

JANUARY 12, 2012

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, January 12, 2012 at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Mayor Francioli, Members Schleifer, Ferramosca, Brueno and Coppola

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG

STATEMENT BY PRESIDING OFFICER:

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

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

And by filing same with the Township Clerk.

(Signed) Ronald F. Francioli, Mayor

**A MOMENT OF SILENCE IN REFLECTION AND RECOGNITION OF
ASSEMBLYMAN ALEX DE CROCE**

A moment of silence was observed in recognition of the sudden unexpected death of Assemblyman DeCroce on Monday at the State House following a late night session. The governing body described him as someone who was a friend who was always available and ready to resolve the Township's issues. The members extended their condolences to the family and agreed that he will be sorely missed by all.

OPEN TO THE PUBLIC:

Mayor Francioli opened the meeting to the public.

No comments forthcoming, Member Ferramosca moved the public hearing be declared closed. The motion was seconded by Member Schleifer and was unanimously passed.

COMMUNICATIONS:

The following communications was read and action taken as indicated:

1. Resignation – Christine H. Crotty. The following letter was read into the record:

“December 21, 2011

Dear Mr. Giorgio:

This letter serves to advise you that I will be retiring from the Township of Hanover. My last working day will be Friday, January 6, 2012.

Sincerely,
(Signed)
Christine H. Crotty”

Member Ferramosca moved acceptance of Ms. Crotty’s resignation. The motion was seconded by Member Schleifer and was unanimously passed.

PUBLIC HEARING ON THE ARC/MORRIS CHAPTER’S APPLICATION TO THE MORRIS COUNTY DIVISION OF COMMUNITY DEVELOPMENT IN SEEKING \$150,000 IN GRANT FUNDS THROUGH THE 2012 HOME INVESTMENT PARTNERSHIP PROGRAM TO MATCH FUNDS FROM PRIVATE CONTRIBUTIONS, THE TOWNSHIP AND THE NJ DEPARTMENT OF COMMUNITY AFFAIRS IN THE CONSTRUCTION OF A NEW GROUP HOME AT 24 HORSE HILL ROAD.

Mayor Francioli opened the meeting to the public for comments. No comments forthcoming, Member Ferramosca moved the public hearing be declared closed. The motion was seconded by Member Schleifer and was unanimously passed.

PUBLIC HEARING ON THE ROSE HOUSE’S APPLICATION TO THE MORRIS COUNTY DIVISION OF COMMUNITY DEVELOPMENT IN SEEKING \$50,000 IN GRANTS FUNDS THROUGH THE 2012 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO PROVIDE INDEPENDENT LIVING SUPPORT SERVICES FOR THOSE ADULTS WITH DEVELOPMENTAL DISABILITIES LIVING AT THE COMMUNITY RESIDENCE AT 290 CEDAR KNOLLS ROAD. NO TOWNSHIP MATCHING FUNDS ARE REQUIRED.

Mayor Francioli opened the meeting to the public for comments. No comments forthcoming, Member Ferramosca moved the public hearing be declared closed. The motion was seconded by Member Schleifer and was unanimously passed.

DEPARTMENTAL REPORTS:

The following reports were presented and ordered filed as received:

Police Department	S.Gallagher	Month Ending 12/31/11
Building Department	S.Donlon	Month Ending 12/31/11
Municipal Court	E.Vitellaro	Month Ending 12/31/11
Property Maintenance	E.DeSimoni	Month Ending 12/31/11
Treasurer's Report	S.Esposito	Month Ending 11/30/11
Treasurer's Report	S.Esposito	Month Ending 12/31/11
Year End Summary	J.Ferramosca	
Year End Summary	G.VanOrden	
Year End Summary	B.Foran	
Year End Summary	G.Coppola	

**(Authorizing a Lease With
ARC/Morris County Chapter
New Jersey, Inc. for 24 Horse
Hill Road Block 601, Lot 6)**

ORDINANCE: NO. 1-2012

Member Coppola offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A LEASE BETWEEN THE TOWNSHIP OF HANOVER AND THE ARC/MORRIS COUNTY CHAPTER, NEW JERSEY, INC. REGARDING TOWNSHIP OWNED PROPERTY AT 24 HORSE HILL ROAD IN THE CEDAR KNOLLS SECTION OF HANOVER TOWNSHIP, AND ALSO KNOWN AS LOT 6 IN BLOCK 601 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER", be introduced and read by title on first reading.

