 10:-4:00 at the Community Center. It is \$3.00 for adult and children are free.

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From a Board of Health standpoint there has been as you know there has been a shortage in vaccines for the very difficult and painful shingles virus. That shortage has now been addressed and if you are interested in shingles shots they are available to those holding Medicare Medicaid cards at your local pharmacy, CVS, Wegman's I believe Shoprite as well, go in there and take advantage of that and get that shot. I highly recommend it; it's a very painful virus if you were to contract it.

Hanover Township Farm and Garden had a meeting this past March 8<sup>th</sup> with most of the gardeners there, it's spring, as Mr. Mihalko said we have so many programs we have at recreation the farm is no different, if you are interested in the farm it is at the end of Stoney Brook Road, you will see the signage for it. There are gardens available and they are \$25 for the season and if you maintain your garden and wish to keep it that will become your garden it will not be moved and each year will just be a fee to have it. We have master gardeners who will help you if this is the first time you are trying to grow something. We are providing top soil; chips and mulch for the area and the garden open now if you are interested in it contact the Recreation Department for more information or register for the garden there.

Very proud to say that Hanover was represented on the State level this past March 8<sup>th</sup> at the New Jersey Future's concert which was also attended by Governor Murphy and Hanover Township played a role in that we had an opportunity to provide a lecture with what Hanover is doing in economic development and in particular with what Hanover's approach has been to white elephant buildings and office building in our town and in surrounding areas. I think that was a great opportunity for Hanover to be recognized on a state level, so gentleman thank you for that. I want to wish everybody a Happy St. Patty's Day, enjoy, be safe, only a couple of beers take it easy and we will see next time.

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**OPEN TO THE PUBLIC**

Motion to open to public made by Member Ferramosca and seconded by Member Gallagher and unanimously approved.

Eric Rebels, owner of Data Safe, 831 Route 10 East, Whippany: We are the oldest tenant in Pine Plaza, I have been in that plaza since 1983 when I was 13 years old with Data Safe and I have taken over Data Safe in 2000 since then. The Plaza is going downhill and we know that there are plans for that to change but it seems like the owners have abandoned, there are stop signs that are missing in the plaza, one going down to Mt. Pleasant Avenue from the plaza to the backend and one going across by the music center, the one in the back end have been gone for about four years. I have emailed them and texted them. The one was knocked down in September going to the back of the plaza near the music center. So if you are traveling up from the traffic light and make a right and go down there is no longer a stop sign there at the intersection where the truck loading entrance comes through. There are curbs that have been hit by the snow plows and the storm drain they are lifted up. I walked through today and as you pulling into the truck entrance before the traffic light there are huge pot holes there and it's almost like they left town, because they have some sort of agreement that is pending. They think they can just go away. I just want to make sure that these owners of these places that are part of these plans up until that time are still being responsible for them.

Mayor: It remains Pine Plaza, it remains an operation mall area and the safety of the customers and people that traffic through there is first and foremost there is no question about that. There is no question, you are absolutely correct; the owners have at this particular time sadly let it go.

Mr. Semrau: You are right, just because there are some proposals there that does not mean they still have to adhere to everything, so the Governing Body through the Administration could ask engineering to go out there and identify the missing signage and if there are some concerns and then we can get in touch with the property owner give them a very short window to do what they are supposed to do or otherwise the Township will have other options. Mr. Maceira could do that under Title 39.

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Mr. Ferramosca: Under Title 39 Mr. Maceira could address much of this as well as notify the Chief of Police and have our Police Department do an evaluation of signage that is missing.

Mr. Rebels: There is one way signs missing and do not enter signs that are missing and it's just a mess, it truly is.

Mr. Gallagher: I appreciate you bringing this to us because it was at the Memorial Day parade last May the three of us identified a storm water drain that went down 20 feet and it was wide open. Hanover Township PD immediately put tape all around it and then we addressed it and we also had them fill some pot holes, so thank you for bringing this to our attention.

