

April 8, 2021

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held via Zoom meeting, on Thursday, April 8, 2021, at 7:00 o'clock in the evening, prevailing time.

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**STATEMENT BY PRESIDING OFFICER:**

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

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

and by filing same with the Township Clerk.

(Signed) John L. Ferramosca, Mayor

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

ABSENT: Member Mihalko

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

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**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of March 11, 2021 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Francioli moved that the Minutes be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

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**PUBLIC HEARINGS AND ADOPTION OF ORDINANCES:**

**ORDINANCE NO. 8-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE PAYMENT OF \$472,090.00 FROM THE TOWNSHIP'S MANDATORY DEVELOPMENT/AFFORDABLE HOUSING TRUST FUND ACCOUNT TO THE ARC/MORRIS COUNTY CHAPTER, NEW JERSEY AS THE TOWNSHIP'S CONTRIBUTION TOWARD THE CONSTRUCTION OF FOUR (4) UNITS OF AFFORDABLE HOUSING WITHIN A COMMUNITY RESIDENCE FOR THE DEVELOPMENTALLY DISABLED TO BE LOCATED AT 70 WHIPPANY ROAD AND ALSO DESIGNATED AS BLOCK 4301, LOT 2.03 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 8-2021 appeared in full in the March 17, 2021 issue of the Daily Record in accordance with the law.

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

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

Now on Adoption, Be it resolved, that an Ordinance entitled, **“AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE PAYMENT OF \$472,090.00 FROM THE TOWNSHIP’S MANDATORY DEVELOPMENT/AFFORDABLE HOUSING TRUST FUND ACCOUNT TO THE ARC/MORRIS COUNTY CHAPTER, NEW JERSEY AS THE TOWNSHIP’S CONTRIBUTION TOWARD THE CONSTRUCTION OF FOUR (4) UNITS OF AFFORDABLE HOUSING WITHIN A COMMUNITY RESIDENCE FOR THE DEVELOPMENTALLY DISABLED TO BE LOCATED AT 70 WHIPPANY ROAD AND ALSO DESIGNATED AS BLOCK 4301, LOT 2.03 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 Daily Record.

Member Gallagher has made the motion for adoption and seconded by Member Francioli voted unanimously to pass.

**So Adopted.**

**ORDINANCE NO. 9-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE RESURFACING OF SOUTH JEFFERSON ROAD FROM UKRAINE ROAD TO EDEN LANE IN THE WHIPPANY SECTION OF THE TOWNSHIP AND TRANSFERRING \$280,000.00 FROM THE 2021 CURRENT FUND BUDGET TO THE 2021 CAPITAL IMPROVEMENT FUND FOR THE FINANCING OF THE PROJECT**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 9-2021 appeared in full in the March 17, 2021 issue of the Daily Record in accordance with the law.

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

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

Now on Adoption, Be it resolved, that an Ordinance entitled, **“AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE RESURFACING OF SOUTH JEFFERSON ROAD FROM UKRAINE ROAD TO EDEN LANE IN THE WHIPPANY SECTION OF THE TOWNSHIP AND TRANSFERRING \$280,000.00 FROM THE 2021 CURRENT FUND BUDGET TO THE 2021 CAPITAL IMPROVEMENT FUND FOR THE FINANCING OF THE PROJECT”** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the Daily Record.

Member Gallagher has made the motion for adoption and seconded by Member Francioli voted unanimously to pass.

**So Adopted.**

ORDINANCE NO. 10-2021

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING SECTION 6. OF ORDINANCE NO. 9-2019 WHICH AUTHORIZED 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 BY SUPPLEMENTING THE APPROPRIATION OF \$500,000.00 WITH AN ADDITIONAL \$100,000.00 TO BE TAKEN FROM THE TOWNSHIP'S OPEN SPACE TRUST FUND ACCOUNT WHICH FUNDS SHALL BE REIMBURSED FROM THE TOWNSHIP'S GREEN ACRES PROGRAM PLANNING INCENTIVE GRANT**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 10-2021 appeared in full in the March 17, 2021 issue of the Daily Record in accordance with the law.

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

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

Now on Adoption, Be it resolved, that an Ordinance entitled, "**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING SECTION 6. OF ORDINANCE NO. 9-2019 WHICH AUTHORIZED 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 BY SUPPLEMENTING THE APPROPRIATION OF \$500,000.00 WITH AN ADDITIONAL \$100,000.00 TO BE TAKEN FROM THE TOWNSHIP'S OPEN SPACE TRUST FUND ACCOUNT WHICH FUNDS SHALL BE REIMBURSED FROM THE TOWNSHIP'S GREEN ACRES PROGRAM PLANNING INCENTIVE GRANT**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the Daily Record.

Member Gallagher has made the motion for adoption and seconded by Member Francioli voted unanimously to pass.

**So Adopted.**

ORDINANCE NO. 11-2021

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 120 OF THE CODE OF THE TOWNSHIP ENTITLED DRUGS AND DRUG PARAPHERNALIA**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 11-2021 appeared in full in the March 17, 2021 issue of the Daily Record in accordance with the law.

Mr. Giorgio: I would like to note for the record that the ordinance that was published had several words that were missing from the last Whereas Clause on page 3 of the ordinance. I have spoken to the Township Attorney and this is an unsubstantial change so I would like to ask for a motion to include in the last paragraph on page 3 of the ordinance the following words, establishments, distributors and delivery services

within the geographic boundaries of the Township of Hanover as authorized by section 31B of the Act. May we have a motion to include that wording in the final ordinance.

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

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

The following members of the public voiced their opinions either in support or against the Township's proposal to adopt Ordinance 11-2021; Lefty Grimes, Richard Dunn, Jeff King, Hugh Giordano.

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

Fred Semrau: Mayor may I just say this for the record, from a legal perspective I know there were some comments about the referendum that was issued by the voters of the State of New Jersey which happens to legalize cannabis and marijuana, this ordinance and what our legislature has said is that this is about, this does not change that it is legal this the Municipalities right and obligation to address how business, retail, wholesale, distribution would take place for the cannabis, it does not go against the referendum that was voted by the people you can not change that, cannabis and marijuana is legal and it is legal in your own back yard, but what this does is the legislature said that if you do not act right now you automatically have certain approvals as uses within the Township the business districts of the Township or alternatively if businesses are established they are there for five years and you can not change it and in actuality it will always be in place and our State legislature has not even promulgated all of the rules. Conversely if you act on this ordinance on a legal perspective you can always change your course, you can always change it at any time, but if you approval all of these uses you can not for five years no matter what the concerns or unintended consequences are by residents, parents, business owners, whatever that is, so I think from a legal perspective it is important that this is different than the referendum, this is the legislation that is the outfall on the local level.

Now on Adoption, Be it resolved, that an Ordinance entitled, "**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 120 OF THE CODE OF THE TOWNSHIP ENTITLED DRUGS AND DRUG PARAPHERNALIA**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the Daily Record.

Member Cahill made the motion for adoption and seconded by Member Gallagher voted unanimously to pass.

**So Adopted.**

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**INTRODUCTION OF ORDINANCES**

**ORDINANCE NO. 12-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE IMPLEMENTATION OF PHASE II OF A MULTI-PHASE PROJECT FOR THE IMPROVEMENT AND MODERNIZATION OF THE TOWNSHIP'S COMMUNICATIONS AND TECHNOLOGY INFRASTRUCTURE AND FURTHER APPROPRIATING THE SUM OF \$800,000.00 FROM THE TOWNSHIP'S 2021 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS FOR FINANCING THE PHASE II IMPROVEMENTS**

**WHEREAS**, in the interest of public safety and the welfare of the Township of Hanover, Its residents and the public in general, the Township Committee authorized the implementation of a multi-year, multi-phase project for the improvement and modernization of the Township's communications and technology infrastructure; and

**WHEREAS**, Ordinance No. 16-2020 adopted by the governing body on May 14, 2020 authorized Phase I of the project and appropriated the sum of \$1,100,00.00 from the Township's 2020 Capital Improvement Fund and all prior years; and

**WHEREAS**, based on the January 23, 2020 "Technology and Security Review Report" prepared by the Township's consultant, JCT Solutions (formerly Johnston Communications), it is the intention of the governing body to authorize the improvements described in Section 1. below as Phase II during calendar year 2021.

**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 purchase and installation of all equipment, hardware, materials and related appurtenances to implement Phase II of the multi-phase project to be undertaken in at least three phases over several years. Phase II shall include, but not necessarily be limited to the following improvements:

1. Extension of the fiber optic network from the Township's Municipal Campus to the Township's communications radio tower located on Highview Avenue behind the Morris County Garage including extension of the fiber optic network down South Jefferson Road and proceeding along the Eden Lane right-of-way to Whippany Road for purposes of installing security cameras at locations as determined by the Chief of Police, or his designee, as areas requiring coverage;

2. Site readiness and security components, as needed, at the Highview Avenue tower site; namely at the rear of the Morris County Public Works Garage on East Hanover Avenue (which site comprises the southern portion of the municipal fiber network);

3. Upgrading and modernizing existing two-way radio receivers, transmitters and antennas and related appurtenances to be utilized by the Township's Department of Public Works and Office of Emergency Management;

4. Equipment improvements to the analog telephones at the Township's Public Works Department Complex located at 25 North Jefferson Road; and

5. Improvements to the structural integrity of the radio communications

Tower located behind the Morris County Garage on Highview Avenue, all in accordance with the engineering report entitled "Tower Analysis for Morris County Road Department Garage Tower", prepared by Robert J. Heath, PE, LLC and dated March 2, 2021.

**SECTION 2.** For the financing of the Phase II projects described above, there is hereby appropriated the sum of \$800,000.00 from the Capital Improvement Fund of 2021 and all prior years.

**SECTION 3.** In accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., the Township shall purchase and install all of the equipment, hardware and appurtenances as described herein pursuant to competitive bidding, through valid and current State Contracts, through a Cooperative Pricing Council or National Cooperative of which the Township is a participating member.

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

The Ordinance and Notice of Introduction will be published in full in the Daily Record on April 14, 2021 in accordance with the law. Public Hearing is scheduled for May 13, 2021 at 7:00pm via zoom webinar meeting.

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

So Introduced

**ORDINANCE NO. 13-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1-2020 AND SECTION 125-4. ENTITLED "RECREATION DEPARTMENT FEES" UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP ENTITLED FEES WITH THE INCLUSION OF NEW FEES FOR VARIOUS RECREATION AND PARK ADMINISTRATION PROGRAMS AND ACTIVITIES**

**WHEREAS**, the Board of Recreation Commissioners, during its March 16, 2021 regular meeting approved new fees for the Summer Plus 2020, Travelling Teams, Summer Sports Clinics, Wildcat Sports Camps sponsored by the Township's Recreation and Park Administration Department; and

**WHEREAS**, in a memorandum dated March 17, 2021 to the Mayor and Township Committee, the Superintendent of the Recreation and Park Administration Department, in accordance with the recommendations of the Board of Recreation Commissioners, submitted a list of the revised program fees for the various programs and activities listed in Section 1. below as sponsored by the Department; and

**WHEREAS**, the memorandum of the Superintendent of the Recreation and Park Administration Department dated March 17, 2021 are incorporated herein and made a part of this Ordinance as if set forth in full.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of

the Township of Hanover in the County of Morris and State of New Jersey as follows:

**Section 1.** §125-4. Entitled “Recreation Department Fees.” Under Chapter 125 of the Code of the Township entitled Fees is hereby amended and supplemented with the inclusion of new fees for the programs and activities set forth below:

**SUMMER PLUS 2021:**

|                       | 1 Session | 2 Sessions | 3 Sessions |
|-----------------------|-----------|------------|------------|
| 1 Child               | \$155.00  | \$310.00   | \$465.00   |
| 2 <sup>nd</sup> Child | \$150.00  | \$300.00   | \$450.00   |
| 3 <sup>rd</sup> Child | \$145.00  | \$290.00   | \$435.00   |

**TRAVELLING TEENS:**

Early Bird Registration (Before 12:00 p.m. on May 20, 2021):

Two 2- week sessions:

|            |                             |           |
|------------|-----------------------------|-----------|
| Session 1: | July 5 – July 16, 2021..... | \$ 725.00 |
| Session 2  | July 19- July 30, 2021..... | \$ 725.00 |

After May 20, 2021:

|            |                              |           |
|------------|------------------------------|-----------|
| Session 1: | July 5 – July 16, 2021.....  | \$ 750.00 |
| Session 2: | July 19 – July 30, 2021..... | \$ 750.00 |

**WILDCAT SPORTS CAMPS**..... \$50 - \$195.00

**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.

The Ordinance and Notice of Introduction will be published in full in the Daily Record on April 14, 2021 in accordance with the law. Public Hearing is scheduled for May 13, 2021 at 7:00pm via zoom webinar meeting.