The motion was seconded by Member Ferramosca, was passed and the resolution adopted by the following roll call vote:

AYES: Members Schleifer, Ferramosca,
Brueno and Coppola

NOES: None

ABSTAINED: Mayor Francioli

Following the reading of said Ordinance by title, Member Coppola offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A LEASE BETWEEN THE TOWNSHIP OF HANOVER AND THE ARC/MORRIS COUNTY CHAPTER, NEW JERSEY, INC. REGARDING TOWNSHIP OWNED PROPERTY AT 24 HORSE HILL ROAD IN THE CEDAR KNOLLS SECTION OF HANOVER TOWNSHP, AND ALSO KNOWN AS LOT 6 IN BLOCK 601 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER," , be passed on first reading.

BE IT FURTHER RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Committee of the Township of Hanover on the 9th day of February, 2012, at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, in said Township of Hanover, at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED, that the Clerk be authorized and directed to advertise said Ordinance in full with the Notice of Introduction thereof, in the Morris County Daily Record, according to law.

The motion was seconded by Member Ferramosca, was passed and the resolution adopted by the following roll call vote:

AYES: Members Schleifer, Ferramosca,
Brueno and Coppola

NOES: None

ABSTAINED: Mayor Francioli

**(Amending Salaries & Compensation;
Personnel Policies With New
Volunteer Position Part-time
Assistant to Property Maint. Officer)**
ORDINANCE: NO. 2-2012

Member Ferramosca offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 1. OF ORDINANCE NO. 31-11 AND CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION:

PERSONNEL POLICIES WITH THE INCLUSION OF A NEW VOLUNTEER POSITION ENTITLED PART-TIME ASSISTANT TO THE PROPERTY MAINTENANCE OFFICER/ZONING OFFICER”, be introduced and read by title on first reading.

The motion was seconded by Member Coppola, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

Following the reading of said Ordinance by title, Member Ferramosca offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled “AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 1, OF ORDINANCE NO. 31-11 AND CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION: PERSONNEL POLICIES WITH THE INCLUSION OF A NEW VOLUNTEER PORTION ENTITLED PART-TIME ASSISTANT TO THE PROPERTY MAINTENANCE OFFICER/ZONING OFFICER”, be passed on first reading.

BE IT FURTHER RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Committee of the Township of Hanover on the 26th day of January, 2012, at 8:30 o’clock in the evening, prevailing time at the Municipal Building, in said Township of Hanover, at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED, that the Clerk be authorized and directed to advertise said Ordinance in full with the Notice of Introduction thereof, in the Morris County Daily Record, according to law.

The motion was seconded by Member Coppola, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 20-2012

Member Ferramosca offered the following resolution and moved its adoption:

PROFESSIONAL SERVICES RESOLUTION RETAINING THE SERVICES OF JOHN H. DORSEY, ESQ., FRED SEMRAU, ESQ AND THE FIRM OF DORSEY & SEMRAU AS "TOWNSHIP ATTORNEY" DURING CALENDAR YEAR 2012 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH MR. SEMRAU IN AN AMOUNT NOT TO EXCEED \$160,000.00 WHICH AMOUNT INCLUDES A RETAINER AT \$75,000.00 COVERING GENERAL LEGAL SERVICES, AND LITIGATION AND TAX APPEAL SERVICES AT \$85,000.00 (NOT INCLUDING AN AMOUNT NOT TO EXCEED \$3,000.00 FOR OUT-OF-POCKET DISBURSEMENTS, IN REM TAX FORECLOSURE ACTIONS AT THE RATE OF \$1,000.00 PER TAX SALE CERTIFICATE OR EXTRAORDINARY LITIGATION), ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26 ET SEQ

