

JANUARY 26, 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 26, 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

**RECOGNITION OF MEMORIAL JUNIOR SCHOOL GIRLS VARSITY SOCCER TEAM
ON WINNING THE MORRIS COUNTY GROUP III TOURNAMENT:**

Mayor Francioli and Committeeman Brueno, Director of Recreation, presented Certificates of Appreciation to the following members of the soccer team and their coach. This is the second consecutive championship the Lady Vikings have won. Congratulations!

Coach Jennifer Kozyra, Captain Ashley Lobell, Captain Cara Schanz, Mayada Ahmed, Sabrina Ahmed, Tania Bilanych, Camryn Calafiore, Gina Dello Russo, Lauren Greenfield, Kristen Hall, Kalliopi Keabajian, Gina Mellen (8th Grader's), Francesca Kaspar, Kate Matrisciano, Silvana Poulter, Danielle Strashinsky, Natalie Turok, Nicole Verdi, Brianna Vogt (7th Grader's) Devon Mac Arthur (6th Grader).

OPEN TO THE PUBLIC:

Mayor Francioli opened the meeting to the public.

Cedar Knolls Fire Commissioner Gary Keyser of 16 Lynn Terrace addressed the Township Committee. Mr. Keyser advised that he will not be seeking re-election when his term is up at the end of the year. He said he wanted to personally thank Mayor Francioli and Township Clerk/Administrator Joseph Giorgio for their assistance and support throughout the years he was serving as a Commissioner. He also extended thanks and appreciation, on behalf of both Fire Departments, to the Public Works and Police Departments for their efforts and assistance during emergencies over the years and most recently Hurricane Irene and the Halloween Snowstorm.

Mr. Keyser also expressed appreciation to those who were responsible for removing the "Welcome Bayer HealthCare" sign which was blocking the Township's campus sign.

Mayor Francioli stated that all parties have always had open and direct communication with each other over the years, and he extended appreciation to Mr. Keyser for all the cooperation afforded to the Township Committee.

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

APPROVAL OF MINUTES:

Mayor Francioli stated that the Minutes of the Regular Meetings of November 21 and December 8, 2011 and the Minutes of the Bid Committee Meeting of December 6, 2011, had been presented to the members of the Committee prior to this meeting by the Clerk.

Member Coppola moved that the Minutes of the Regular Meetings of November 21 and December 8, 2011 and the Minutes of the Bid Committee Meeting of December 6, 2011, be accepted and approved as presented by the Clerk. The motion was seconded by Member Schleifer and was unanimously passed.

COMMUNICATIONS:

The following communication was read and action taken as indicated:

1. Resignation of John Argue from Department of Public Works, Buildings and Grounds and Park Maintenance.

The following letter dated January 24, 2012 from John Argue was read into the record:

“Gentlemen:

Due to ill health, please accept this letter as my official notification that my last day of employment will be January 31, 2012.

Thank you for the opportunity to serve the Township of over the past 31 years at the Township’s Public Works Department.

Very truly yours,
(Signed)
John Argue”

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

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

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 read by title on second reading and a hearing held thereon.

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, the Clerk presented the Proof of Publication of said Ordinance, as published in the January 19, 2012 issue of the Hanover Eagle. Said Proof of Publication was ordered filed as received.

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

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 passed on final reading and that a Notice of the final passage of said Ordinance be published in the February 2, 2012 issue of the Morris County Daily Record.