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

So Introduced

**ORDINANCE NO. 14-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND UPDATING CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES**

**WHEREAS**, the Township Committee has adopted, and has amended from time to time, Chapter 61 of the Municipal Code of the Township of Hanover entitled Salaries and Compensation; Personnel Polices, pertaining to salaries, compensation, and

personnel policies for and affecting officer and employees of the Township of Hanover; and

**WHEREAS**, although salaries, wages and compensation for the officers and employees of the Township of Hanover are required by statute to be fixed by ordinance, there is no such mandate that personnel policies generally be adopted and fixed by ordinance; and

**WHEREAS**, beginning April 1, 1997, the Township Committee of the Township of Hanover has, for many years, adopted and updated on seven occasions, by resolution, a "Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook" that sets forth the current personnel policies applicable to officers and employees of the Township of Hanover, and which incorporates those personnel policies and procedures required by the Employment Practices Liability (EPL) Compliance Program of the Morris County Municipal Joint Insurance Fund (MJIF); and

**WHEREAS**, said "Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook" is now under review for necessary updates and revision, as required by the MJIF EPL Compliance Program, with a required completion deadline of November 1, 2021; and

**WHEREAS**, although "Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook," as periodically reviewed, revised and updated, accurately states the personnel policies applicable to the officers and employees of the Township of Hanover, Chapter 61 of the Township Code has not been kept current with these evolving personnel policies, and is, now in many cases inconsistent with the provisions of the "Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook;" and

**WHEREAS**, it is therefore the opinion of the Township Committee that the personnel policies components of Chapter 61 of the Municipal Code of the Township of Hanover should be repealed, that the personnel policies applicable to the officers and employees of the Township of Hanover shall be those set forth in the "Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook," and that Chapter 61 of the Municipal Code of the Township of Hanover should be limited to those items of salaries, wages and compensation that are mandated by statute to be fixed by ordinance.

**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.** Chapter 61 of the Municipal Code of the Township of Hanover, entitled "*Salaries and Compensation; Personnel Policies,*" is hereby amended as follows:

- Section 61-9: Repealed.
- Section 61-9.1: Repealed.
- Section 61-10: Repealed.
- Section 61-11: Repealed.
- Section 61-11.1: Repealed.
- Section 61-11.2: Repealed.
- Section 61-11.4: Repealed.
- Section 61-11.5: Repealed.
- Section 61-12: Repealed.
- Section 61-17: Repealed.
- Section 61-18: Repealed.
- Section 61-19: Repealed.
- Section 61-20: Repealed.
- Section 61-21: The following paragraphs are repealed – Paragraph 61-21E, Paragraph 61-21F, and Paragraph 61-21G, provided, however, that the provisions of Paragraph 61-21G shall be incorporated into the "Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook" if not already addressed.



- Section 61-23: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-24: Repealed.
- Section 61-25: Repealed.
- Section 61-26: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-29: Repealed.
- Section 61-30: Repealed.
- Section 61-31: Repealed.
- Section 61-32: Repealed.
- Section 61-33: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-35: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-35.1: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-36: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-37: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-38: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-39: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-40: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.
- Section 61-41: Repealed, provided, however, that the provisions of this Section shall be incorporated into the “Township of Hanover Employee Personnel Policies and Procedures Manual/Handbook” if not already addressed.

**Section 2.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**Section 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Hanover, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Hanover are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

The Ordinance and Notice of Introduction will be published in full in the Daily Record on April 14, 2021 in accordance with the law. Public Hearing is scheduled for May 13, 2021 at 7:00pm via zoom webinar meeting.

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

So Introduced

**ORDINANCE NO. 15-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING ORDINANCE NO. 19-2020 AND CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES WHICH CHAPTER ESTABLISHES REGULATIONS AND RATES OF COMPENSATION FOR THE OFFICERS AND FULL-TIME AND PART-TIME CIVILIAN NON-UNION EMPLOYEES OF THE TOWNSHIP OF HANOVER**

**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 1 of the above entitled Ordinance is hereby amended and supplemented to read as follows:

"Section 1. Effective January 1, 2021, the following officers and employees shall be compensated on an annual basis and shall be paid quarterly in March, June, September and December of each year as follows:

**2021**

- |  |             |
|--|-------------|
| 1. Township Committee                      | \$7,240.00  |
| 2. Municipal Judge                         | \$39,050.00 |
| 3. Municipal Prosecutor                    | \$25,965.00 |
| 4. Director-Office of Emergency Management | \$6,837.00  |

**SECTION 2.** Effective January 1, 2021, the following officers and employees shall be compensated on an annual basis and shall be paid monthly of each year as follows:

- |  |             |
|--|-------------|
| 1. Elevator Sub-Code Official/Elevator Inspector, H.H.S. | \$34,916.00 |
| 2. Municipal Public Defender                             | \$6,689.00  |

**SECTION 3.** Effective January 1, 2021, the following officers and employees shall be compensated on an annual basis and shall be paid twice monthly (24 pays) of each year as follows:

- |   |             |
|---|-------------|
| 1. Tax Assessor - Based on a twenty-one hour (21) work week (\$2,197.21) per pay based on a twice monthly payroll | \$52,733.00 |
| 2. Chairman, Site Plan Exemption Committee  | \$2,500.00  |
| 3. Building Facilities Coordinator  | \$2,500.00  |
| 4. Open Public Records Act Coordinator  | \$2,500.00  |
| 5. Community Affairs/Public Police Coordinator  | \$3,500.00  |
| 6. HR Specialist Administrative Aid   | \$3,500.00  |

**SECTION 4.** Section 2 of Ordinance No. 19-2020 is hereby amended and supplemented as a new Section 5. to read as follows:

**"EMPLOYEE PERFORMANCE EVALUATION"**

**RELATING TO SALARY INCREMENTS**

**SECTION 5.** Any non-union civilian employee who has reached the maximum step on any Schedule "A" or "A-1" adopted by way of a prior Ordinance or under Schedule "A" or "A-1" as set forth herein, shall only receive an increase, if he/she receives a satisfactory Job Performance Evaluation in accordance with the Township's Employee Evaluation System, otherwise, said employee shall remain at his/her existing salary.

The following serves as an example of what is intended by this paragraph concerning the application of the job performance evaluation as it relates to salary increments for those employees covered by either Schedule "A" or Schedule "A-1" for the year 2021: Individual Y was in Group X of Schedule "A" at the Maximum Step under the 2020 Salary Ordinance and was receiving a salary of \$102,923. Upon the adoption of this Ordinance, this individual shall not receive any increase in salary unless he/she shall receive a satisfactory performance evaluation in which case his/her salary will be that provided for in the 2021 Schedule "A", Group X, Maximum \$104,982, effective January 1, 2021. In the event that the individual shall receive an unsatisfactory performance evaluation, his/her salary shall remain at \$102,923, the same as in 2020."

**SECTION 6.** Section 2, Schedule "A" of Ordinance No. 19-2020 is hereby deleted in its entirety and the following new Guide is inserted in its place and stead:

**TOWNSHIP OF HANOVER  
SALARY GUIDE 2021 A**

| <b>GROUP</b> | <b>STEP 5</b> |
|--------------|---------------|
| I            | 52,443        |
| II           | 56,684        |
| III          | 61,562        |
| IV           | 66,863        |
| V            | 72,405        |
| VI           | 77,931        |
| VII          | 82,390        |
| VIII         | 89,293        |
| IX           | 96,563        |
| X            | 104,983       |
| XI           | 112,674       |
| XII          | 121,379       |
| XIII         | 131,179       |
| XIV          | 141,088       |

TOWNSHIP OF HANOVER  
SALARY GUIDE 2021 A-1

| <b>GROUP</b> | <b>STEP 5</b> |
|--------------|---------------|
| I            | 53,871        |
| II           | 58,192        |
| III          | 63,205        |
| IV           | 68,733        |
| V            | 74,368        |
| VI           | 80,109        |
| VII          | 84,109        |
| VIII         | 91,672        |
| IX           | 99,257        |

**SECTION 7.** For the Department Heads listed below, there is hereby established the following salary ranges:

**2021 Business Administrator/Township Clerk Salary Range:**

During calendar year 2021, the following salary range shall apply to this dual position of Business Administrator/Township Clerk:

**\$100,000 to \$182,000**

**2021 Township Clerk Salary Range:**

During calendar year 2021, the following salary range shall apply to the position of Township Clerk:

**\$80 to \$100,000**

**2021 Chief of Police Salary Range:**

During calendar year 2021, the following salary range shall apply to the position of Chief of Police:

**\$125,000 to \$174,000**

**2021 Chief Finance Officer/Certified Tax Collector/Treasurer Salary Range:**

During calendar year 2021, the following salary range shall apply to the multiple positions of Chief Municipal Finance Officer/Certified Tax Collector/Treasurer:

**\$72,000 to \$152,000**

**2021 Construction Official / Building Sub-Code Official / Zoning Officer Salary Range:**

During calendar year 2021, the following salary range shall apply to the multiple position of Construction Official & Building Sub-Code Official/Zoning Officer:

**\$64,000 to \$108,000**

**2021 Superintendent of Public Works, Buildings and Grounds and Park Maintenance Salary Range:**

During calendar year 2021, the following salary range shall apply to the position of Superintendent of Public Works, Buildings and Grounds and Park Maintenance:

**\$64,000 to \$128,000**

**2021 License - Certification – Accreditation**

Any department or bureau head, first line supervisor or employee who has earned a license, certification or accreditation required by his/her position, and attained in order to increase and enhance his/her knowledge and expertise directly related to his/her position and professional experience, shall receive a one-time salary adjustment of \$1,500 or \$750 depending on the license, certification or accreditation. The one-time adjustment shall be added to the base salary.

The following certifications would qualify for the \$1,500 adjustment:  
Registered Municipal Clerk, Certified Municipal Finance Officer, Certified Tax Collector, Land Use Administrator, Register of Vital Statistics, Certified Municipal Court Administrator, Qualified Purchasing Agent & Certified Public Works Manager.

The following accreditation would qualify for the \$750 adjustment:  
Deputy Court Administrator Accreditation

**SECTION 8.** In any instance, in connection with this Salary Ordinance and the Schedules set forth above, that an employee shall have his or her Job Classification altered, said employee shall receive compensation at a rate not less than that received by the employee in the year prior to the change of Classification and, in addition, shall not receive the annual increment which is provided for in the Salary Guide except for an adjustment which shall be determined by the Business Administrator/Township Clerk and recommended to the Township Committee. "All individuals employed by the Township in either a management or non-management civilian position, may be hired and classified within the minimum Step Ranges of A, A-1, B, C or D as set forth with the approval of the Township Committee".

**SECTION 9.** The following schedule represents the job position titles and applicable salary ranges for the Township’s management and non-management civilian employees:

**2021 SCHEDULE “B”**

**APPLICABLE  
UNDER SALARY SCHEDULE SALARY RANGES  
JOB GROUP I**

|                             |          |
|-----------------------------|----------|
| Clerk Typist                | A or C   |
| P/T Dial-A-Ride Dispatcher  | A-1 or D |
| P/T Dial-A-Ride Driver      | A-1 or D |
| P/T Custodian               | A-1 or D |
| P/T Assistant to Custodian  | A-1 or D |
| P/T Park Maintenance Worker | A-1 or D |