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

WHEREAS, in keeping with the requirements of the Non-Fair and Open process of the Pay-to-Play legislation at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44:-20.26 et seq., the Township's Business Administrator, in his capacity as the Township of Hanover's Qualified Purchasing Agent has prepared a "Value Determination and Certification", (a copy of which is attached hereto and made a part of this resolution), that the estimated value for the performance of the legal services to be performed during calendar year 2012 has an anticipated value in excess of \$17,500.00; and

WHEREAS, **John H. Dorsey, Esq., Fred Semrau, Esq.** and the firm of **Dorsey & Semrau** have served the Township of Hanover as Township Attorney during the last thirty-five (35) years; and

WHEREAS, the Township Committee reappointed **Mr. Dorsey and Mr. Semrau** at its January 1, 2012 Reorganization Meeting and is desirous of memorializing their reappointment and that of the Firm of **Dorsey & Semrau** in rendering legal services to the Township during calendar year 2012; and

WHEREAS, the Township finds itself in what is described as difficult financial times, particularly for the 2012 budget year, and, as a result wishes to restrict to the extent that it can, legal fees within the current budget year; and

WHEREAS, **Dorsey & Semrau** have completed and submitted a Business Entity Disclosure Certification form, the Chapter 271 Political Contribution Disclosure form and

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

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

WHEREAS, **John H. Dorsey, Esq., Fred Semrau, Esq.** and the Firm of **Dorsey & Semrau** hereinafter referred to as the "Township Attorney" shall be paid a retainer of \$75,000.00 during calendar year 2012 which retainer shall cover all general legal services required by the Township; and

WHEREAS, in order to cover those issues involving litigation, tax appeals, condemnations and representation involving land use and corporate development, the Township Attorney shall be compensated based on the Firm's hourly rates, except, however, that the maximum amount for the litigation services shall not exceed \$85,000.00; and

WHEREAS, in addition to the annual retainer and those services rendered for general litigation, the Township Attorney shall be reimbursed for out-of-pocket disbursements in an amount not to exceed \$3,000.00; and

WHEREAS, the maximum amount of the Agreement shall not exceed \$160,000.00 during calendar year 2012 plus \$3,000.00 for out-of-pocket disbursements. Except, however, the amount for litigation shall be adjusted when any item or items of litigation exceed one hundred (100) hours and is, therefore, considered to be extraordinary litigation; and

WHEREAS, In Rem Tax Foreclosure actions, while classified as litigation, will be billed separately at the rate of \$1,000.00 per tax sale certificate and will not be covered under the \$160,000.00 nor will any item or items of litigation considered extraordinary in nature; and

WHEREAS, the Township's Chief Municipal Finance Officer has certified that funds are available in the 2012 Temporary Current Fund Budget - Legal - Other Expenses, Line Item No. 122-0009-083 to meet the need of this award during the first quarter of 2012 and, it is anticipated that sufficient funds will be appropriated and available in the 2012 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

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

1. That **John H. Dorsey, Esq., Fred Semrau, Esq.** and the law firm of **Dorsey & Semrau**, located at 714 Main Street, P.O. Box 228 in Boonton, New Jersey 07005, are hereby retained as the "Township Attorney" during calendar year 2012 in providing the Township with professional legal services, including the preparation of legal opinions and the representation of the Township in litigation, and in any negotiations or representations involving developers and/or corporate property owners, all of which are more particularly described in the attached Agreement.

