SEPTEMBER 27, 2012

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, September 27, 2012, at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Members Schleifer,
Ferramosca, Brueno and Coppola

ABSENT: Mayor Francioli

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) John Ferramosca, Deputy Mayor

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OPEN TO THE PUBLIC:

Deputy Mayor Ferramosca opened the meeting to the public.

Erik Pitassi of 8 Kathryn Drive addressed the governing body and inquired whether the Township has a curfew ordinance. His concern, he said, is how a curfew would apply to his 14 year old son.

Township Administrator Joseph Giorgio informed the resident that indeed Hanover Township has a curfew ordinance which prohibits minors under the age of 14 to be in a public street after 10 PM primarily to prevent vandalism especially on Mischief Night. Several recent incidents of vandalism at Black Brook Park were then cited by Deputy Mayor Ferramosca, the $2000 Black Brook Park sign which was vandalized and

had to be replaced and the need to remove a tree at the field house to prevent individuals from climbing the tree to gain access to the field house roof to remove the roof tiles.

Chief of Police Stephen Gallagher informed the resident that he could access the entire ordinance online if he wished more specific information. He also suggested that Mr. Pitassi call him if he had any problems.

Deputy Mayor Ferramosca thanked the resident for appearing.

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

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APPROVAL OF MINUTES:

Deputy Mayor Ferramosca stated that the Minutes of the Bid Committee Meeting of August 14, 2012, had been presented to the members of the Committee prior to this meeting by the Clerk.

Member Schleifer moved that the Minutes of the Bid Committee Meeting of August 14, 2012, be accepted and approved as presented by the Clerk. The motion was seconded b Member Brueno and was unanimously passed.

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RESOLUTION: NO. 179-2012

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION PROVIDING FOR THE ADVANCEMENT IN GRADE AND COMPENSATION FOR THE VIOLATIONS BUREAU EMPLOYEE DENISE BUOYE HAVING RECEIVED A SATISFACTORY JOB PERFORMANCE EVALUATION

WHEREAS, in accordance with Section 61-18. of Chapter 61 of the Code of the Township entitled "Employee Job Performance Evaluation System", the employee named below has received a satisfactory job performance evaluation from her Department Head, and subject to Township policy, is entitled to advance in grade and compensation based on her anniversary date; and

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

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

the Township of Hanover, County of Morris and State of New Jersey, that the individual named below, in accordance with Salary Ordinance No. 14-2012, shall be advanced in grade and compensation on her anniversary date:

VIOLATIONS BUREAU:

Denise Buoye	$28.77 per hr.
Group IV - Step 4	Effective: 10/01/12

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

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

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: NO. 180-2012

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING EDWARD CASHEN TO SERVE AS THE PART-TIME EVENING OFFICE CLERK IN THE RECREATION AND PARK ADMINISTRATION DEPARTMENT AT $10.00 PER HOUR, ALL IN ACCORDANCE WITH SECTION 10., ITEM 1 IN SALARY ORDINANCE NO. 14-12

WHEREAS, in order to accommodate those residents and members of the public who are unable to visit the Recreation and Park Administration Department during daytime hours for registrations and other leisure activity services, the Department has established seasonal evening office hours on Tuesday, Thursday and Friday evenings and some Saturdays during the daytime; and

WHEREAS, in accordance with the Township's employment practices, a job ad for the seasonal part-time office clerical position appeared on the Township's web site; and

WHEREAS, as a result of the on-line job ad, the Township received four (4) applications; and

WHEREAS, the Superintendent of the Recreation and Park Administration Department interviewed the four (4) applicants; and

WHEREAS, after careful consideration of the qualifications of each candidate, the Superintendent of the Recreation and Park Administration Department believes that **Edward Cashen** possesses the necessary experience and skills to assume the duties and responsibilities of the part-time seasonal office clerk; and

WHEREAS, based on the recommendation of the Superintendent of the Recreation and Park Administration Department, **Edward Cashen** shall be hired as the part-time seasonal office clerk at the rate of $10.00 per hour, all in accordance with Section 10., Item 1. of Salary Ordinance No. 14-12.

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 **Edward Cashen**, residing at 7 Boulevard Road in Cedar Knolls, New Jersey 07927 is hereby employed to serve as the Recreation and Park Administration Department's part-time seasonal office clerk. **Mr. Cashen** shall work on Tuesday and Thursday evenings from 6:00 p.m. to 8:30 p.m. from October 1st through June 30th of each calendar year and on two (2) Friday evenings and Saturdays during daytime hours during the month of May in order to process swimming pool and summer camp registrations.

2. **Mr. Cashen** shall be compensated at the rate of $10.00 per hour all in accordance with Section 10., Item 1. under Salary Ordinance No. 14-12.

3. **Mr. Cashen** shall not be entitled to receive or accrue any prior service credit, medical and dental benefits, vacation, sick or personal leave time or holiday pay.

4. Through the Superintendent, the Township reserves the right to modify **Mr. Cashen's** evening work hours and days in order to accommodate the needs of the public.

5. That certified copies of this resolution shall be transmitted to the Superintendent of the Recreation and Park Administration Department, the Township's Chief Municipal Finance Officer and **Mr. Cashen** for reference and information purposes.

INTRODUCED AND SPONSORED BY COMMITTEEMAN AND DIRECTOR OF RECREATION ROBERT M. BRUENO, JR.