**JOB GROUP II**

|  |        |
|--|--------|
| Support Services Secretary/Senior Clerk Typist<br>in Police Department | A or C |
|--|--------|

|                      |  |          |
|----------------------|--|----------|
|                      | Junior Account Clerk                       | A or C   |
|                      | P/T Clerk/Support Services                 | A or C   |
|                      | Senior Clerk Typist                        | A or C   |
|                      | P/T Floater/Clerical Support Services      |          |
|                      | OPRA/Other Assignments                     | A or C   |
|                      | Violations Clerk                           | A or C   |
| <b>JOB GROUP III</b> |  |          |
|                      | Account Clerk                              | A or C   |
|                      | Assistant Control Person/Account Clerk     |          |
|                      | To the Construction Official/ Zoning       |          |
|                      | Officer/Property Maintenance Officer       | A or C   |
|                      | Engineering Aide I                         | A or C   |
|                      | General Secretary                          | A or C   |
|                      | P/T Assistant to Superintendent of         |          |
|                      | Recreation & Park Admin. Department        | A or C   |
|                      | P/T Municipal Recycling Enforcement        | A or C   |
|                      | Coordinator                                |          |
| <b>JOB GROUP IV</b>  |  |          |
|                      | P/T Municipal Housing Liaison              | A or C   |
|                      | Recreation & Park Administration Assistant |          |
|                      | Superintendent                             | A or C   |
|                      | Senior Account Clerk                       | A or C   |
|                      | Secretary to Chief of Police               | A or C   |
|                      | Technical Assistant to the Construction    |          |
|                      | Official/Zoning Officer/Property           |          |
|                      | Maintenance Officer                        | A or C   |
|                      | Recreation & Park Administration Dept.     |          |
|                      | Office Manager                             | A or C   |
|                      | Recreation & Park Admin. Department        |          |
|                      | Senior Account Clerk/Board Secretary       | A or C   |
|                      | Secretary to the Health Department/        |          |
|                      | Deputy Registrar of Vital Statistics       | A or C   |
|                      | Assistant Superintendent Recreation        | A or C   |
|                      | Assistant to Superintendent of Public      |          |
|                      | Works/Recycling Coordinator                | A or C   |
| <b>JOB GROUP V</b>   |  |          |
|                      | Senior Account Clerk/Payroll Clerk         | A or C   |
|                      | Administrative Secretary                   | A or C   |
|                      | Engineering Aide II                        | A or C   |
|                      | Management Analyst/Project Coordinator     | A or C   |
| <b>JOB GROUP VI</b>  |  |          |
|                      | Secretary to the Planning Board And Board  |          |
|                      | of Adjustment/Land Use Administrator       | A or C   |
|                      | Public Health Nurse                        | A or C   |
|                      | Executive Secretary I                      | A or C   |
|                      | Police Dispatcher                          | A-1 or D |
|                      | PT or F/T Deputy Municipal Court           |          |
|                      | Administrator                              | A or C   |
| <b>JOB GROUP VII</b> |  |          |
|                      | Assistant to Chief Financial Officer/ Tax  |          |
|                      | Collector                                  | A or C   |
|                      | Executive Assistant                        | A or C   |
|                      | Executive Secretary II                     | A or C   |
|                      | Human Resources Manager                    | A or C   |
|                      | DPW Division Supervisor Of Buildings and   |          |
|                      | Grounds                                    | A-1 or D |
|                      | DPW Sanitation Division Supervisor         | A-1 or D |
|                      | DPW Road Division Supervisor               | A-1 or D |
|                      | DPW Parks Maintenance Division Supervisor  | A-1 or D |

**JOB GROUP VIII**

P/T or F/T Registered Environmental Health Specialist A or C

**JOB GROUP IX**

General Office Supervisor/ Deputy Township Clerk A or C  
 Certified Municipal Court Administrator A or C  
 DPW Operations Manager A-1 or D  
 P/T Junior Engineer A or C  
 Engineer/CAD Operator A or C  
 Full Time or Part Time Engineering Inspector A or C  
 Assistant Business Administrator A or C  
 Public Health Nurse Supervisor A or C  
 Registered Environmental Health Inspector 2 (Senior Registered Environmental Health Specialist) A or C  
 Assistant Building Inspector/Assistant Zoning Officer/Assistant Property/Maintenance Officer A or C  
 P/T Electrical Sub-Code Official/Electrical Inspector & Assistant Zoning Officer A or C  
 P/T Fire Protection Sub-Code Officer/Assistant Property Maintenance Officer A or C  
 P/T Plumbing Sub-Code Official/Plumbing Inspector A or C

**JOB GROUP X**

Health Administrator – Registered Environmental Health Specialist A or C  
 Recreation & Park Administration Department Superintendent A or C  
 Department Engineer/Project Manager A or C

**JOB GROUP XI**

Health Administrator - Health Officer A or C

**JOB GROUP XII**

Assistant Township Engineer A or C

**JOB GROUP XIII**

N/A A or C or D

**JOB GROUP XIV**

Township Engineer A or C  
 Professional Planner A or C  
 Health Officer/Environmental Specialist A or C

**SECTION 10.** Individuals hired for the first time in any of the job position classifications set forth in Section 5. Entitled “Schedule “B” listed above, or any current employee promoted to a higher job group classification, shall be compensated within their respective job group range as set forth below in Salary Guide “C” or “D” at a salary to be determined by the Township Committee. A person hired or promoted within their respective job group range shall only be eligible to receive the annual cost of living adjustment when such adjustment is determined and authorized by the governing body. In order to be eligible to receive a cost of living adjustment, an employee must receive a satisfactory job performance evaluation from his/her department head.

Any new, replacement full-time or permanent part-time non-union civilian employee hired by the Township on or after January 1, 2021 up to and including the date of adoption of this ordinance, must first complete his/her six (6) month probationary period of service and receive a satisfactory job performance evaluation in order to qualify for the cost of living adjustment retroactive to the first date of employment. This regulation also includes promotions that require a six (6) month probationary period.

TOWNSHIP OF HANOVER  
SALARY GUIDE 2021 C

| Group | Minimum Salary | Maximum Salary | Minimum Hourly Rate | Maximum Hourly Rate |
|-------|----------------|----------------|---------------------|---------------------|
| I     | 25,000         | 50,888         | 13.74               | 27.96               |
| II    | 26,990         | 55,007         | 14.83               | 30.22               |
| III   | 29,330         | 59,777         | 16.12               | 32.84               |
| IV    | 31,800         | 64,914         | 17.47               | 35.67               |
| V     | 34,400         | 70,287         | 18.90               | 38.62               |
| VI    | 36,940         | 75,673         | 20.30               | 41.58               |
| VII   | 38,980         | 80,371         | 21.42               | 44.16               |
| VIII  | 42,170         | 86,659         | 23.17               | 47.61               |
| IX    | 45,580         | 93,753         | 25.04               | 51.51               |
| X     | 49,510         | 101,927        | 27.20               | 56.00               |
| XI    | 53,030         | 109,397        | 29.14               | 60.11               |
| XII   | 57,100         | 117,847        | 31.37               | 64.75               |
| XIII  | 61,610         | 127,364        | 33.85               | 69.98               |
| XIV   | 66,160         | 141,003        | 36.35               | 77.47               |

TOWNSHIP OF HANOVER  
SALARY GUIDE 2021 D

| Group | Minimum Salary | Maximum Salary | Minimum Hourly Rate | Maximum Hourly Rate |
|-------|----------------|----------------|---------------------|---------------------|
| I     | 25,650         | 52,307         | 12.33               | 25.15               |
| II    | 27,710         | 56,501         | 13.32               | 27.16               |
| III   | 30,110         | 61,370         | 14.48               | 29.50               |
| IV    | 32,650         | 66,720         | 15.70               | 32.08               |
| V     | 35,330         | 72,195         | 16.99               | 34.71               |
| VI    | 37,950         | 77,771         | 18.25               | 37.39               |
| VII   | 40,030         | 82,202         | 19.25               | 39.52               |
| VIII  | 43,320         | 89,008         | 20.83               | 42.79               |
| IX    | 46,830         | 96,377         | 22.51               | 46.34               |

**SECTION 11.** The rates of pay and/or salary ranges for the following part-time

Employees shall be as follows during calendar year 2021:

1. School Crossing Guard:  
(In Charge) \$ 20.09 per hr.
2. School Crossing Guards:  
First Full Year \$17.27 per hr.  
Second Full Year \$17.62 per hr.  
Third Full Year \$19.14 per hr.
3. Office/Clerical:  
Step 1 \$17.76 per hr.  
Step 2 \$19.33 per hr.  
Step 3 \$20.92 per hr.  
Step 4 \$22.51 per hr.
4. Substitute Part-Time Construction Code Inspectors \$30.00 to \$37.74 per hr.
5. Part-time Registered Environmental Health Inspector \$24.00 to \$41.95per hr.
6. Per Diem Police Dispatchers \$23.59 Per hr.
7. Police Matrons - At the lump sum rate of \$67.66 for the first three (3) hours of service and at the rate of \$22.55 per hour pro-rated for actual time worked after



first three (3) hours.

- 8. Part-Time Senior Assistant Property Maintenance/  
Zoning Officer \$20.00 to \$38.04/hr.
- 9. Part-Time Assistant to Property Maintenance Officer/  
Zoning Officer No Compensation
- 10. Part-Time Professional Arborist/Forester  
(Funded by Township’s Tree Fund) \$25.00 to 69.66/hr.
- 11. Substance Awareness Coordinator \$250/quarterly report
- 12. Municipal Housing Liaison \$32.43/hr.
- 13. Class III Special Law Enforcement Officer  
\$25.00 to \$35.00/hr.

**SECTION 12.** The following rates of pay shall apply to Special Municipal Court sessions, DWI Court sessions and the off-duty employment of police officers performing side jobs:

- 1. For additional special Municipal Court sessions including DWI Court sessions, the Municipal Court Judge, the Municipal Prosecutor and the Public Defender shall be paid at the rate of \$125.00 per hour but not to exceed following amounts:
  - A. Municipal Court Judge not to exceed \$800.00 per session.
  - B. Municipal Prosecutor not to exceed \$600.00 per session.
  - C. Public Defender not to exceed \$600.00 per session.
- 2. Outside Employment of Police Officers in the Performance of
 

|   |                                       |
|---|---------------------------------------|
| Extra-Duty Side-Jobs                      | \$70.00/hr.                           |
| Extra-Duty Side-Jobs Overtime             | \$105.00/hr.                          |
| Extra-Duty Side-Jobs Ravine/Met Life      | \$100.00/day                          |
| Administrative Fee Paid to Township       | \$10.00/hr.                           |
| Cost for Use of a Township Police Vehicle | \$25.00/hr. to Maximum<br>of \$125.00 |

All payments to police officers for off-duty outside employment shall be processed through the Township’s Finance Department.

**SECTION 13.** The rates of pay and/or salary ranges shall apply to the following temporary, seasonal and summer employees of the Recreation and Park Administration Department during calendar year 2021:

- 1. Part-Time Recreation Department Office Staff \$11.10 to \$12.97/hr.
- 2. Swim Team Coach \$400-\$2,100/Season
- 3. Swimming Pool Manager \$3,500-\$11,800/Season
- 4. Asst. Pool Manager \$3,000-\$8,670/Season
- 5. Lifeguards \$11.10-\$18.11/hr.
- 6. Director/Summer Playground Program \$21.00-\$27.76/hr.
- 7. Assistant Directors/Summer Playground Program \$11.10-\$20.52/hr.
- 8. Adult Counselors for Summer Playground Program \$12.23/hr. to \$24.64/hr.
- 9. Summer Plus Camp Program – Camp Counselor \$11.10/hr. to \$15.00/hr.

- 10. Custodian/Fourth of July \$25.00 to \$60.00/hr.
- 11. Swim Instruction by Certified Lifeguards:
  - a. Group Lessons.....\$52.90/per Person\* per Course
  - b. Individual Lessons.....\$19.90/per Lesson\*
  - c. Lifesaving Instruction.....\$52.90/per Person\* per Course
- 12. Community Center Proctors \$12.50 to \$14.00/hr.
- 13. Badge Checkers – Bee Meadow Pool \$11.10 to \$14.46/hr.
- 14. Bee Meadow Pool Office Staff \$11.10 to \$14.46hr.
- 15. Pool Activities Coordinator \$11.10 to \$17.95/hr.

16. Individuals hired as lifeguards who receive an Instructor’s Water Safety Instruction Certification, a Lifeguard Water Safety Instruction Certification and/or a Certified Pool Operator Certification shall be eligible to receive a \$.50 hourly increment upon attainment for either or both during the pool season in which the Certification(s) is/are received.

**SECTION 14.** During calendar year 2021, all temporary, seasonal and summer employees employed or re-employed as park maintenance workers, public works laborers and administrative and clerical personnel shall receive the following compensation:

A. Individuals hired for the first time shall receive an hourly rate of \$11.10 an hour.

**SECTION 15.** All salaries and rates of compensation for the job position classifications described under Job Position Classification Schedule “B”, in conformance with the above described Salary Guides, shall be effective and retroactive to January 1, 2021. Only those non-union full-time and permanent part-time civilian employees whose positions are classified under Schedule “B” and the Salary Guides listed above, and currently on the payroll of the Township of Hanover at the time of adoption of this Ordinance shall receive retroactive salary adjustments, except those employees who have retired from service on or after January 1, 2021, but prior to the adoption of this Ordinance shall receive retroactive salary adjustments effective January 1, 2021 through the date of retirement. No other exceptions shall be made."

**SECTION 16.** 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 17.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 18.** This Ordinance shall take effect in accordance with law.

The Ordinance and Notice of Introduction will be published in full in the Daily Record on April 14, 2021 in accordance with the law. Public Hearing is scheduled for May 13, 2021 at 7:00pm via zoom webinar meeting.