2. For general legal services, the Township Attorney shall be paid a retainer of \$75,000.00 during calendar year 2012. The Township Attorney shall also be compensated, based on the Firm's hourly fee schedule, in rendering professional legal services regarding litigation, tax appeals, condemnations and in representing the Township regarding any proposed land use and corporate developments at the following hourly rates:

John H. Dorsey, Senior Partner.....	\$165.00 per hour
Fred Semrau, Partner.....	\$160.00 per hour
Associate.....	\$135.00 per hour
Paralegal.....	\$ 85.00 per hour

The amount for this portion of the Agreement shall not exceed \$85,000.00, except that this amount for litigation shall be adjusted when any item or items of litigation exceed one hundred (100) hours, and is considered to be extraordinary litigation. The total contract amount, however, for all legal services, shall not exceed the maximum amount of \$160,000.00 plus an amount not to exceed \$3,000.00 for out-of-pocket disbursements. However, In Rem Tax Foreclosures, while classified as litigation, shall be billed separately at the rate of \$1,000.00 per tax sale certificate and shall not be covered under the \$160,000.00 cap.

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

4. The Township's Chief Municipal Finance Officer has certified that funds are available in the 2012 Temporary Current Fund Budget - Legal - Other Expenses, Line Item No. 122-0009-083 to meet the need of this award during the first quarter of 2012 and it is anticipated that sufficient funds will be appropriated and available in the 2012 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

5. The Mayor and Township Clerk are hereby authorized to execute an

Agreement with **John H. Dorsey, Esq. and Fred Semrau, Esq.** on behalf of the Township in an amount not to exceed \$160,000.00 (except In Rem Tax Foreclosure cases which shall be billed separately at the rate of \$1,000.00 per Tax Sale Certificate and cases classified as extraordinary litigation which are not covered under the \$160,000.00 cap) plus out-of-pocket disbursements in an amount not to exceed \$3,000.00.

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

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

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 21-2012

Member Ferramosca offered the following resolution and moved its adoption:

A PROFESSIONAL SERVICES RESOLUTION RETAINING THE SERVICES OF FREDRIC M. KNAPP AND THE FIRM OF KNAPP, TRIMBOLI AND PRUSINOWSKI, LLC AS "SPECIAL LABOR COUNSEL" TO THE TOWNSHIP DURING CALENDAR YEAR 2012 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH MR. KNAPP IN AN AMOUNT NOT TO EXCEED \$60,000.00 BASED ON AN HOURLY RATE OF \$130.00 PER HOUR PLUS AN AMOUNT NOT TO EXCEED \$750.00 FOR OUT-OF-POCKET DISBURSEMENTS, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26 ET SEQ.

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

WHEREAS, in keeping with the requirements of the Non-Fair and Open process of the Pay-to-Play legislation at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township's Business Administrator, in his capacity as the Township of Hanover's Qualified Purchasing Agent has prepared a "Value Determination and Certification", (a copy of which is attached hereto and made a part of this resolution), that the estimated value for the performance of the legal services to be performed in calendar year 2012 has an anticipated value in excess of \$17,500.00; and

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

WHEREAS, it is the intention of the Township Committee to retain the services of **Fredric M. Knapp** and the law firm of **Knapp, Trimboli and Prusinowski, LLC** (hereinafter referred to as the Special Labor Counsel) to serve as the Township's Special Labor Counsel during calendar year 2012; and

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

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

WHEREAS, the maximum amount of the agreement shall not exceed \$60,000.00 for all legal services plus an amount not to exceed \$750.00 for out-of-pocket disbursements during calendar year 2012; and

WHEREAS, the Township's Chief Municipal Finance Officer has certified that funds are available in the 2012 Temporary Current Fund Budget – Legal O/E, Labor Negotiations, Line Item No. 122-0009-095 to meet the need of this award during the first quarter of 2012 and that it is anticipated that sufficient funds will be appropriated and available in the 2012 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

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

1. That **Fredric M. Knapp** and the law firm of **Knapp, Trimboli and**

Prusinowski, LLC, located at 214 Park Avenue, Suite 302 in Florham Park, New Jersey 07932, are hereby retained to provide the Township with professional legal services, as Special Labor Counsel, for calendar year 2012. Services shall include, but not be limited to, preparation for and attendance at negotiations meetings with various labor organization representatives, the preparation of written legal opinions and the representation of the Township in litigation arising out of matters for which the attorney is retained.