Mr. Rebels: You addressed that in May and it was fixed in September.

Mr. Gallagher: It's better than 4 years with the stop sign though.

Mr. Rebels: The stop sign has been gone, it's missing. Behind the Midas still on the Pine Plaza property there is a pond behind the plaza goes into the storm drain system and comes around and at the back of the Midas building is a storm grate that is stuffed with plastic. So all the water is building up back through that and you know sitting water under pressure is going to erode different parts of the parking lot to actually make sink holes. So the plaza has to be responsible for taking the plastic and the bottles that are stuffing that grate out of it so that the water can flow freely, because other than that you can have 150 or 200 feet of head water from that pond coming down and pressing on that area which is going to rupture the pipes, erode the subsoil and end up making sink holes in the parking lot.

Mr. Cahill: There is a property management company there right?

Mr. Rebels: Yes. I do not know the name, there was a property manager on site they had let him go. They do have a property manager there but it is not part of their company, they have farmed it out like going out to bid and there is a property manager who is supposed to be there. So it is literally, the whole place is falling apart and it is hard to get them on the phone.

Mayor: There are some long range plans for the area but that is long range. Your needs are immediate and the public safety is first and foremost, so if there are obstacles and open holes and road conditions that we should look at.

Mr. Maceira: I will go there tomorrow to inspect.

Mr. Rebels: There are literally holes that a child could fall four feet straight into because when the blade plow came in and lifts the snow when it hits the curb it pulls the storm drain backstop out so there are four of them that are actually missing.

Mayor: It's a terrible situation; it's a bad situation down there to say the least. Do you think Gerry, that Sean Donlon can join?

Mr. Maceira: That is what I was thinking, somebody from the Building Department. I will make sure it gets done.

Mayor: They will give us a report and will get a police department down there, we will pull together a team and take care of this.

Mr. Cassero, 56 Manger Road, Cedar Knolls: First thing I want to discuss or bring to the Committee's attention is, it is not timely because last month was February 14<sup>th</sup> Valentine's Day and my wife would have killed me if I would have come here, but the week prior to that around 7:30 in the evening she was home alone and the doorbell rang and it was a large gentleman all dressed in black with a black van in our driveway, and supposedly he was a Verizon Fios salesperson.

Mayor: They were canvassing the area.

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Mr. Cassero: Correct, so that is my issue. Why do we allow door-to-door solicitations in this Township regardless of what time or whatever and she was obviously frightened when he went back to his van, he didn't leave, she called the Police Department, and they did confirm that Verizon Fios was in the neighborhood but the Township allowed them to canvass until 9:00pm which in my opinion is not safe and then she contacted Verizon Fios, it wasn't actually a subcontractor reseller. That is me just bringing this up to the Committee's attention, why are we allowing door-to-door sales or solicitations going on when we don't allow it in commercial buildings, there are signs whether in a shopping center or whether in office building there is no solicitation signs are being posted. That is just my comment.

Mayor: There are certain limitations that the Town has to work under and certain things we can conclude and things we are not allowed to preclude.

Mr. Semrau: The Township Committee agrees with you, there is some not very good decisions out there where courts of free speech and things like that say 9:00pm is a fair time and when it gets dark and even when it doesn't get dark that early that is still not a good time and the Township Committee looked at this and came up with the best legal mechanism to address it and it's what we call a No Knock Ordinance. If you register through the Township that you do not want door to door solicitation then if someone comes and knocks on your door they violated the law cause when they come and get a permit to solicited they get a list of residents that they are not permitted to solicited so that is available through registering just once through the Clerk's office and once you do that and you are on the list they are not supposed to knock on your door and if they do they can be issued a summons and lose their solicitation license so it is really.

Mr. Cassero: Is it there legal right to solicit?