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

So Introduced

ORDINANCE NO. 16-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ESTABLISHING THE SALARIES OF THE FULL-TIME EMPLOYEES IN PUBLIC WORKS BUILDINGS & GROUNDS AND PARKS MAINTENANCE DEPARTMENT REPRESENTED BY IBT LOCAL 97 FOR CALENDAR YEAR 2021

**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 following annual wage schedule by job classification of union employees in the Public Works, Buildings & Grounds and Park Maintenance Department for the current full-time employees shall be as hereinafter specified and shall be payable on an annual basis over twenty-four (24) pay periods:

TOWNSHIP OF HANOVER  
SALARY GUIDE 2021 A-1 IBT

| Group | Step 5 |
|-------|--------|
| I     | 53,388 |
| II    | 57,633 |
| III   | 62,600 |
| IV    | 68,064 |
| V     | 73,659 |
| VI    | 79,327 |
| VII   | 83,837 |
| VIII  | 90,795 |
| IX    | 98,286 |

SALARY GUIDE 2021 A-1 IBT  
Hourly rates based upon 40 hour week

| Group | Step 5 |
|-------|--------|
| I     | 25.67  |
| II    | 27.71  |
| III   | 30.10  |
| IV    | 32.72  |
| V     | 35.41  |
| VI    | 38.14  |
| VII   | 40.31  |
| VII   | 43.65  |
| IX    | 47.25  |

TOWNSHIP OF HANOVER  
SALARY GUIDE 2021 D-1 IBT

| Group | Minimum Salary | Maximum Salary | Minimum Hourly Rate | Maximum Hourly Rate |
|-------|----------------|----------------|---------------------|---------------------|
| I     | 25,650         | 51,801         | 12.33               | 24.90               |
| II    | 27,710         | 55,955         | 13.32               | 26.90               |
| III   | 30,110         | 60,778         | 14.48               | 29.22               |
| IV    | 32,650         | 66,074         | 15.70               | 31.77               |
| V     | 35,330         | 71,497         | 16.99               | 34.37               |
| VI    | 37,950         | 77,017         | 18.25               | 37.03               |
| VII   | 40,030         | 81,407         | 19.25               | 39.14               |
| VIII  | 43,320         | 88,145         | 20.83               | 42.38               |
| IX    | 46,830         | 95,443         | 22.51               | 45.89               |

**Section 2.** The following Schedule “B” represents the job position titles and applicable salary ranges in conformation with Salary Guides set forth above for full-time blue collar employees of the Public Works, Buildings & Grounds and Park Maintenance Department represented by represented by Teamsters Local 197 of New Jersey, IBT, except for managers, supervisors and part-time employees of the Department.

**SCHEDULE “B”**

|                  | <b><u>JOB POSITION TITLES</u></b>   | <b><u>APPLICABLE SALARY RANGES</u></b>           |
|------------------|---|--|
| <b>GROUP I</b>   | <b>Custodian</b>  | <b>IBT A-1 OR IBT D-1</b>                        |
| <b>GROUP III</b> | <b>Laborer I/Sanitation Collector/<br/>Custodian</b>                                | <b>IBT A-1 OR IBT D-1</b>                        |
| <b>GROUP III</b> | <b>Laborer I/Sanitation Collector I</b>   | <b>IBT A-1 or IBT D-1</b>                        |
| <b>GROUP IV</b>  | <b>Laborer II/Sanitation Collector II/<br/>Truck Driver I<br/>Mechanic’s Helper</b> | <b>IBT A-1 OR IBT D-1<br/>IBT A-1 OR IBT D-1</b> |
| <b>GROUP IV</b>  | <b>Park Maintenance Worker</b>  | <b>IBT A-1 OR IBT D-1</b>                        |
| <b>GROUP V</b>   | <b>Truck Driver II/ Equipment Operator</b>  | <b>IBT A-1 OR IBT D-1</b>                        |
| <b>GROUP VI</b>  | <b>Senior Park Maintenance Man</b>  | <b>IBT A-1 OR IBT D-1</b>                        |
| <b>GROUP VII</b> | <b>Mechanic</b>   | <b>IBT A-1 or IBT D-1</b>                        |

**Section 3.** All salaries and rates of compensation as herein stated shall be effective and retroactive to January 1, 2021.

Only those full-time employees represented by IBT Local 97 on the payroll of the Township of Hanover on January 1, 2021 shall be entitled to receive the salary adjustments as set forth above.

**Section 4.** 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 5.** All ordinance or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 6.** This Ordinance shall take effect in accordance with law.

The Ordinance and Notice of Introduction will be published in full in the Daily Record on April 14, 2021 in accordance with the law. Public Hearing is scheduled for May 13, 2021 at 7:00pm via zoom webinar meeting.

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

So Introduced

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**RESOLUTIONS:**

**RESOLUTION NO. 57-2021**

**PROVIDING FOR THE ADVANCEMENT IN GRADE AND COMPENSATION FOR PATROLMEN MICHAEL PUSKAS AND STEPHEN MANNEY IN THE POLICE DEPARTMENT HAVING RECEIVED A 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. 18-19 shall be advanced in grade and compensation on their anniversary date as follows:

- |                                 |                            |
|---------------------------------|----------------------------|
| <b><u>POLICE:</u></b>           |                            |
| <b>Patrolman Michael Puskas</b> | \$88,753.00 per annum      |
| PBA – Patrolman 5               | Effective Date: 04/01/2021 |
| <br>                            |                            |
| <b>Patrolman Stephen Manney</b> | \$95,979.00 per annum      |
| PBA – Patrolman 6               | Effective Date: 04/01/2021 |

**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. 58-2021**

**APPOINTING MARY SUSAN D’AMORE AS THE FULL-TIME HUMAN RESOURCES MANAGER FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING JUNE 1, 2021 AND ENDING DECEMBER 1, 2021 AND ESTABLISHING HER COMPENSATION AT \$75,000.00 PER ANNUM UNDER JOB GROUP V11 IN ACCORDANCE WITH SCHEDULE “B” AND SALARY RANGE GUIDE “C” OF SALARY ORDINANCE NO. 19-2020 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION AND CRIMINAL HISTORY BACKGROUND CHECK)**

**WHEREAS**, the Township Committee has determined that it is essential to provide its employees with the ability to obtain advice and guidance as it relates to personnel and human resource issues with the availability of a full-time human resources manager; and

**WHEREAS**, the position of Human Resources Manager is classified as a Job Group VII under Schedule “B” and Salary Range Guide “C” of Salary Ordinance No. 19-2020; and

**WHEREAS**, a total of eighteen (18) applications were received by the Township for the above referenced position; and

**WHEREAS**, in accordance with the Township’s job application process, the Assistant Business Administrator interviewed two (2) candidates; and

**WHEREAS**, the applicants were rated on their prior employment experience and their overall skills and abilities to perform the job of Human Resources Manager in the Department of Administration; and

**WHEREAS**, on March 18, 2021, the Business Administrator and Human Resource Specialist conducted a second interview with one (1) finalist; and

**WHEREAS**, as a result of the second interview, the Business Administrator and Human Resource Specialist believe that **Mary Susan D’Amore** residing at 6 Powder Horn Terrace in Randolph, New Jersey 07869 possesses the necessary work experience, expertise and job qualifications matching the Township’s job description for Human Resources Manager and should be employed to fill the position; and

**WHEREAS**, **Ms. D’Amore** shall commence employment on June 1, 2021 and serve in a probationary capacity for a six (6) month probationary period ending on December 1, 2021.

**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 **Mary Susan D’Amore** residing at 6 Powder Horn Terrace in Randolph, New Jersey 07869 is hereby employed to serve in the position of full-time **Human Resources Manager** for a six (6) month probationary period commencing on Tuesday, June 1, 2021 and ending on Wednesday, December 1, 2021. In accordance with Schedule “B” and Salary Range Guide “C” of Salary Ordinance No. 19-2020, **Ms. D’Amore** shall be compensated at \$75,000.00 per annum in accordance Job Group VII, Salary Range Guide “C”. Pursuant to Township policy, **Ms. D’Amore** shall not be entitled to receive any other salary increases other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee, and subject to receiving a satisfactory job performance evaluation performed by the Business Administrator
2. **Ms. D’Amore** shall be subject to the requirements of the Employee Job Performance Evaluation System as described in full under Section

61-18. of Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies. At least twenty (20) working days prior to the end of the probationary period, it shall be the responsibility of the Business Administrator to complete a written Job Performance Evaluation. In the event that **Ms. D'Amore** receives an unsatisfactory evaluation during the probationary period, **Ms. D'Amore** shall be terminated at the conclusion of the probationary period or sooner, whichever is applicable.

3. Pursuant to Section 61-14.C. entitled "Health Benefits Coverage" under Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies, **Ms. D'Amore** shall be required to pay a minimum of 25% of the total monthly premium cost for health insurance/medical benefits coverage under any one (1) of the three (3) health insurance plans offered by the Township.
4. This offer of employment is conditional and subject to **Ms. D'Amore** receiving a satisfactory medical examination and a negative criminal history background information check, all in accordance with the Township's Personnel Policies and Procedures.
5. **Ms. D'Amore** shall be entitled to 3.5 vacation days during calendar year 2021 in accordance with Section 61-10.C. and D. of Chapter 61 of the Code but shall not be permitted to utilize the 3.5 vacation days until she has completed his six (6) month probationary period and received a satisfactory job performance evaluation. In addition, **Ms. D'Amore** shall be eligible to earn and accrue .5 sick leave days per month up to six (6) sick leave days in each calendar year of service pursuant to Section 61-11.A. (3) of Chapter 61. Here again, **Ms. D'Amore** is not permitted to take any paid sick leave until he has satisfactory completed his probationary period.
6. That certified copies of this resolution shall be transmitted to **Ms. D'Amore**, the Construction Official and Township's Chief Municipal Finance Officer for reference and information purposes.

#### RESOLUTION NO. 59-2021

#### A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ENDORSING AND SUPPORTING THE LANDMARK COMMISSION'S CONCEPT OF CREATING, DESIGNATING AND PROMOTING A WHIPPANY HISTORIC (WIHI) DISTRICT

**WHEREAS**, the Township's Landmark Commission has proposed a concept to create, designate and promote a portion of the Whippany Section of the Township as an historic neighborhood; and

**WHEREAS**, a concept paper of the Landmark Commission dated March 28, 2019 provided the boundaries of that section of "Olde Whippany" to be designated as "Whippany Historic" (WiHi); and

**WHEREAS**, designating the historic section of Olde Whippany intends to achieve the following goals:

- Fostering community identity and pride for the residents of Hanover Township through historic awareness;
- Expanding name recognition of Hanover Township by creating a brand identity;

- Supporting cultural, social, educational and environmental sustainability; and
- Contributing to the economic vitality and development of the Township; and

**WHEREAS**, the designation is not intended to impose architectural and building standards or restrictions that would prevent the owners of property from developing or improving structures within the Whippany Historic District; and

**WHEREAS**, the Landmark Commission's proposal to designate the WiHi historic district is supported in detail in the draft, un-adopted Historic Element of the Township's Master Plan submitted to the Planning Board in 2017 underscoring the need to preserve an important part of the Township's rich cultural, social and historical fabric; and

**WHEREAS**, the Township Committee believes that identifying and designating a portion of the Whippany Section of the Township as the Whippany Historic Neighborhood will permit the Landmark Commission to increase the area's recognition through projects that underscore the Township's vibrant historical characteristics dating back to the settlement and incorporation of 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 governing body supports and endorses the Landmark Commission's concept to create, designate and promote a portion of the Whippany Section of the Township as an historic neighborhood to be known as the "Whippany Historic" (WiHi) District.
2. In order to call attention to the Landmark Commission's boundaries of the historic neighborhood of Olde Whippany, the governing body authorizes the Commission to erect appropriate signage to delineate the area in question.
3. That certified copies of this resolution shall be transmitted to the Landmark Commission, the Township's Professional Planner and Township Engineer for reference and information purposes.