2. For all services rendered under the terms of the Agreement, **Mr. Knapp** shall be paid at the rate of \$130.00 per hour plus reimbursement for all necessary disbursements incurred during the performance of legal services. The total contract amount for all legal services, shall not exceed the maximum amount of \$60,000.00 plus an amount not to exceed \$750.00 for out-of-pocket disbursements.

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

4. The Township's Chief Municipal Finance Officer has certified that funds are available in the 2012 Temporary Current Fund Budget – Legal O/E, Labor Negotiations, Line Item No. 122-0009-095 to meet the need of this award during the first quarter of 2012 and that it is anticipated that sufficient funds will be appropriated and available in the 2012 Current Fund Budget, all in accordance with the requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

5. The Mayor and Township Clerk are hereby authorized to execute an agreement with **Fredric M. Knapp** and the Firm of **Knapp, Trimboli and Prusinowski, LLC** on behalf of the Township in an amount not to exceed \$60,000.00 for all legal services plus an amount not to exceed \$750.00 for out-of-pocket disbursements.

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

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

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 22-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE VIDEO TAPING OF TOWNSHIP COMMITTEE MEETINGS FOR A SIX (6) MONTH PERIOD COMMENCING JANUARY 1, 2012 THROUGH JUNE 30, 2012 BY ROBERT KOPACZ, D/B/A ROSENETTV BASED ON A FEE OF \$350.00 PER TAPING WHICH COST SHALL NOT EXCEED \$4,550.00 AND FURTHER AUTHORIZING THE BUSINESS ADMINISTRATOR/TOWNSHIP CLERK TO ISSUE A PURCHASE ORDER BETWEEN ROBERT KOPACZ AND THE TOWNSHIP

WHEREAS, the Township Committee of the Township of Hanover believes that open government and transparency are key elements in communicating to the residents of the Township and the public in general, the actions and decisions made by the governing body; and

WHEREAS, technological advances in the communications industry provide governmental entities with the necessary state-of-the-art tools to transmit information in verbal and visual formats to their constituents, using such mediums as cable TV and the Internet, and most recently via YouTube; and

WHEREAS, it is the philosophy of the governing body that residents of the community should actively participate in the decision making process by attending Township Committee meetings and the meetings of other boards and commissions in order to assist the Township's government in formulating policy; and

WHEREAS, the Township Committee further believes that by video taping and televising meetings of the governing body via cable TV and YouTube, this action will energize members of the community to attend and participate at meetings of the governing body; and

WHEREAS, an informed community is the cornerstone to good government, and in this regard, the Township Committee wishes to retain the services of **Robert Kopacz, d/b/a RosenetTV**, as videographer, in recording and converting into suitable formats for television and the Internet, the regular public meetings of the Township Committee during a six (6) month period commencing January 1, 2012 through June 30, 2012.

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 Township Committee's philosophy of open government and transparency, and the need to inform its constituents of actions and decisions that affect the welfare of the community, the governing body hereby authorizes the video taping of all regular public meetings of the Township Committee during a six (6) month period commencing January 1, 2012 through June 30, 2012.
2. The governing body hereby retains the services of **Mr. Kopacz**, d/b/a/ **RosenetTV** for the purpose of videotaping all regular public meetings of the Township Committee during the first six (6) months of calendar year 2012 which meetings are held at 8:30 p.m. in the Main Meeting Room of the Municipal Building on the second and fourth Thursdays of each month except in July, August, November and December when only one (1) meeting may be convened.
3. **Mr. Kopacz** shall be paid a fee of \$350.00 to tape each Township Committee meeting which fee includes the taping of meetings, the conversion of the tape into suitable formats for broadcasting on Cablevision's Access Channel 21 and for streaming on demand over the Internet via YouTube and the Township's web site. This fee also includes providing the Township with two (2) standard definition DVDs for the Township and the Whippanong Library.
4. That the Business Administrator/Township Clerk is authorized and directed to issue a Purchase Order in an amount not to exceed \$4,550.00 for the taping of Township Committee meetings at the rate of \$350.00 per meeting for the period beginning January 1, 2012 through June 30, 2012. Subject to the approval of the Township Committee, a supplemental Purchase Order covering the taping of meetings during the second half of calendar year 2012 may be issued based on the same rate of \$350.00 per meeting.
5. That a certified copy of this resolution shall be transmitted to **Mr. Kopacz** and the Township's Chief Municipal Finance Officer for reference and information purposes.