Mr. Semrau: Yes, it is there legal right to solicit and your legal right and the Township's to say if you don't want it you don't have to accept it. So all you have to do is register and you are on the list with many other residents and you don't have to be subjected to it.

Mr. Cassero: I'm not sure where that is publicized but I appreciate the answer.

Mr. Gallagher: I think we should go on a blitz to publicize that.

Mr. Semrau: It is actually on the Township website how you can register.

Mr. Cassero: Not everybody visit's the website. I understand as far as that. The next one is rumors are going around that the Township is considering building a new ball field at the brick yard across the drive way from where the current football field and put a turf field there. Not sure where that stands, but there is a Committeeman person here that is spear heading that so just trying to get a handle on that.

Mr. Mihalko: Yes that is me. One of the proposals was a multipurpose field across; there was talk about putting a new turn field in. There are some that want to tear up the existing field and put in turf there, I don't personally favor that, it's a beautiful field it's better than some golf courses I've been on and also it's not big enough for all the purposes that we would like to accommodate. We would rather leave the existing field alone, we have considered some other spots we are still in the very early stages in discussing what we would like to do as a Commission, which meets next Tuesday at 7:30, it is going to be on our agenda to discuss it again there, one of the proposals is to put it if you were standing at the existing field across the road, the driveway, up on the hill over there. There is a lot of benefits which I can go into more detail later.

Mr. Cassero: What won't the current facility as far as having to build another field, I don't understand?

Mr. Mihalko: It needs to be much bigger for a full size soccer field, that was one of them, and I believe there was another field that didn't quite fit on there either.

Mr. Cassero: With all do respect this Town is filled with soccer fields, we have Stoney Brook that is soccer only, we redid Allego which is soccer only, so to redo that

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field as turf, in my opinion, is much more cost effective than building bathrooms that have not been utilized up until today for like \$600,000.00 when you could have put a turf field there and utilize that field, and the point that I'm really getting to is that area backs up to the Sammarco property and I just want to remind the Board in 2007 the Sammarco's came before the Planning Board and went for a subdivision on that property and some of the committeeman people were involved as well, it was denied for a minor front yard setback, the Sanmarco's sued the Township because of that for the denial and when we sat down with the Township they wanted it for Open Space and Green Acres and they promised us that it would not be built with ballfield or parks and I have letters from the Township because the Township also got Morris County funding for that and they asked us to cooperate with them in the scene how the final contract was written back in February 2008 so just wanted to bring that to the Committee's attention, as far as that property is concerned they would be very upset if something happens to that, that was originally promised that nothing would happen to it in the sense as to what is there now, so that is the main reason why I'm here tonight.

Mr. Mihalko: Thank you for bringing that to my attention, I was not aware of that. I don't know if the field would actually go down that far, but I was not aware of that.

Mayor: The Sanmarco property that you just brought up was acquired not only with County Open Space it was also acquired through Green Acres funding. That means that lands remains open space period it could not be developed or build on it cannot be covered. It is protected.

Mr. Cassero: I have not seen any plans but what I'm hearing in Town is that the plan may encompass that property.

Mayor: I think Committeeman Mihalko explained that the Recreation Commission is looking for areas for additional fields; they would have to know that that property has limitations on it.

Mr. Cassero: My point is still that to put a new turf field there when you have a field next to you and look I've been in town for 16 years and I have coached kids growing up that field is off limits, we can't practice on it, never could, and I have a son who is 20 years old and we could never practice on brick yard cause it was the sacred field, so now if you turn it into turf you can practice on it and have other sporting events on it so why are we going to keep a field there cause it looks pretty and build another turf field right across the street, it doesn't make sense to me in my humble opinion.

Mayor: Understood.

Mr. Mihalko: That letter that you have can I take a peek at that?

Mr. Cassero: I will make a copy of that and send it to you.

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**ADJOURNMENT**

Motion made to close at 9:36 p.m. was by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

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

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Joseph A. Giorgio, Township Clerk