**RESOLUTION NO. 60-2021**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AUTHORIZING A REDEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP OF HANOVER AND HANOVER TOWNE CENTER LLC**

**WHEREAS**, on August 8, 2019, the Township Committee (the 'Township Committee') of the Township of Hanover (the 'Township') adopted Resolution 169-2019, determining that certain properties known as Block 4001, Lots 6, 7, 10, 11, 12, 13, 14 and a portion of Lot 9, and Block 8803, Lot 17, on the official tax maps of the Township, qualified as an area in need of redevelopment (the 'Redevelopment Area'); and

**WHEREAS**, on July 9, 2020, the Township Committee adopted Ordinance No. 17-2020, approving and adopting the Redevelopment Plan for Block 8803, Lot 17 & Block 4001, Lots 10, 11, 12, 13, 14 and a portion of Lot 9 (the 'Original Redevelopment Plan'), for a portion of the Redevelopment Area; and

**WHEREAS**, the Original Redevelopment Plan was amended on October 8, 2020 by adoption of Ordinance No. 26-2020 and on December 10, 2020 by the adoption of Ordinance No. 31-2020 (the 'Redevelopment Plan'); and



**WHEREAS**, as Hanover Towne Center LLC (the ‘Redeveloper’) is the owner of certain properties known as Block 4001, Lots 10, 11, 12, 13 and 14 and Block 8803, Lot 17, on the official tax maps of the Township (the “Property”); and

**WHEREAS**, the Township entered into a Settlement Agreement (the ‘Settlement Agreement’) effective January 19, 2021 concerning, among other things, the redevelopment of the Property, together with a portion of existing Mount Pleasant Avenue (hereinafter collectively referred to as the ‘Project Premises’); and

**WHEREAS**, pursuant to the Settlement Agreement, the Township is obliged to implement the terms of the Settlement Agreement via an agreement with the Redeveloper; and

**WHEREAS**, the Redeveloper submitted to the Township a proposed site plan and architectural plans for the redevelopment on the Project Premises; and

**WHEREAS**, the redevelopment of the Project Premises consists of a commercial component and a residential component; and

**WHEREAS**, the Township and the Redeveloper subsequently negotiated the site and architectural plans for the Project Premises; and

**WHEREAS**, the negotiations between the Township and the Redeveloper have resulted in a Redevelopment Agreement (the ‘Redevelopment Agreement’) for the Project Premises by and among the Township, the Redeveloper and a related entity, Hanover Towne Center- Residential, LLC (“HTC Residential”); and

**WHEREAS**, in order to enter into the Redevelopment Agreement and proceed with the development of the Project Premises the Redeveloper shall be designated as redeveloper of the commercial component and HTC Residential shall be designated as redeveloper of the residential component; and

**WHEREAS**, the Redevelopment Agreement does not afford to the Redeveloper or to HTC Residential any new or additional rights with regard to the development of the Project Premises; and

**WHEREAS**, the Redevelopment Agreement does not in any way alter the terms of the Settlement Agreement; and

**WHEREAS**, the Redevelopment Agreement comprises an integral component of the Township’s Housing Element & Fair Share Plan and, accordingly, it is recommended that the Township Committee authorize the execution of said Agreement.

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

1. Hanover Towne Center, LLC is hereby designated as redeveloper of the commercial component of the redevelopment of the Project Premises and Hanover Towne Center - Residential, LLC is hereby designated as redeveloper of the residential component of the redevelopment of the Project Premises.

2. That the Mayor and Township Clerk are hereby authorized to enter into the Redevelopment Agreement on behalf of Hanover Township, and that their signatures constitute acceptance of the terms and conditions of said Redevelopment Agreement and approve the execution of the Redevelopment Agreement.

3. That the Township Attorney, with the approval of the Township Administrator, is permitted to make non-substantial changes to the agreement before execution.

4. This Resolution shall take effect immediately.

5. That certified copies of this resolution shall be transmitted to the Township Attorney, the Attorney representing Towne Center LLC and the Township Professional Planner for reference and information purposes.

**RESOLUTION NO. 61-2021**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP CLERK TO CONTINUE ENDORSING APPLICATIONS FOR TEMPORARY COVID-19 PERMITS TO EXPAND LICENSED PREMISES UNTIL NOVEMBER 30, 2022, ALL IN ACCORDANCE WITH P.L. 2021, c.15 (SENATE, NO. 3340)**

**WHEREAS**, as a result of the COVID-19 pandemic, the Governor, on June 3, 2020, issued Executive Order 150 which allowed outdoor dining at food or beverage establishments in New Jersey starting on Monday, June 15, 2020, provided that establishments follow a number of COVID-19 health and safety protocols issued by the New Jersey Department of Health; and

**WHEREAS**, Executive Order 150 further noted that municipal governments are permitted to use their existing authority to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas, including but not limited to sidewalks, streets, or parks; and

**WHEREAS**, in connection with the expansion of the outdoor dining capabilities, the New Jersey Division of Alcoholic Beverage Control (hereinafter referred to as "Division of ABC") issued Order SR 2020-10 on June 3, 2020 which established an online application specifically for temporarily expanding the licensed premises to permit retail alcoholic beverage sales at the outdoor areas; and

**WHEREAS**, the Division of ABC required that current plenary retail license holders apply to the ABC for a temporary expansion of a licensed premise and also required that the application be endorsed by the Township or local approval authority; and

**WHEREAS**, consistent with the June 3, 2020 Special Ruling issued by the Acting Director of the Division of ABC, that is, SR 2020-10, the sale and serving of alcoholic beverages expired on November 30, 2020; and

**WHEREAS**, on February 5, 2021, Governor Murphy signed P.L. 2021, c. 15, (Senate, No. 3340) which among other things, expands opportunities for restaurants, bars, distilleries and breweries to provide outdoor dining, in response to the COVID-19 public health emergency; and

**WHEREAS**, the law further establishes protocols for municipal review and approval for owners or operators of a restaurant, bar, distillery or brewery to extend their business premises so that they are able to sell food and beverages in adjacent outdoor spaces, and on public sidewalks. It also mandates extension of the expiration date of all COVID-19 Expansion Permits issued by the Director, pursuant to the provisions of Special Ruling No. 2020-10, and in accordance with Administrative Order No. 2021-01 also issued by the Director, until November 30, 2022, or the date on which indoor dining resumes without capacity limitations, whichever is later; and

**WHEREAS**, the need to support the expeditious processing of applications and endorsements necessitates the governing body to designate the Township Clerk with the authority to endorse those applications for expansion of ABC licensed premises on behalf of the Township; and

**WHEREAS**, the endorsement of such permits would be subject to a review of the application and confirmation with the Township Clerk that other aspects of the applicant's license are in good order and standing and that the applicant has local

approval to expand its premises for outdoor dining in accordance with the applicable Division of ABC regulations, state statutes and the Township's Code.

**WHEREAS**, the Township Committee finds it to be in the best interests of the Township of Hanover to continue to temporarily authorize the endorsement of applications subject to the approval of the Township Clerk after consultation with the Chief of Police.

**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 P.L. 2021, c.15 (Senate, No. 3340) and Administrative Order 2021-01 issued by the Director of the Division of Alcoholic Beverage Control, the expiration date of all COVID-19 Expansion Permits issued by the Division pursuant to Special Ruling 2020-10 is hereby extended to November 30, 2022, or to such date as indoor dining resumes with no capacity limitations, whichever is later, without the licensee having to perform any additional administrative actions at the State or Township level, or having to retroactively or prospectively submit to the outdoor dining review and approval process established by Sections 2 and 3 of P.L. 2021, c.15.
2. A licensee seeking a new COVID-19 Expansion Permit must receive Township approval pursuant to subsection b. of section 2 of P.L. 2021, c.15 before the COVID-19 Expansion Permit application may be considered by the Division of ABC. In this regard, any new application for a COVID-19 Expansion Permit, received from the Division of ABC, shall be submitted to the Chief of Police and Health Department.
3. It shall be the responsibility of the Chief of Police and Health Department to expeditiously review the application and provide the Township Clerk or the Business Administrator with an endorsement or a statement of reasons for denial of the application through the Division of ABC's on-line licensing system.
4. The approval of all new COVID-19 Expansion Permits shall be posted on the Township's website.
5. The authority to extend all COVID-19 Expansion Permits shall expire on November 30, 2022 unless otherwise extended by state statute, Executive or Administrative Orders.
6. That certified copies of this resolution shall be transmitted to the Chief of Police and the Township's Zoning and Health Officers for reference and information purposes.

**RESOLUTION NO. 62-2021**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY RENEWING THE MODIFICATION OF CERTAIN OUTDOOR DINING REQUIREMENTS DURING CALENDAR YEAR 2021 THROUGH NOVEMBER 30, 2022 TO ENABLE LOCAL RESTAURANTS TO IMPLEMENT OUTDOOR DINING OPERATIONS WITH SOCIAL DISTANCING IN ORDER TO HELP FACILITATE SMALL BUSINESS RECOVERY IN LIGHT OF THE COVID-19 PUBLIC HEALTH EMERGENCY**

**WHEREAS**, on June 3, 2020, Governor Murphy issued Executive Order 150 which allows outdoor dining at food or beverage establishments in New Jersey starting on Monday, June 15, 2020, provided that establishments follow a number of COVID-19 health and safety protocols issued by the New Jersey Department of Health, including a limit of eight customers per table, requirements of at least six feet of distance between

parties, and a prohibition on smoking in any outdoor areas designated for the consumption of food and/or beverages; and

**WHEREAS**, Executive Order 150 further noted that municipal governments are permitted to use their existing authority to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas, including but not limited to sidewalks, streets, or parks; and

**WHEREAS**, in connection with the expansion of the outdoor dining capabilities, the New Jersey Division of Alcoholic Beverage Control (hereinafter referred to as "Division of ABC") issued Order SR 2020-10 on June 3, 2020 which established an online application specifically for temporarily expanding the licensed premises to permit retail alcoholic beverage sales at the outdoor areas; and

**WHEREAS**, the Division of ABC required that current plenary retail license holders apply to the ABC for a temporary expansion of a licensed premise and also required that the application be endorsed by the Township or local approval authority; and

**WHEREAS**, consistent with the June 3, 2020 Special Ruling issued by the Acting Director of the Division of ABC, that is, SR 2020-10, the sale and serving of alcoholic beverages expired on November 30, 2020; and

**WHEREAS**, on February 5, 2021, Governor Murphy signed P.L. 2021, c. 15, (Senate, No. 3340) which among other things, expands opportunities for restaurants, bars, distilleries and breweries to provide outdoor dining, in response to the COVID-19 public health emergency; and

**WHEREAS**, the law further establishes protocols for municipal review and approval for owners or operators of a restaurant, bar, distillery or brewery to extend their business premises so that they are able to sell food and beverages in adjacent outdoor spaces, and on public sidewalks. It also mandates extension of the expiration date of all COVID-19 Expansion Permits issued by the Director of the Division of Alcoholic Beverage Control, pursuant to the provisions of Special Ruling No. 2020-10, and in accordance with the Director's Administrative Order 2021-01, until November 30, 2022, or the date on which indoor dining resumes without capacity limitations, whichever is later; and

**WHEREAS**, the need to support the expeditious processing of these applications and endorsement of same necessitates the governing body to designate the Township Clerk with the authority to endorse those applications for expansion of ABC licensed premises on behalf of the Township; and

**WHEREAS**, in consideration of the above and the great hardship and uncertainty the COVID-19 public health emergency has caused to the businesses of Hanover Township, the Township Committee desires to support the economic recovery of local restaurants and businesses by temporarily modifying certain outdoor dining restrictions so that restaurants are able to serve customers while satisfying social distancing requirements; and

**WHEREAS**, the Mayor and Township Committee find it to be in the best interests of the Township of Hanover to renew the temporary modification of certain outdoor dining restrictions in accordance with Executive Order 150 and P.L. 2021, c.15, (Senate, No. 3340), the associated State Department of Health guidance and the Division of Alcoholic Beverage Control's COVID-19 Expansion of Premises Permit regulations as set forth in the Division of ABC's Administrative Order 2021-01 issued by the Director of the Division Alcoholic Beverage Control.

**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. Restaurants, bars and taverns, as defined and set forth in the Township Code at §166-4A, shall be permitted to operate a temporary outdoor dining facility during the period associated with the COVID-19 emergency, subject to the requirements

set forth in this resolution. Restaurants, bars and taverns that desire to operate a permanent outdoor dining facility shall continue to be subject to all existing Township requirements, as well as all State orders, directives and regulations.

2. Prior to the operation of any temporary outdoor dining facility, a permit shall be required, with application being made to the Site Plan Exemption Committee. The following application and permit procedure shall apply:
  - a. Application for a permit shall be filed with the Building/Zoning Department, who shall refer the application to the Site Plan Exemption Committee.
  - b. The application must include a completed application form, available from the Township website at <http://www.hanovertownship.com/163/Applications-Checklists-Forms>. The form may also be obtained from the Building Department.
  - c. The application must include graphic plan for the outdoor dining facility. The information required on the plan is set forth in the application form, available from the Township website at <http://www.hanovertownship.com/163/Applications-Checklists-Forms>, and from the Building Department. The Site Plan Exemption Committee shall have the authority to require additional information on the plan in particular cases if such information is necessary to evaluate the application, or to waive or modify information if such information is not relevant to the proposed outdoor dining facility.
  - d. No application fee for the permit shall be required.
  - e. The Site Plan Exemption Committee may refer the application to other departments or agencies for comment and/or approval, as appropriate, depending upon the specific nature of the outdoor dining facility.
  - f. The Site Plan Exemption Committee shall approve the application if it complies with the requirements set forth in this resolution, and may impose certain conditions to such approval as may be necessary to comply with such requirements.
  - g. Any approval or denial of a temporary outdoor dining permit may be appealed to the Township Business Administrator by any interested party. The basis of the appeal shall be stated in writing. The Business Administrator is authorized to grant the appeal if such grant would promote the purposes of this resolution and would promote the public health, safety and welfare.
3. For temporary outdoor dining facilities permitted by this resolution to operate within the COVID-19 emergency, the regulations pertaining to outdoor dining facilities set forth at §166-119.5 of the Township Code shall be temporarily suspended and replaced with the following standards:
  - a. Compliance with the applicable provisions of Executive Order No. 150, P.L. 2021, c.15, (Senate No. 3340), the Division of ABC's Administrative Order 2021-01, or any succeeding order that may supersede the statutory citations or administrative orders set forth above, as applicable.
  - b. Compliance with the applicable provisions of Executive Directive No. 20-014, or any succeeding directive that may supersede Directive No. 20-014,

applicable. An informational copy of Directive No. 20-014 is included at the end of this resolution.