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

**ORDINANCE: NO. 3-2012 (Amending Section 125-4 Entitled
"Recreation Dept. Fees" New
Resident & Non Resident Fees for
Bee Meadow Swim. Pool)**

Member Brueno offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED 'RECREATION DEPARTMENT FEES' UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF HANOVER ENTITLED FEES WITH THE INCLUSION OF NEW RESIDENT AND NON-RESIDENT POOL MEMBERSHIP FEES FOR THE

YEAR 2012 BEE MEADOW SWIMMING POOL SEASON', 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 Brueno offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED 'RECREATION DEPARTMENT FEES' UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF HANOVER ENTITLED FEES WITH THE INCLUSION OF NEW RESIDENT AND NON-RESIDENT POOL MEMBERSHIP FEES FOR THE YEAR 2012 BEE MEADOW SWIMMING POOL SEASON", 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 Coppola, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

ORDINANCE:

NO. 4-2012

**(Amending Section 267-45. Schedule
XV: Parking Prohibited Certain Hours –
Litchfield Drive)**

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 AMENDING AND SUPPLEMENTING SECTION 267-45. SCHEDULE XV:PARKING PROHIBITED CERTAIN HOURS. UNDER CHAPTER 267 OF THE CODE OF THE TOWNSHIP ENTITLED VEHICLES AND TRAFFIC WITH THE INCLUSION OF PARKING RESTRICTIONS ON LITCHFIELD DRIVE", 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: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

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 AMENDING AND SUPPLEMENTING SECTION 267-45. SCHEDULE XV:PARKING PROHIBITED CERTAIN HOURS. UNDER CHAPTER 267 OF THE CODE OF THE TOWNSHIP ENTITLED VEHICLES AND TRAFFIC WITH THE INCLUSION OF PARKING RESTRICTIONS ON LITCHFIELD DRIVE", 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: Mayor Francioli, Members Schleifer,
Ferramosca, Brueno and Coppola

NOES: None

RESOLUTION: NO. 27-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE PROMOTING MICHAEL LOOCK TO THE RANK OF SERGEANT EFFECTIVE MONDAY, JANUARY 30, 2012 AND ESTABLISHING HIS COMPENSATION AT \$94,172.00 PER ANNUM UNDER STEP 1 OF THE SERGEANT'S STEP CLASSIFICATION GUIDE AS SET FORTH IN SALARY ORDINANCE NO. 25-2007

WHEREAS, in order to maintain adequate supervision within all bureaus of the Police Department, including its platoon organization, it is essential to the proper operation of the Department that a patrolman be promoted to the rank of sergeant; and

WHEREAS, in accordance with the Police Department's Policies and Procedures, the promotional process for the rank of sergeant began in mid-2011 and culminated with the posting of test scores on October 19, 2011; and

WHEREAS, in a memorandum dated October 24, 2011 to the Township's Business Administrator, the Chief of Police provided the scores of the six (6) candidates who attained the highest overall test scores including a copy of the scoring for each candidate; and

WHEREAS, it has been customary for a sub-committee of the Township Committee, namely, the Mayor and Liaison to the Police Department (acting as the Interview Committee) to interview candidates for promotion; and

WHEREAS, on January 16 and 18, 2012, the Mayor, Liaison to the Police Department, Chief of Police and Business Administrator interviewed the six (6) sergeant candidates; and

WHEREAS, pursuant to N.J.S.A. 40A:14-118. and Section 53-3.1 under Chapter 53 of the Code of the Township entitled "Township Committee as Appropriate Authority Under Law", the Township Committee is deemed the appropriate authority in the appointment of such members, officers and personnel as shall be deemed necessary for the efficiency and routine day-to-day operations of the Police Department; and

WHEREAS, after carefully considering the test scores of all six (6) candidates including the interviews conducted on January 16 and 18, 2012, it is the recommendation of the Mayor and Liaison to the Police Department that **Patrolman Michael Loock** be promoted to the rank and position of **Sergeant**; and

WHEREAS, Patrolman Loock commenced employment with the Township as a law enforcement officer on October 13, 2000; and

WHEREAS, the recommendation to appoint **Michael Loock** to the rank of **Sergeant** is contained in a memorandum dated January 19, 2012 from the Business Administrator to the Township Committee; and