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 23-2012

Member Ferramosca offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING
THE TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO
RETURN A 2011 IN LIEU OF TAX DONATION IN THE AMOUNT OF
\$2,288.25 TO THE ASSOCIATION FOR
RETARDED CITIZENS, MORRIS UNIT**

WHEREAS, the Morris Unit of the Association for Retarded Citizens (ARC) presently operates four (4) group homes in Hanover Township for the developmentally disabled; and

WHEREAS, it is the policy of the ARC Morris Unit to provide the municipality in which the group home is located with the equivalent of tax revenue it would normally pay if ARC were not a private not for profit tax exempt organization; and

WHEREAS, in accordance with this policy, ARC submitted a check to the Township of Hanover dated December 20, 2011 in the amount of \$2,288.25 as an in lieu of taxes donation to the Township; and

WHEREAS, because of the important humanitarian role and community service that ARC plays in the Township and the County, it is the desire of the Township Committee to return the full amount of the in lieu of taxes donation to the Morris Unit.

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 the governing body has determined to return the \$2,288.25 donation of the Association for Retarded Citizens, Morris Unit, which donation served as an in lieu of taxes contribution to the Township.

2. That the Township's Chief Municipal Finance Officer is hereby authorized to issue a check in the amount of \$2,288.25 to the Association for Retarded Citizens, Morris Unit, as reimbursement in full for its in lieu of taxes donation which was deposited with the Township on December 20, 2011.

3. That a certified copy of this Resolution along with the reimbursement check shall be transmitted to the Township's Chief Municipal Finance Officer and the Executive Director of the Morris Unit ARC for their reference and information.

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer, Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 24-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION APPROVING A REFUND OF THE SKI PROGRAM FEE

WHEREAS, the following named person has heretofore deposited funds with the Township of Hanover for participation in its Ski Program:

Colleen Ruegger (Patrick)
89 Poplar Drive
Morris Plains, New Jersey 07950..... \$100.00

Patricia Rigas (Thomas)
89 Parsippany Road
Whippany, New Jersey 07981..... \$100.00

WHEREAS, said persons find that their schedules have been arranged beyond their control, and finds it necessary to withdraw their participation.

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

Colleen Ruegger.....\$100.00
Processing Fee..... 10.00
TOTAL REFUND AMOUNT..... \$ 90.00

Patricia Rigas.....(Doctor's Note).....\$100.00

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer, Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 25-2012

Member Ferramosca offered the following resolution and moved its adoption:

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL. #</u>	<u>NAME</u>	<u>AMOUNT</u>
202	2		Petro, Michael/Laura 13 White Birch Drive Morris Plains, NJ 07950	\$2849.19
6014	C0603		Richard & Pamela Thoennesen 603 Viera Drive Cedar Knolls, NJ 07927	\$224.70
60431			Corelogic Attn: Refunds DFW 3-1 1 Corelogic Drive West Lake, TX 76262 RE: Jones/3 Cypress Dr	\$3145.37
606	9		Huang, Wen Yu & Peiling 2 Cedar Run Morris Plains, NJ 07950	\$3230.26
1303	14		Olson, Clifford & Maureen 67 Grand Avenue Cedar Knolls, NJ 07927	\$207.83
4301	2	C2108	PHH Mortgage c/o Corelogic Corelogic Drive Mail Code: DFW 1-3 West Lake, TX 76262	