- c. In cases where the outdoor dining facility includes the consumption of alcoholic beverages, the facility shall obtain an Expansion of Premises Permit from the NJ Division of Alcoholic Beverage Control, if applicable.
- d. The number of seats permitted in the outdoor dining area may not exceed the total indoor and outdoor seating capacity previously approved for the eating and/or drinking establishment.
- e. Outdoor dining areas may be located on patios, walkways, plazas and courtyards in a manner that does not unreasonably impair pedestrian circulation. Outdoor dining areas may also be located, at the discretion of the Site Plan Exemption Committee, on lawn areas and in parking lots, provided that pedestrian and vehicular circulation is not unreasonably impaired.
- f. The number of parking spaces available shall comply with the minimum required in Chapter 166 of the Township Code.
- g. Where outdoor dining is proposed within a parking lot or within other areas exposed to vehicular traffic, bollards, fencing, planters or other protective structures shall be erected along the perimeter of the outdoor dining area in order to enhance public safety, as determined by the Site Plan Exemption Committee.
- h. If the outdoor dining area is proposed to be utilized after dark, temporary lighting shall be required. Such lighting shall be shielded to avoid excessive illumination at the property lines and to avoid creating glare to nearby pedestrians, vehicle operators or properties.
- i. Landscaping around and/or within the outdoor dining facilities shall be permitted, but not required. In the case of eating and/or drinking establishments within or adjacent to a residential zone, the outdoor dining facility shall be located and screened, as necessary, to avoid unreasonably interfering with the quality of life of area residents, as determined by the Site Plan Exemption Committee.
- j. Awnings, open canopies, umbrellas and heating units shall be permitted within outdoor dining areas; however, enclosed tents are not permitted.
- k. All outdoor dining areas may not open prior to the hours established for restaurants in the Township Code. All outdoor dining areas must be closed by 10 p.m.
- l. An applicant for a proposed temporary outdoor dining area must have previously secured site plan approval from the Township Zoning Board of Adjustment, Planning Board and/or Site Plan Exemption Committee to operate an eating and/or drinking establishment on the property.
- m. In multi-tenanted properties, an approved temporary outdoor dining area must be discontinued or reduced in size/seating capacity if other retail, personal service and/or commercial establishments are permitted to reopen and there is no longer an adequate number of parking stalls available and/or if other site conditions have changed from that which existed at the time of the original approval of the temporary dining facility, as determined by the Site Plan Exemption Committee.

- n. The Site Plan Exemption Committee shall have the discretion to require such additional conditions as may be necessary to protect the public health, safety and welfare, to further the purposes of Chapter 166 of the Township Code, and the goals and objectives of the Township Master Plan, and consistent with all State orders and directives.
  - o. Eating and drinking establishments must continue to follow all rules and regulations of the local Board of Health, the NJ Department of Health, and Division of Alcoholic Beverage Control (“ABC”), as well as all applicable local, state and federal laws.
  - p. Any use, and any construction of or alteration to any building or structure, which is regulated by Chapter 166, the International Building Code, or other applicable regulation, shall comply with such regulations, except as specifically stated otherwise herein.
- 4. This Resolution shall take effect immediately upon approval of the Township Committee in accordance with P.L. 2021,c.15 (Senate, No. 3340), and Administrative Order 2021-01 issued by the Director of the Division of Alcoholic Beverage Control.
  - 5. In accordance with P.L. 2021, c.15 and Administrative Order 2021-01 issued by the Director of the Division of Alcoholic Beverage Control, the expiration date of all COVID-19 Expansion Permits issued by the Division pursuant to Special Ruling 2020-10 is hereby extended to November 30, 2022, or to such date as indoor dining resumes with no capacity limitations, whichever is later, without the licensee having to perform any additional administrative actions at the State or Township level, or having to retroactively or prospectively submit to the outdoor dining review and approval process established by Sections 2 and 3 of P.L. 2021, c.15. Nothing herein shall be construed to authorize the continuation of any temporary outdoor dining use or any placement of tables, chairs, equipment or other items in conjunction with such outdoor dining, beyond the time periods specified herein. At such time that this Resolution shall cease to be effective, the regulations and procedures for outdoor dining facilities in Chapter 166 shall again apply.
  - 6. Notwithstanding the foregoing, the Chief of Police, the Township Health Officer and/or the Township Business Administrator or Township Clerk are authorized to require modification or cessation of a temporary outdoor dining facility permitted pursuant to this Resolution, if in their opinion the continued operation as approved would result in an overriding public health or public safety hazard.
  - 7. That certified copies of this resolution shall be transmitted to the Chief of Police and the Township’s Zoning and Health Officers for reference and information purposes.

**RESOLUTION NO. 63-2021**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A ‘STANDSTILL AGREEMENT’ WITH THE OWNER OF THE PROPERTY LOCATED AT BLOCK 2302, LOT 2; ALSO KNOWN AS 225 CEDAR KNOLLS ROAD IN THE TOWNSHIP**

**WHEREAS**, presently there is a Deed Restriction (‘Deed Restriction’) on the resale and refinancing of the property known as 225 Cedar Knolls Road; Block 2302, lot 2 on the tax map of the Township of Hanover (‘Subject Property’); and

**WHEREAS**, the Deed Restriction was entered into as part of the Township's affordable housing plan in order to ensure that the affordable units located at the Subject Property be occupied as low- and moderate-income households; and

**WHEREAS**, pursuant to the terms of the Deed Restriction, the Township has the right to initiate foreclosure proceedings in the event of a violation of the Deed Restriction; and

**WHEREAS**, the owner of the Subject Property ('Owner') is currently in the process of refinancing the Subject Property with the Federal National Mortgage Association ('Refinancing'); and

**WHEREAS**, the Federal National Mortgage Association has expressed concern that the Township could obtain the remedy of foreclosure upon the Subject Property in the event of an accidental breach ('Accidental Breach') of the Deed Restriction during the Refinancing process; and

**WHEREAS**, the Owner has requested that the Township enter into an agreement promising, in the event of such an Accidental Breach, to refrain for ninety (90) days from initiating any foreclosure proceeding in connection with the Subject Property, on the condition that the Owner demonstrate it is actively working to cure the Accidental Breach ('Request'); and

**WHEREAS**, the Township has an interest in protecting its affordable housing plan; and

**WHEREAS**, the Township finds the Owner's Request to be reasonable; and

**WHEREAS**, the New Jersey Fair Share Housing Center has indicated that it does not object to the Owner's Request.

**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 Mayor and Township Clerk are hereby authorized to enter into the 'Standstill Agreement' on behalf of Hanover Township, and that their signatures constitute acceptance of the terms and conditions of said 'Standstill Agreement' and approve the execution of the 'Standstill Agreement.'
2. That certified copies of this resolution shall be transmitted to the Executive Vice President and General Counsel for Woodmont Properties, the Township Attorney and the Township's Affordable Housing Liaison for reference and information purposes.
3. This Resolution shall take effect immediately.



RESOLUTION NO. 64-2021

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DAREN J. PHIL, P.E., P.P. AND THE FIRM OF SUBURBAN CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$57,875.00 FOR THE PERFORMANCE OF SURVEY AND BASE MAPPING, ENVIRONMENTAL PERMITTING, DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS AND OTHER SERVICES AS IT RELATES TO THE PHASE III BEE MEADOW POND NATURE TRAIL LOCATED AT BEE MEADOW PARK, AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SUBURBAN CONSULTING ENGINEERS, INC., ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AT N.J.S.A. 40A:11-5.(1)(a)(i) AND THE NON-FAIR AND OPEN CONTRACTS PROVISIONS OF THE LOCAL UNIT PAY-TO-PLAY LAWS AT N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26**

**WHEREAS**, on July 31, 2019, the Township of Hanover submitted an application to the Morris County Park Commission under the Morris County Trail Construction Program for a 2019 Trail Construction Grant for the construction of a Nature Trail designated as “The Bee Meadow Pond Nature Trail – Phase III”; and

**WHEREAS**, the Township requested \$137,331.50 in grant funds with a match of \$35,000.00 from the Township’s Open Space Trust Fund; and

**WHEREAS**, by letter dated December 23, 2019, the Township’s Business Administrator/Township Clerk was advised that the County of Morris was awarding the \$137,331.50 grant through the Morris County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Program for the construction of the Phase III Bee Meadow Pond Nature Trail located at Bee Meadow Park in the Whippany Section of the Township; and

**WHEREAS**, pursuant to the provisions of the Non-Fair and Open Contracts provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township Committee needs to retain the services of a firm whose members are professional engineers, as a Non-Fair and Open Contract for the purpose performing specific tasks related to the construction of the Phase II Bee Meadow Pond Nature Trail; and

**WHEREAS**, at the request of the Township Engineer, **Daren J. Phil**, a professional engineer licensed by the State of New Jersey and the President of the Firm of **Suburban Consulting Engineers, Inc.** submitted a written proposal and quotation dated March 15, 2021 describing the professional engineering scope of services to be performed on behalf of the Township with respect to the construction of the Bee

Meadow Pond Nature Trail – Phase III. A copy of the letter proposal and quotation is attached hereto and made a part of this resolution as if set forth in full; and

**WHEREAS**, the Township has utilized the services of **Suburban Consulting Engineers, Inc.** on the Phase I preparation of design and construction documents requiring the services of licensed professional engineers, and believes that the firm’s professional engineers possess the necessary skills, qualifications, experience and expertise to perform those engineering services related to the design and construction of the above referenced Bee Meadow Pond Nature Trail – Phase III; and

**WHEREAS**, the Township’s Business Administrator, in his capacity as the Township’s Qualified Purchasing Agent, had determined and certified in writing that the value of the professional engineering services described in the proposal will exceed \$17,500.00; and

**WHEREAS**, the professional engineering services will include the following tasks:

- 1. Survey and Base – Mapping Phase – Lump Sum Fee..... \$ 7,900.00
  - 2. Environmental Permitting to Include..... \$18,025.00
    - Task 1 – Wetland Delineation and GP #17 Application
    - Task 2 –Flood Hazard Area Individual Permit Application
  - 3. Design Development and Construction Documents .....\$17,550.00
  - 4. Bidding Phase.....\$ 1,500.00
  - 5. Construction Phase Services.....\$ 3,500.00
  - 6. Construction Stakeout Services (2 days)..... \$ 6,800.00
  - 7. Reimbursable Expenses..... \$1,000.00
- TOTAL AMOUNT:..... \$57.875.00; and**

**WHEREAS**, the total cost for the performance of the scope of services as described in the March 15, 2021 letter proposal and quotation shall not exceed \$57,875.00 which includes \$1,000.00 to cover any out-of-pocket disbursements; and

**WHEREAS**, the total contract amount shall not exceed \$57,875.00; and

**WHEREAS**, in keeping with the requirements of the Non-Fair and Open Contracts process of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township’s Business Administrator/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 engineering and environmental services has an anticipated value in excess of \$17,500.00; and

**WHEREAS, Suburban Consulting Engineers, Inc.** has completed and submitted the Business Entity Disclosure Certification, the Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification, all in accordance with the Pay-to-Play laws, which forms are on file in the Business Administrator’s office; and

**WHEREAS,** the Township’s Chief Municipal Finance Officer has certified that sufficient funds are available in the Township’s Open Space Trust Account, Line Item No. 254-3509-499 to underwrite the cost of the scope of services described herein, all in accordance with requirements of the Local Budget Law at N.J.S.A. 40A:4-1 et seq.; and

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

**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)(i) of the Local Public Contracts Law, and the provisions of the Non-Fair and Open Contracts provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, a professional services agreement is hereby awarded to:

**Daren J. Phil, P.E., P.P.  
and the Firm of  
SUBURBAN CONSULTING ENGINEERS, INC.  
96 U.S. Highway 206, Suite 101  
Flanders, New Jersey 07836**

for the purpose of performing the following tasks related to the construction of the Bee Meadow Nature Trail – Phase III at Bee Meadow Park:

|  |                         |
|--|-------------------------|
| 1. Survey and Base – Mapping Phase – Lump Sum Fee.....       | \$ 7,900.00             |
| 2. Environmental Permitting which includes.....              | \$ 18025.00             |
| Task 1 – Wetland Delineation and GP #17 Application.....     |                         |
| Task 2 –Flood Hazard Area Individual Permit Application..... |                         |
| 3. Design Development and Construction Documents .....       | \$17,550.00             |
| 4. Bidding Phase.....  | \$ 1,500.00             |
| 5. Construction Phase Services.....                          | \$ 5,100.00             |
| 6. Construction Stakeout Services (2 days).....              | \$ 8,750.00             |
| <b>TOTAL AMOUNT:.....</b>                                    | <b>\$51,000.00;</b> and |

2. The contract amount for the scope of services to be performed by **Suburban Consulting Engineers, Inc.** shall not exceed \$51,000.00 plus out-of-pocket disbursements in an amount not to exceed \$1,000.00.