WHEREAS, the Township Committee concurs with the recommendation and through this resolution hereby appoints and promotes **Michael Loock** to the rank of **Sergeant** effective Monday, January 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. Pursuant to N.J.S.A. 40A:14-118 and Section 53-3.1 of Chapter 53 of the Code of the Township entitled Police Department, the governing body, as the appropriate authority, hereby appoints and promotes **Patrolman Michael Loock** to the rank and position of **Sergeant** effective Monday, January 30, 2012.
2. **Sergeant Loock** shall be compensated at the base salary of \$94,172.00 per annum under Step 1 of the Sergeant's Step Classification Guide as set forth in Ordinance No. 25-2007.
3. That certified copies of this resolution shall be transmitted to the Chief of Police, the Township's Chief Municipal Finance Officer and **Sergeant Loock** for reference and information purposes.

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. 28-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING KAREN SOLTIS AS THE TOWNSHIP'S TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING JANUARY 30, 2012 AND ENDING JULY 30, 2012 AND ESTABLISHING HER COMPENSATION AT \$52,734.00 PER ANNUM

UNDER JOB GROUP IV IN ACCORDANCE WITH SCHEDULE "B" AND SALARY RANGE GUIDE "C" OF SALARY ORDINANCE NO. 31-2011

WHEREAS, Christine Crotty retired as the Technical Assistant to the Construction Official and Building Sub-Code Official effective January 6, 2012; and

WHEREAS, it is the recommendation of Sean Donlon, the Township's Construction Official that **Karen Soltis**, the Assistant Control Person/Account Clerk in the Building Department be promoted to the position of **Technical Assistant to the Construction Official and Building Sub-Code Official**; and

WHEREAS, **Ms. Soltis** has served as the Assistant Control Person/ Account Clerk in the Building Department since September 6, 2007; and

WHEREAS, Mr. Donlon feels confident that **Ms. Soltis** having worked in the Building Department since September, 2007 has the necessary experience, expertise and skills to fill the vacant position of Technical Assistant; and

WHEREAS, the Township Committee believes it to be in the best interest of maintaining departmental organization and chain of command to accept the recommendation of Mr. Donlon and promote **Ms. Soltis** to the position of **Technical Assistant to the Construction Official and Building Sub-Code Official** based on her experience, expertise and demonstrated abilities in the administration of the Uniform Construction Code; and

WHEREAS, **Ms. Soltis** shall serve a six (6) month probationary period in her new position commencing Monday, January 30, 2012 and ending on Monday, July 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. That **Karen Soltis** residing at 120 Parsippany Road in the Whippany Section of the Township 07981 is hereby appointed and promoted to the position of **Technical Assistant to the Construction Official and Building Sub-Code Official** for a six (6) month probationary period commencing on Monday, January 30, 2012 and ending on Monday, July 30, 2012.
2. In accordance with Schedule "B" and Salary Range Guide "C" of Salary Ordinance No. 31-2011, **Ms. Soltis** shall be compensated at \$52,734.00 per annum under Job Group IV. Since she is within the Range Guide, **Ms. Soltis** 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 Construction Official.

3. **Ms. Soltis** 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. Soltis** receives an unsatisfactory evaluation during the probationary period, **Ms. Soltis** may be returned to her former position or an equivalent position at the conclusion of the probationary period or sooner, whichever is applicable.
4. That certified copies of this resolution shall be transmitted to **Ms. Soltis**, the Township's Chief Municipal Finance Officer and the Construction Official for reference and information purposes.