Attn: Tax Refunds
RE: Devine/2108 Harvest Ct \$250.00

4402 14 C1201 Ge, Sara Mei
1201 Appleton Way
Whippany, NJ 07981 \$99.13

7702 1 Estate of John H Ryden
40 Irving Place
Oyster Bay, NY 11771
RE: 69 Troy Hills Road \$24.62

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 26-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE PROBATIONARY EMPLOYMENT OF ELLEN POLI AS A PART-TIME DEPUTY COURT ADMINISTRATOR EFFECTIVE MONDAY, JANUARY 30, 2012 AND ESTABLISHING HER COMPENSATION AT \$22.25 PER HOUR UNDER JOB GROUP IV OF SALARY GUIDE "C" AS SET FORTH IN SALARY ORDINANCE NO. 31-11 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, NEGATIVE DRUG TEST AND NEGATIVE CRIMINAL HISTORY INFORMATION CHECK)

WHEREAS, with the resignation of Sylvia M. Fuentes as a part-time Deputy Court Administrator on September 2, 2011, a need exists to fill the vacant position; and

WHEREAS, effective September 13, 2011, the New Jersey Supreme Court enacted Rule 1:34-3 establishing a hiring process for Municipal Court Administrators and Deputy Court Administrators; and

WHEREAS, with the enactment of Rule 1:34-3, the hiring process for the above mentioned positions now require the participation of officials of the Township as the appointing authority; the Superior Court Assignment Judge for the Morris/Sussex Vicinage; the Vicinage Municipal Division Manager and the Municipal Court Judges of Hanover and East Hanover Townships under the Shared Court Agreement; and

WHEREAS, in accordance with the December 5, 2011 Memorandum of Understanding (MOU) executed by and between the officials and Court personnel of the County of Morris and the Townships of Hanover and East Hanover, which MOU describes in full the hiring process, interviews of two (2) candidates for the position of part-time Deputy Court Administrator took place on November 29 and December 2, 2011; and

WHEREAS, on December 22, 2011, a second interview was conducted with the finalist, **Ellen Poli**; and

WHEREAS, as a result of both interviews with **Ms. Poli**, the Interview Committee unanimously agrees that **Ms. Poli** has the necessary administrative skills and customer service experience and expertise in meeting the minimum qualifications for the position of part-time Deputy Court Administrator for the shared Municipal Court; and

WHEREAS, the Assignment Judge for the Morris/Sussex Vicinage has reviewed and approved the recommendation of the Interview Committee.

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 Interview Committee, the governing body hereby appoints **Ellen Poli** residing at 32 Brookfield Way in Morristown, New Jersey 07960 to serve as a part-time Deputy Court Administrator in the Violation's Bureau/Municipal Court for a six (6) month probationary period commencing effective Monday, January 30, 2012 and ending Monday, July 30, 2012.
2. **Ms. Poli** shall be compensated at the rate of \$22.25 per hour under Job Group IV as set forth in the Salary Range Guide of Schedule "C" of Salary Ordinance 31-2011. **Ms. Poli** shall only be eligible to receive the annual cost of living adjustment if and when Salary Guides "C" and "D" are adjusted at any time by the governing body and only upon receiving a satisfactory Job Performance Evaluation from the Certified Municipal Court Administrator.
3. **Ms. Poli** 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. In the event that **Ms. Poli** receives

an unsatisfactory evaluation during her probationary period, **Ms. Poli** may be terminated at the conclusion of the probationary period or sooner, whichever is applicable.

4. Pursuant to Township policy, **Ms. Poli** shall not be eligible to receive any eligible prior service credit or receive or accrue any paid vacations, sick leave and health and dental benefits of any kind whatsoever.
5. In accordance with standard Township practice, the appointment of **Ms. Poli** is conditioned on her undergoing a post-offer medical examination, on her production of a negative result on a new-hire drug screening and receiving a negative criminal history records check.
6. That a certified copy of this resolution shall be transmitted to the Certified Municipal Court Administrator, Chief Municipal Finance Officer and **Ms. Poli** for reference and information purposes.