3. The June 18, 2019 written proposal and quotation submitted by **Daren J. Phil, P.E., P.P.** of **Suburban Consulting Engineers, Inc.**, is attached hereto and made a part of this resolution as if set forth in full.

4. In accordance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Business Entity Disclosure Certification Form, the Chapter 271 Political Contribution Form and the Stockholder Disclosure Certification submitted by **Suburban Consulting Engineers, Inc.** shall be placed on file with this resolution. The Determination of Value form certified by the Township's Business Administrator, as a Qualified Purchasing Agent, is attached hereto and made a part of this resolution as if set forth in full.

5. This appointment is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law because the services to be performed are by persons authorized by law to practice recognized professions as professional engineers and environmental scientists licensed by the State of New Jersey and such services are not subject to competitive bidding.

6. The Mayor and Township Clerk are hereby authorized to execute a Professional Services Agreement with the **Suburban Consulting Engineers, Inc.**, in an amount not to exceed \$51,000.00 for the scope of services outlined herein, plus out-of-pocket disbursements in an amount not to exceed \$1,000.00. The total contract amount shall not exceed \$52,000.00.

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

RESOLUTION NO. 65-2021

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT WITHOUT COMPETITIVE BIDDING TO KEVIN K. NOLLSTADT, PE,CFM, A PROFESSIONAL ENGINEER LICENSED BY THE STATE OF NEW JERSEY AND THE FIRM OF MOTT MACDONALD, LLC IN THE PERFORMANCE OF STORMWATER MANAGEMENT DESIGN REVIEW SERVICES FOR A ONE (1) YEAR PERIOD COMMENCING APRIL 9, 2021 THROUGH APRIL 8, 2022, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AT N.J.S.A. 40A:11-5.(1)(a)(i) AND THE PAY-TO-PLAY PROVISIONS AT N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26 ET SEQ.**

**WHEREAS**, the Township of Hanover seeks to retain the services of licensed professional engineers with experience and expertise in the review of stormwater management plans submitted to the Township as they relate to applications for development pending before the Planning Board and Zoning Board of Adjustment; and

**WHEREAS**, new State- mandated stormwater management regulations, including those established by the Township pursuant to Land Use Ordinance No. 3-2021, require that all applications for development include a design review in conformance and compliance with certain standards and criteria; and

**WHEREAS**, in this regard, the Township Engineer requested that **Kevin K. Nollstadt, PE, CFM of Mott MacDonald** submit a proposal and quotation to provide stormwater management design review services related to applications for development pending before the Planning Board and Board of Adjustment; and

**WHEREAS**, the Township Engineer has advised the Business Administrator/Township Clerk that he has reviewed the stormwater review services proposal of **Mr. Nollstadt** and recommends that a professional services agreement be awarded to **Mr. Nollstadt**, as the lead stormwater management review professional and the firm of **Mott MacDonald**; and

**WHEREAS**, in accordance with Article VII, Section 166-48.B. and C. under Chapter 166 of the Code of the Township entitled Land Use and Development Legislation, the firm of **Mott MacDonald** shall receive payment for the performance of stormwater management design services from the respective individual escrow accounts established for applicants; and

**WHEREAS**, the Local Public Contracts Law at N.J.S.A. 40A:11-5.(1)(a)(i) requires that the resolution authorizing the award of contracts for “professional services” without competitive bidding, and the contract itself must be made 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. In accordance with the recommendation of the Township Engineer, the governing body hereby awards a professional services contract to **Kevin K. Nollstadt, PE, CFM**, a professional engineer licensed by the State of New Jersey, and the firm of **Mott MacDonald** with offices located at 111 Wood Avenue South in Iselin, New Jersey 08830 for the purpose of reviewing development applications submitted to the Planning Board and Board of Adjustment to determine compliance with the standards and criteria established by the new, mandated State Stormwater management regulations, and in conformance with the Township’s stormwater management ordinance, Ordinance No. 3-2021. **Mr. Nollstadt** shall serve as the Project Manager with respect to the scope of services to be performed by **Mott MacDonald** on behalf of the Township.
2. **Mr. Nollstadt** and other members of the Firm assigned to perform stormwater management reviews shall be paid in accordance with the **Mott MacDonald’s** 2021 Hourly Rate Schedule.
3. The term of the contract shall commence on April 9, 2021 and expire on April 8, 2022 upon approval of this resolution.
4. The Mayor and Township Clerk are hereby authorized and directed to execute a professional services agreement by and between the Township and **Mott MacDonald**.
5. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq.
6. Notice of this action shall be published in the April 14, 2021 issue of Daily Record.
7. That certified copies of this resolution shall be transmitted to the Township Engineer, the Township’s Chief Municipal Finance Officer and **Mr. Nollstadt** for reference and information purposes.

**RESOLUTION NO. 66-2021**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE RELEASE OF A \$19,600.00 CASH BOND TO 34 SHERMAN, LLC (A/K/A SD ROSELLI) FOR THE SATISFACTORY COMPLETION OF TREE REMOVAL AND PRESERVATION WORK RELATED TO A MINOR SUBDIVISION LOCATED AT 23-33 OAK BOULEVARD IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP AND ALSO DESIGNATED AS LOTS 17.03, 17.04 AND 17.05 IN BLOCK 1307 SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS, 34 Sherman, LLC** received minor subdivision and “C” Variance approval from the Planning Board for a three (3) lot minor subdivision; and

**WHEREAS**, the applicant, **34 Sherman, LLC** was required to deposit with the Township the sum of \$19,600.00 with respect to a tree removal and preservation permit; and

**WHEREAS**, in a letter dated March 16, 2021 to the Mayor and Township Committee, the Township Engineer stated that the applicant satisfied the guarantee and recommends that Robert Roselli, the Managing Member of **34 Sherman, LLC** be refunded the \$19,600.00 bond.

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

1. In accordance with the March 16, 2021 letter from the Township Engineer, the Township's Chief Municipal Finance Officer is hereby authorized and directed to release and refund the \$19,600.00 cash bond to Robert Roselli, Managing Member of **34 Sherman, LLC**. The cash bond representing the posting of the tree removal/preservation permit is deposited in a Trust Escrow Account, Line Item No. 252-3997-499.
2. That a certified copy of this resolution be transmitted to Mr. Roselli, the Township's Chief Municipal Finance Officer and Township Engineer for reference and action purposes.

**RESOLUTION NO. 67-2021**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING BOND REDUCTION NO 1 BY REDUCING THE \$190,314.00 SITE IMPROVEMENT PERFORMANCE BOND SUBMITTED BY WHIPPANY VILLAGE PARTNERS, LLC TO \$92,434.00 AND REDUCING THE 10% CASH BOND FROM \$21,146.00 TO \$10,270.00 (RETURNING \$10,876.00 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 PHASE III OF A PLANNED COMMERCIAL DEVELOPMENT CONSISTING OF A MIXED USE BUILDING ON PROPERTY LOCATED AT 476 ROUTE 10 IN THE WHIPPANY SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 2.01 IN BLOCK 7402 AND LOTS 1.01 AND 10 IN BLOCK 7501, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS**, on August 13, 2019, Winfield Properties, LLC, as applicant, received Planning Board approval via resolution to construct a planned commercial development consisting of a mixed use building for retail space on the ground floor and forty-six (46) residential units on the second and third floors as Phase III of the development; and

**WHEREAS**, subsequent to the granting of Planning Board approval, Winfield Properties, LLC, by assignment 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 **Whippany Village Partners, LLC** located at 125 Chubb Avenue in Lyndhurst, New Jersey 07071; and

**WHEREAS**, the Developer was required to install certain improvements for the mixed-use development in accordance with the Planning Board approvals and the subsequent Developer's Agreement dated June 12, 2020; and

**WHEREAS**, in accordance with the August 13, 2019 final site plan approval and the June 12, 2020 Developer's Agreement, **Whippany Village Partners, 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**, the Township Engineer, in a letter dated April 1, 2021, to the Township Committee has recommended a first bond reduction of the total performance guarantee in terms of the site improvement performance bond and the 10% cash bond; and

**WHEREAS**, the Township Engineer has attached a Schedule "A" Bond Reduction No. 1 Report (dated April 1, 2021) to his April 1, 2021 letter which describes the percentages of reduction for the bonded on-site improvements, and the total dollar amounts of the site improvement performance bond and the cash performance bond to be retained in favor of 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. That Site Improvement Performance Bond, Bond No. SU61726 dated February 18, 2020, issued by Aspen American Insurance Company, in the amount of \$190,314.00 be reduced to \$92,434.00. In accordance with this reduction, it shall be the responsibility of **Whippany Village Partners, LLC** to request Aspen American Insurance Company to submit to the Business Administrator/Township Clerk, a new Site Improvement Performance Bond in the amount of \$92,434.00 in order to guarantee the completion of the remaining on site improvements.
2. The cash performance bond of **Whippany Village Partners, LLC** deposited in a TD Bank Escrow Account, Account # 7765653041 , in the amount of \$21,146.00 is hereby reduced to \$10,270.00. The Developer shall be returned a portion of the cash bond in the amount of \$10,876.00, 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 **Whippany Village Partners, LLC**, the Township Engineer, the Chief Municipal Finance Officer, and Aspen American Insurance Company for their reference and action purposes.



RESOLUTION NO. 68-2021

**RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY  
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**Section 1.**

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Hanover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 which item is now available as a revenue from:

State of New Jersey, Department of Energy  
\$52,919.60  
And Environmental Protection, Office of Recycling  
Recycling Act of 1981 (P.L. 81.c.278)

**Section 2.**

**BE IT FURTHER RESOLVED**, that a like sum of \$52,919.60 be and the same is hereby appropriated under the caption of:

Other Operations Excluded from "CAPS"  
State and Federal Programs Offset by Revenues:  
Recycling Act of 1981 (P.L. 81, c.278) \$52,919.60  
Recycling Program:: Other Expenses

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services.

RESOLUTION NO. 69-2021

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING AND PROMOTING KRISTA M. DIGIORGIO TO THE POSITION OF DEPUTY TOWNSHIP CLERK/GENERAL OFFICE SUPERVISOR, FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING APRIL 9, 2021 AND ENDING OCTOBER 9, 2021 AT A SALARY OF \$75,000.00 PER ANNUM UNDER JOB GROUP IX OF SCHEDULE "B" AND SALARY RANGE GUIDE "C" SET FORTH IN TOWNSHIP ORDINANCE NO. 19-2020

**WHEREAS**, **Krista M. DiGiorgio** has served in the position of Executive Secretary II/Executive Assistant to the Business Administrator/Township Clerk since September 23, 2013; and

**WHEREAS**, with the imminent retirement of the Business Administrator/Township Clerk and Deputy Township Clerk/General Office Supervisor, a transition plan is required in order that essential services and operations of the municipality are not disrupted nor the duties and responsibilities of the offices of Business Administrator and Township Clerk; and

**WHEREAS**, in accordance with N.J.S.A. 40A:9-133.3, **Ms. DiGiorgio** having successfully passed the examination for certification as a Municipal Clerk, was issued a Certificate dated April 3, 2019 as a Registered Municipal Clerk; and

**WHEREAS**, having worked with the Business Administrator/Township Clerk and Deputy Township Clerk since her appointment in September, 2013, the Township Committee believes that **Ms. DiGiorgio** has gained a wealth of knowledge and experience performing duties and tasks related to the statutory duties of the Municipal Clerk; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:9-133 and 9-135, Article V of Chapter 47 of the Code of the Township entitled Officers and Employees established the positions of Municipal Clerk and Deputy Municipal Clerk and sets forth the respective duties and responsibilities; and

**WHEREAS**, it is the intention of the Township Committee to appoint and promote **Ms. DiGiorgio** to the position of Deputy Township Clerk/General Office Supervisor for a six (6) month probationary period; and

**WHEREAS**, upon receipt of a satisfactory job performance evaluation at the conclusion of the probationary period, and with the approval of the governing body, **Ms. DiGiorgio** shall be promoted to the position of Township Clerk.

**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 **Krista M. DiGiorgio** residing in Cedar Knolls, New Jersey 07927 is hereby appointed to serve as the Deputy Township Clerk for a six (6) month probationary period commencing April 9, 2021 and ending on October 9, 2021.
2. In accordance with Schedule "B" and Salary Range Guide "C" of Salary Ordinance No. 19-2020, **Ms. DiGiorgio's** salary as Deputy Township Clerk is established at \$75,000.00. At the time Salary Ordinance No. 15-21 is adopted, will be entitled to the 2% cost of living adjustment. However, with the promotion to Deputy Township Clerk she will no longer be entitled to the \$3,500.00 stipend as the HR Specialist Administrative Aide. Pursuant to Township policy, **Ms. DiGiorgio** shall not be entitled to receive any other salary increases other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee, and subject to receiving a satisfactory job performance evaluation.