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. 29-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING SAVERIO C. IANNACONE AS THE TOWNSHIP'S VOLUNTEER PART-TIME ASSISTANT TO THE PROPERTY MAINTENANCE OFFICER/ZONING OFFICER WITHOUT COMPENSATION, ALL IN ACCORDANCE WITH ITEM 13, UNDER SECTION 1. OF ORDINANCE NO. 2-2012

WHEREAS, Saverio C. Iannaccone, a longtime resident of the Township of Hanover who has served with honor and distinction as a former Mayor and member of the Township Committee for thirty-five (35) years has volunteered to serve the community without compensation as it relates to property maintenance and zoning issues; and

WHEREAS, Mr. Iannaccone has extensive experience and expertise as a Professional Engineer licensed by the State of New Jersey and could provide invaluable guidance and advice to the Building Department; and

WHEREAS, the Township Committee is amenable to **Mr. Iannaccone's** offer to serve the community, and in this regard, created the position of Part-time Assistant to the Property Maintenance Officer/Zoning Officer without compensation, pursuant to

Ordinance No. 2-12 which Ordinance was adopted by the governing body, following a public hearing at the January 26, 2012 regular meeting; and

WHEREAS, Mr. Iannaccone shall report directly and come under the supervision of the Construction Official who also serves as the Township's Property Maintenance Officer and Zoning Officer.

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 Ordinance No. 2-12, **Saverio C. Iannaccone** residing at 28 Heritage Lane in the Whippany Section of the Township is hereby appointed to serve as the Township's volunteer Part-Time Assistant to the Property Maintenance Officer/Zoning Officer.
2. **Mr. Iannaccone** shall serve in a voluntary capacity and shall not be entitled to receive any compensation or other economic or non-economic benefits in the performance of his duties as the Part-time Assistant to the Property Maintenance Officer/Zoning Officer.
3. All inspection, work assignments, scheduling of work hours and any other duties will be directly coordinated by and between the Construction Official or his designee and **Mr. Iannaccone**.
4. That certified copies of this resolution shall be transmitted to **Mr. Iannaccone**, the Construction Official and the Township's Chief Municipal Finance Officer for reference and information purposes.

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. 30-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING SAVERIO C. IANNACCONO TO SERVE AS THE CLASS II MEMBER OF THE PLANNING BOARD FOR A ONE (1) YEAR TERM OF OFFICE EXPIRING ON DECEMBER 31, 2012, ALL IN ACCORDANCE WITH N.J.S.A. 40:55D-23

WHEREAS, during its January 26, 2012 regular meeting, the Township Committee appointed **Saverio C. Iannaccone** to serve the community as the Township's volunteer part-time Assistant to the Property Maintenance Officer/Zoning Officer without compensation; and

WHEREAS, N.J.S.A. 40:55D-23 provides that the Mayor may appoint one of the officials of the Township other than a member of the governing body to serve as the Class II member of the Planning Board for a one (1) year term of office; and

WHEREAS, it is the recommendation of Mayor Ronald F. Francioli that **Saverio C. Iannaccone**, who is a member of the Township's Environmental Commission, and also serving as the Part-Time Assistant to the Property Maintenance Officer/Zoning Officer be nominated and appointed to serve as the Class II Planning Board member; and

WHEREAS, it is the intention of the governing body to accept the nomination of **Saverio C. Iannaccone** and appoint him as the Class II Planning Board member.

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 **Saverio C. Iannaccone** residing at 28 Heritage Lane in the Whippany Section of the Township is hereby appointed to serve as the Class II member of the Planning Board.

2. **Mr. Iannaccone's** term of office shall end on December 31, 2012 or until such time as **Mr. Iannaccone's** successor shall be appointed and qualified.

3. The appointment of **Mr. Iannaccone** as the Class II member of the Planning Board shall take effect immediately upon the approval of this resolution.

4. That a certified copy of this resolution shall be transmitted to the Secretary of the Planning Board and **Mr. Iannaccone** for reference and information purposes.