The motion was seconded by Member Francioli, was passed and the resolution adopted by the following roll call vote:

AYES: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RAFFLE APPLICATIONS:

The following applications for raffle licenses were presented to the Committee for their consideration:

1. Our Lady of Mercy Church – HNS, 90 Whippany Road, Whippany, New Jersey, a Calendar Raffle to be held Daily March, April and May at the OLM Center, 90 Whippany Road, Whippany, New Jersey. Said application was assigned No. RL-2524. Identification of the application is No. 193-3-5428.
2. Veterans of Foreign Wars Robert C. Gulick Post 5351, 750 Route 10 East, Whippany, New Jersey, an Instant Raffle to be held 12/7/11 thru 12/16/12 at 750 Route 10 East, Whippany, New Jersey. Said application was assigned No. RL-2525. Identification of the application is No. 193-7-319.
3. New Jersey Jazz Society, c/o Michael A. Katz, 382 Springfield Ave., Suite 217, Summit, New Jersey, a 50/50 to be held on 3/4/12 at the Birchwood Manor, 111 No. Jefferson Road, Whippany, New Jersey. Said application was assigned No. RL-2526. Identification of the application is No. 393-5-36807.

Member Coppola moved that approval be granted to the above-mentioned applications and the licenses be issued. He further moved authorizing and directing the proper officials to sign forms LGCCC5A and LGCCC6B/4, thereby indicating this Committee's approval to the granting of said licenses. The motion was seconded by Member Ferramosca and was unanimously passed.

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of \$4,280,630.14 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 Schleifer and seconded by Member Coppola.

A copy of the Bills 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.

OTHER BUSINESS:

Member Schleifer, as liaison to the Engineering and Finance Department, provided the following progress reports. With regard to Engineering, the contractor has begun the demolition of the structure located at 131 Reynolds Avenue, the Bee Meadow Pool deck repair project is scheduled to begin in the spring, a Developer's Agreement has been prepared for the housing project on American Road, and bids will be received for the DPW gate. With regard to finance, Member Schleifer advised that budget information required for preparation of the 2012 municipal budget is being submitted on a timely basis.

Member Ferramosca, as liaison to the Planning Board, Environmental Commission and the Green Team stated that as a result of the Planning Board's reorganization meeting, J. William Byrne will serve as Chair this year and the Vice Chair will be Robert Nardone. In addition, the Environmental Commission Chair will be Edward Schulz and Vice Chair Tammy Wagner. And, with regard to the Green Team, he announced that they are looking for members.

Member Coppola, as liaison to the Landmark Commission and the Fire Departments reported that Landmark's reorganization meeting will take place on the 19th, and with regard to the fire departments he announced that they are in possession of a draft proposal concerning the proposed consolidation of both departments. The final proposal and recommendation will be submitted later this month.

Member Brueno, as liaison to the Recreation Department and Commission, advised that due to the resignation of the Superintendent of Recreation, resumes are presently being gathered for a replacement. Regarding the Commission, James Coiley

has been selected as Chair. And, he advised that Carol Giorgio will once again serve as the Chair of the Substance Awareness Council.

Mayor Francioli noted that notices are being mailed to residents now that the revaluation has been completed. Residents are afforded the opportunity to meet with the revaluation representatives if they so choose.

In addition, the Mayor advised that the governing body had a pleasant meet and greet opportunity this evening with Bayer HealthCare personnel.

OPEN TO THE PUBLIC:

Mayor Francioli opened the meeting to the public.

Carol Fomchenko residing at Malapardis Road extended a welcome to Committeeman Brueno and wished everyone a Happy New Year and a great year 2012.

No further comments forthcoming, Member Ferramosca moved the public hearing be declared closed. The motion was seconded by Member Schleifer, and was unanimously passed.

No further business appearing, Member Ferramosca moved the meeting be adjourned. The motion was seconded by Member Schleifer and was unanimously passed

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

Joseph A. Giorgio,
Township Clerk