3. In accordance with the Township's Employee Job Performance Evaluation System, as described in full under Section 61-18 of Chapter 61 of the Code entitled Salaries and Compensation; Personnel Policies, at least twenty (20) working days prior to the end of the probationary period, it shall be the responsibility of the Business Administrator to complete a written job performance evaluation of **Ms. DiGiorgio**.

4. Upon the receipt of a satisfactory job performance evaluation, and with the concurrence and approval of the Township Committee, **Ms. DiGiorgio** shall be promoted to the position of Township Clerk effective October 11, 2021. Upon appointment, her salary shall be established at \$85,000.00 per annum pursuant to the Salary Range Guide set forth under Section 7. of Salary Ordinance No. 15-2021.

5. That certified copies of this resolution shall be transmitted to **Ms. DiGiorgio**, the Business Administrator and Chief Municipal Finance Officer for reference purposes.

DATED: April 8, 2021

**RESOLUTION NO. 70-2021**

**A PROCLAMATION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER SUPPORTING THE 2021 UDRIVE. UTEXT. UPAY. DISTRACTED DRIVING CRACKDOWN IN THE TOWNSHIP OF HANOVER FROM APRIL 1 THROUGH APRIL 30, 2021**

**WHEREAS**, distracted driving is a serious, life-threatening practice that is preventable; and

**WHEREAS**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**WHEREAS**, in 2018 alone distracted driving-related crashes resulted in 2,841 deaths and 400,000 injuries on our nation's roads; and

**WHEREAS**, in New Jersey distracted driving was listed as a contributing circumstance in 50-percent of all motor vehicle crashes in 2018; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Distracted Driving 2021 Crackdown* from April 1 - 30, 2021 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**WHEREAS**, the national slogan for the campaign is UDrive. UText. UPay; and

**WHEREAS**, a reduction in distracted driving in New Jersey will save lives on our roadways.

**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 Township of Hanover declares it's support for the ***Distracted Driving 2021 Crackdown*** both locally and nationally from April 1 - 30, 2021 and pledges to increase awareness of the dangers of distracted driving.

Motion to approve Resolutions as a consent agenda made by Member Francioli and seconded by Member Ferramosca and unanimously approved.

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of \$4,956,069.34 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 Gallagher and seconded by Member Francioli and unanimously passed.

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

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**RAFFLES:**

- RL-3304 – Xavierian Guild of Saint Elizabeth – off premise 50/50**
- RL-3305 - Xavierian Guild of Saint Elizabeth – on premise raffle**
- RL-3306 – Abundant Life Worship Center of Whippany – off premise**
- RL-3307 - Abundant Life Worship Center of Whippany – off premise**
- RL-3308 - Abundant Life Worship Center of Whippany – off premise**

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

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**OPEN TO THE PUBLIC**

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

Dan Casiero, 56 Manger Road: First I do want to commend the Township and the Public Works Department for their work in the snow storms that we had during the past winter. I just wanted to say the Township and the Public Works did a great job, I am literally at the end of the cul-de-sac and they were here early and able to obviously be able to get out of our homes quickly and I do appreciate that and I do want to commend the Township for their efforts on that.

Now, speaking of Manger Road, which I have lived here since 2000 and I will let you know that every owner is upset with the Township with the neglect of our road leading into Trailwoods and our community. It has been deteriorated over the years, major potholes continue to occur after the winter season and I appreciate the patch work over the years but from what I understand, again I live at the end, the cul-de-sac has not been repaved in over 42 years, since 1978 from what I understand. For what I believed the last time Manger Road was paved and it was only up to Slope which was only a quarter of the road it was back in 2003. So again the road continues to deteriorate and we patch it and then the winter comes and the salt and the plows then there is major pot holes on our roads and again our residents are quite upset and I will tell you that we did pass around a petition and everyone signed it and was very eager to sign it and over the years as members of Trailwoods what we seen going around us and some of the other major cut through roads we seen McNab being repaved and speed bumps placed and we seen Countrywood Drive been repaved and speed bumps placed there and we have seen all of Forest Way including the cul-de-sac and ever Palm Court with only 6 residents on that cul-de-sac being repaved since we have been here. So basically, what I am stating to the Committee tonight is that I will drop off the petition tomorrow but basically every resident on Manger Road including some of the side roads that the residents share Manger Road with signed a petition we the residents of Manger Road Hanover Road by our signatures below petition the Township Counsel to undertake appropriate steps to repave Manger Road. The condition on the road is seriously deteriorating causing harm to the vehicles, value our residence and is detrimental to the overall quality of our neighborhood. Just on a personal note that personal petition, when I drive on Manger Road post winter and there is potholes, I am driving on the left hand side of the road because of the major pot holes going up the

road. I appreciate the Township coming and patching the work, but then what happens we all come up and down the road and the gravel is loose and as you are driving up the road you hear clunk that is gravel coming up scratching up our cars and affecting our vehicles as well. I think it is time that in my opinion and all of the residents of Manger Road is to please look at the road and take consideration in paving Manger Road, not just up to Slope but all the way to the end of the cul-de-sac where I live at 56 Manger. I appreciate your time.

Mayor: Thank you for taking the time to apprise us, I just wanted to also apprise people who are interested in Manger Road that the Township Committee has been evaluating this road and members of the community have met with our Engineering Department and bringing it to our attention we are well aware of the need to address this and it is one of the priority roads that is being considered for the next cycle of paving.

Mr. Gallagher: I got information from Gerry just tonight but because of COVID-19 we took 8 to 9 roads last year and postponed them to this year, so we got behind because of our budget from 2020 with Covid-19. (inaudible), right here it says it is anticipated for next years budget and be completed in one phase. What is interesting about this too is that we are working a little bit ahead right now because we have something on that scale we are going to have the sewerage authority have a years notice to go in and do all of their work, make sure everything is good, so even though it may seem like we are not paying attention to you guys your road has been on our radar and now it is really on the radar so the timing is very good.

Richard Dunne, The reason why I joined this meeting tonight was either propose what Mr. Casiero just mentioned and now since he made an imposing speech I am going to second everything he said. I lived on Manger Road since 1980 and all I will add is that the road has never been in such a bad condition than it is now. I appreciate Mr. Gallagher the information you just discussed, and I am hopefully now based on that that our road will be repaved, and I to like Mr. Casiero when you turn off Ridgedale onto Manger you have to drive up the left side because of all the potholes.

Mr. Gallagher: Mr. Dunne, I am glad you feel a little bit relieved, but I do want to say that we never thought we (inaudible) I never thought we would go to 2020 that I want to say and very clear that is said that it is anticipated for next years budget. Hopefully we are on the mend and on the up and again this is a priority of ours and we do have a system in place and this kept coming up as a priority so I just want to reiterate it is anticipated for next years budget.

Mark Liebowitz, I just want to reiterate what Dan and Richard said earlier about Manger Road, the cars that are coming up the road, people who we knocked on doors were very very thankful we were knocking on doors and there were about six couples that I ran into that were seniors and about 28% of the town is made up of seniors and voices of them are very important and I am glad to here Ace and everyone saying that this road will be done and I appreciate it.

Mr. Casiero: This is a question, I obviously noticed that the Township is trying to improve itself and there is a survey online with Rutgers in how we can improve our community the downtown area so on and so forth, quick question one of my biggest concerns since I have lived here is how do we allow the tent community to exist behind the Walmart shopping center, I just do not understand that, and if you think as a town that is not a deterrent from people from coming into this township I think we are foolish in thinking that so just asking the question, how do we continue to allow that when it existed and how do we continue to allow it to happen. I drive by there and now Kiddie Academy is there now so it is getting nice out so there is going to be kids playing outside there and I understand they are supervised with teachers and stuff but when I drive there I don't know who is back there and it is a pretty decent community from what I see from the tents that are out there. This is just an overall question to the Township and the Committee.

Mr. Giorgio: I can probably answer that question, I have been told by the Police Department that camp is situated on property owned by the Township of Morristown as part of the Morristown Sewerage Treatment facility so from a law enforcement perspective Hanover Township does not have jurisdiction, if there are any problems it really falls under the jurisdiction of Morristown to try and remedy that situation.

The following members of the public voiced their opinions either in support or against the Township’s adoption of Ordinance 11-2021; Jeff King, Lefty Grimes, Hugh Giordano.

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

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**REPORT OF THE TOWNSHIP ATTORNEY:**

**STATUS OF THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION**

Mr. Semrau: Good Evening Mayor this evening my report is very short, I hope by the next time that I update the Governing Body and Members of the public we will have completed our third round plan and I am hopeful that the Court will approve that plan, so we are getting ready for our final presentation to the Court and would hope again by the next meeting my update will bring this matter to a conclusion. There is no other changes to report or anything further it has already been approved.

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**OTHER BUSINESS:**

Member Francioli: Just a very brief comment, I just want to comment on the Senior Citizens Club it has been very difficult for them, several hundred members about 300 members to communicate through this Covid time, we have now set up a communication system and Krista has been a great help with that getting us set up so that we had for the first time some 40 odd members of the club on a telecommunication meeting, they have another one coming up and that is what I wanted to remind you of, that they can join the senior meeting with the telephone number 978-990-5000 there is an access code, we sent out mailings to each of those members and we hope more can join the meeting at 10:00 on April 21<sup>st</sup>. So please join us.

Member Cahill: During a shorter meeting I have a lot of catching up to do with some highlights but I do want to bring up about a resolution earlier about districted driving “You Drive You Text You Pay” that is going to occur here in Town amongst other towns between April 1<sup>st</sup> and April 30<sup>th</sup> so that I would encourage everybody to drive safely and pay attention.

Just importantly the Morris County Prosecutor’s Officer along with our local Law Enforcement Departments are hosting a DEA National Take Back Program, which is a basically a program for anyone with unused or expired prescription drugs can bring it to locations to have it safely disposed, so here in Town we are surrounded here, the Shoprite in Cedar Knolls, Stop and Shop as well as Wegman’s all of those supermarkets will be participating in this and it will be Saturday, April 24<sup>th</sup> 10-2.

Member Gallagher: May is mental health awareness month and working with our drug coalition closely with the Sheriff’s Department and many schools and many police departments to share information and I would like to say it’s been more and more challenging because of COVID-19 and being isolated because isolation is a very dangerous thing and too many people were forced to be isolated so there is going to be a big campaign and we are going to be all over it and share a lot of information through very high level channels, it will be a big thing. In May we are also going to share a lot of things that are happening in the schools that they are sharing with our children.

The last thing that I would like to say out of respect of road is that I sat next to Mayor Ferramosca for probably four out of my six years with John saying roads, roads,

roads, the only reason why I also see that we took our eye off the ball was because of the budget with COVID-19, we did currently ask Gerry for a tentative list over the next three to five years of priorities and it is going to be budget pending and hopefully, and Ron and I discussed today that adding a certain percentage every year and in every three to five years we will almost ahead of the game but I just wanted to let the public know in place we the DPW on the front line they are on every road every day, we have the police department on the road everyday, we have engineering getting this information all the time so we did put together almost like a machine to try and ascertain what we have to do and why we have to do it and to make a schedule and when, so I appreciate the people of Manger coming out tonight, because this is very important to us and we do want to make it clear to people that we have already posted this year on our website what we are paving and once we get a little more established with Mike Wynne we will share the information for 2022, so I am going to say infrastructure is going to be a big one for us and we are all taking it very seriously and we are going to keep our eyes on the ball.

Mayor: Hanover on a capital standpoint is spending significant amount of money on the upgrade of our high level systems, and if were not making that huge commitment to our community we would be spending the additional money on roads, because as a committee we are focused on roads.

One quick highlight I have to share and I mentioned it briefly but at on our next Township Committee meeting which is a work session at April 22<sup>nd</sup> at 7:00 there is going to be a special presentation from Dr. Petty, he is a highly recognized expert in the area of psychology. Dr. Petty will be speaking specifically about potential psychotic impact upon minor from the use of cannibals, so I would invite all who would like to learn from an expert about this information and hopefully we can carry that learning to a higher level within in the State of New Jersey, so as this plan of legalization is rolled out, education of parents, education of minors we can thank Dr. Petty in advance as he presents this matter of his expertise.

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**ADJOURNMENT**

Motion made to close this portion of the meeting at 8:24 pm. by Member Gallagher and seconded by Member Mihalko and unanimously passed. Township Members will reconvene to address Personal Issue that was not completed during Closed Legal Session.

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

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Joseph A. Giorgio, Township Clerk