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. 31-2012**

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 2012 IN LIEU OF TAX DONATION IN THE AMOUNT OF
\$1,000.00 TO THE ROSE HOUSE**

WHEREAS, The Rose House, a non-profit corporation for the benefit of people with disabilities operates a group home in Hanover Township for the developmentally disabled; and

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

WHEREAS, in accordance with this policy, **The Rose House** submitted a check to the Township of Hanover dated January 1, 2012 in the amount of \$1,000.00 as an in lieu of taxes donation to the Township; and

WHEREAS, because of the important humanitarian role and community service that **The Rose House** 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 \$1,000.00 donation of **The Rose House**, 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 \$1,000.00 to **The Rose House**, as reimbursement in full for its in lieu of taxes donation which was deposited with the Township on January 17, 2012.

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 Rose House** for their reference and information.

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. 32-2012

Member Ferramosca offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING BOND RELEASE/REDUCTION NO. 2 BY RELEASING THE REMAINING CASH PERFORMANCE BOND IN THE AMOUNT OF \$30,000.00 PLUS A PORTION OF THE INTEREST, PURSUANT TO P.L. 1985,c 315, AND A PORTION OF THE ENGINEERING INSPECTION FEES IN THE AMOUNT OF \$3,020.63 TO DENDREON CORPORATION UPON COMPLETION OF A SUBSTANTIAL PORTION OF THE PUNCH LIST ITEMS RELATED TO VARIOUS BUILDING AND SITE IMPROVEMENTS AT PROPERTY LOCATED AT 220 EAST HANOVER AVENUE IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP AND ALSO DESIGNATED AS LOT 1.01 IN BLOCK 601 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER

WHEREAS, on January 20, 2009 and March 17, 2009, the Planning Board granted preliminary and final site plan approval respectively to **Dendreon Corporation**, for property located at 220 East Hanover Avenue in the Cedar Knolls Section of the Township and also designated as Lot 1.01 in Block 601 as designated on the Tax Map of the Township of Hanover; and

WHEREAS, the property described above is located in the I-5 Industrial Zone District as set forth in Chapter 166 of the Code of the Township entitled Land Use and Development Legislation; and

WHEREAS, **Dendreon Corporation** received approval for improving and expanding the parking areas around the existing building by increasing the number of parking spaces from 110 to a total 672 parking spaces, modifying the entrance drive, pedestrian walkways, building façade changes, landscaping, lighting and drainage improvements at 220 East Hanover Avenue; and

WHEREAS, by resolution dated January 13, 2011, the Developer's Irrevocable Standby Letter of Credit in the amount of \$1,787,658.00 and a portion of the cash bond plus interest in the amount of \$168,629.00 was released to **Dendreon Corporation**; and

WHEREAS, the Engineering Department performed an additional "Final Punch List" inspection and determined that in accordance with the Developer's Agreement dated July 9, 2009, **Dendreon Corporation** has completed a substantial portion of the site improvements with the exception of landscaping items; and

WHEREAS, Dendreon Corporation has requested a release of the remaining cash bond and a partial release of its Engineering Inspection fees; and

WHEREAS, in a letter dated January 16, 2012 to the Mayor and Township Committee, the Township Engineer recommends the release of the remaining cash performance bond in the amount of \$30,000.00 plus a portion of the interest and the return of a portion of the Engineering Inspection Fees in the amount of \$3,020.63 notwithstanding the fact that certain landscaping improvements still must be completed; and

WHEREAS, because the landscaping cannot be completed until the spring of 2012, the Township Engineer further recommends that **Dendreon Corporation** shall be required to complete all the remaining Punch List items on or before 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 January 16, 2012 letter recommendation of the Township Engineer, **Dendreon Corporation's** remaining cash performance bond in the amount of \$30,000.00 plus a portion of the interest pursuant to P.L. 1985, c.315 shall be released to the Developer. The cash bond is on deposit in a TD Bank Escrow Account, Account No. 7760845094.
2. It is the recommendation of the Township Engineer that a portion of the Engineering Inspection Fees in the amount of \$3,020.63 held in Trust Account No. 252-7009-499 be released. The remaining balance of \$1,500.00 will be held in escrow for future inspections during the maintenance period.
3. The remaining sanitary sewer inspection fees in the amount of \$1,001.59 on deposit in Trust Fund Escrow Account No. 252-6100-499 will not be released at this time and will remain in the Escrow Account until the project is completed in its entirety. At the time the project is completed, the HSA Executive Director shall make a determination if the remaining sewer inspection fees can be released.
4. That a certified copy of this resolution shall be transmitted to the Township Engineer, Chief Municipal Finance Officer, the HSA Executive Director and **Dendreon Corporation** for reference and action purposes.

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

RAFFLE APPLICATIONS:

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

1. Mt. Pleasant Animal Shelter, 194 Route 10 West, East Hanover, New Jersey, a Tricky Tray to be held on 4/27/12 at the American Legion, 13 Legion Place, Whippany, New Jersey. Said application was assigned No. RL-2527. Identification of the application is No. 116-4-23148.
2. Mt. Pleasant Animal Shelter, 194 Route 10 West, East Hanover, New Jersey, an on-premise 50/50 to be held at 4/27/12 at the American Legion, 13 Legion Place, Whippany, New Jersey. Said application was assigned No. RL-2528. Identification of the application is No. 116-4-23148.
3. Morristown Rotary, c/o Scott J. Marum, 44 Maple Ave., Morristown, New Jersey, a Tricky Tray to be held on 2/27/12 at the Hanover Marriott, 1401 Route 10 East, Whippany, New Jersey. Said application was assigned No. RL-2529. Identification of the application is No. 324-8-29043.
4. Morristown Rotary, c/o Scott J. Marum, 44 Maple Ave., Morristown, New Jersey, an on-premise 50/50 to be held on 2/27/12 at the Hanover Marriott, 1401 Route 10 East, Whippany, New Jersey. Said application was assigned No. RL-2530. Identification of the application is No. 324-8-29043.
5. PAGG – Parents for the Advancement of Girls Gymnastics, Inc., 19 East Frederick Place, Cedar Knolls, New Jersey, an off-premise raffle to be held on 4/14/12 at 19 E. Frederick Pl. Cedar Knolls, New Jersey. Said application was assigned No. RL-2531. Identification of the application is No. 193-5-39370.

Member Schelifer 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.

OTHER BUSINESS:

At this time, Member Coppola reported the following. That as a result of recent legislation, the Boards of Education have the option to move their elections to November. No decision has been made to date. With regard to combining the Fire Departments, he again advised that the draft report submitted by the independent consultant is currently being reviewed. And, Member Coppola announced that the Board of Fire Commissioners elections will take place on February 19th.

Mayor Francioli explained that residents have the opportunity each year to vote on the Fire Department budgets as the Fire Districts are independent entities.

Member Schleifer announced that the governing body has authorized the Township Engineer to move forward with the clean-up of the Whippany River logjam created as a result of Hurricane Irene in an effort to prevent additional flooding events. In addition, Member Schleifer mentioned that the revaluation has been completed and now residents are afforded the opportunity to meet with the company's representatives to have their questions answered.

Member Ferramosca extended a special acknowledgement to the Township's Engineer, Professional Planner and Planning Board Secretary for their assistance in allowing applications to be heard and approved in record time, especially those dealing with 67 Whippany Investors.

In addition, Member Ferramosca advised that EDAC is working on revising its mission statement. And, regarding the Green Team, he once again announced that they are seeking members.

OPEN TO THE PUBLIC:

Mayor Francioli opened the meeting to the public.

Mr. Keyser requested an update on the status of the Shop-Rite shopping center application which is currently before the Planning Board.

Mayor Francioli stated that the Planning Board has been holding meetings since last September with regard to this proposed shopping center to be located on Horse Hill Road and Hanover Avenue. He advised that ongoing objections have been voiced during several board sessions. Mayor Francioli noted that this seems to be a food industry tactic.

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

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

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

Joseph A. Giorgio
Township Clerk