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

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: NO. 181-2012

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ELEVATING ARTHUR A. LINFANTE TO FILL A VACANT SEAT ON THE HANOVER TOWNSHIP ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AS A REGULAR MEMBER FOR AN UNEXPIRED TERM OF OFFICE WHICH TERM SHALL EXPIRE ON DECEMBER 31, 2013, ALL IN ACCORDANCE WITH SECTION 21-2.E. AND F. OF CHAPTER 21 OF THE CODE OF THE TOWNSHIP ENTITLED ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, on September 24, 2009, the Township Committee adopted Ordinance No. 12-09 which established an Economic Development Advisory Committee (hereinafter referred to as “EDAC”) and set forth the duties and responsibilities of EDAC; and

WHEREAS, Ordinance No. 12-09 provided for the appointment of seven (7) regular and up to four (4) alternate members; and

WHEREAS, to enhance the diversification of backgrounds and expertise in membership, the governing body adopted Ordinance No. 5-2010 during its February 25, 2010 regular meeting increasing the membership from seven (7) to nine (9) regular members and from four (4) to six (6) alternate members; and

WHEREAS, Ordinance No. 12-09 and Ordinance No. 5-2010 have been codified as Chapter 21 of the Code of the Township entitled Economic Development Advisory Committee; and

WHEREAS, at the January 1, 2012 Reorganization Meeting of the Township Committee, **Arthur A. Linfante** was appointed to serve as the Alternate 2 member to EDAC; and

WHEREAS, because of his demonstrated skills and abilities in the field of real estate appraisal services, **Mr. Linfante** has provided beneficial advice and guidance to EDAC in helping to formulate an economic development plan that focuses attention on retaining existing businesses and attracting new commercial development to the Township; and

WHEREAS, a regular member seat having a two (2) year unexpired term of office for the period commencing January 1, 2012 and expiring on December 31, 2013 is vacant and may be filled; and

WHEREAS, in view of his experience and expertise, it is the recommendation of EDAC's Chairman and the Director of Planning that **Arthur A. Linfante** be elevated to fill a vacant regular member seat; and

WHEREAS, pursuant to the provisions set forth under Chapter 21 of the Code of the Township entitled Economic Development Advisory Committee, specifically Sections 21-2. and 21-2.E., **Arthur A. Linfante**, the current Alternate 2 EDAC member shall be elevated and appointed to a seat on EDAC as a regular 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. In accordance with Sections 21-2. And 1-2.E. as set forth under Chapter 21 of the Code of the Township entitled Economic Development Advisory Committee, **Arthur A. Linfante** residing at 31 Windemere Court in the Whippany Section of the Township is hereby elevated and appointed to fill a vacant seat on the Economic Development Advisory Committee as a regular member for the unexpired term of office.

2. Pursuant to Section 21.2.F.of Chapter 21 of the Code, **Mr. Linfante's** term of office shall take effect immediately with the approval of this resolution, and shall expire on December 31, 2013, or until such time as his successor shall be duly appointed and qualified.

3. That a certified copy of this resolution shall be transmitted to the Chairman of EDAC and **Mr. Linfante** for reference and information purposes.

INTRODUCED AND SPONSORED BY DEPUTY MAYOR AND DIRECTOR OF PLANNING JOHN L. FERRAMOSCA

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

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: NO. 182-2012

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE APPOINTMENT OF KIMBERLY PAINE AS A MEMBER TO THE TOWNSHIP'S SUBSTANCE AWARENESS COUNCIL FOR A TERM OF OFFICE COMMENCING IMMEDIATELY AND ENDING ON DECEMBER 31, 2012

WHEREAS, in accordance with the provisions of Section 67-4.K. entitled "Membership" and Section 67-5. Entitled "Terms; Filling of Vacancies." Under Chapter 67 of the Code of the Township entitled Substance Awareness Council, it is the intention of the Township Committee to appoint the following named individual to serve on the Township's Substance Awareness Council for a term of office commencing with the approval of this resolution and ending on December 31, 2012; and

WHEREAS, the Chairperson of the Substance Awareness Council has recommended the appointment of **Ms. Kimberly Paine**, an elementary school certified substance awareness coordinator to serve as a member of the Township's Substance Awareness Council.

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 following individual is appointed to serve on the Township of Hanover's Substance Awareness Council for a term of office commencing with the approval of this resolution and ending on December 31, 2012: **Ms. Kimberly Paine**, 3 Vincent Terrace, Whippany, N.J. 07981 Private Citizen Representative.

2. **Ms. Paine** shall serve until December 31, 2012 or until such time that her successor is duly appointed and qualified to serve.

3. A certified copy of this resolution shall be transmitted to Chairwoman Carol Giorgio for reference and information purposes.

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

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: NO. 183-2012

Member Coppola offered the following resolution and moved its adoption:

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 $23,850.00 PLUS OUT-OF-POCKET DISBURSEMENTS FOR THE PERFORMANCE OF THE FOLLOWING PHASES OF WORK: (1) CONSTRUCTION DOCUMENT PREPARATION; (2) BID TASKS; AND (3) CONSTRUCTION ADMINISTRATION AND OBSERVATION ACTIVITIES ASSOCIATED WITH THE REMOVAL AND REPLACEMENT OF THE EXISTING WALL AND DECKING ALONG THE EDGE OF THE EXISTING POND AT MALAPARDIS 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, because of its deteriorating condition, it is the intention of the Township to remove and replace the existing railroad tie wall and decking with a masonry wall system along the edge of the existing pond at Malapardis Park including other related improvements; 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 of performing the following scope of services: (1) construction document preparation phase; (2) bid tasks; and (3) construction administration and observation activities; and

WHEREAS, the Township Engineer solicited and received two (2) written quotations and proposals for the scope of services described above:

Suburban Consulting Engineers, Inc.…………………$23,850.00
Hatch Mott MacDonald……………………………………$25,200.00; and

WHEREAS, acting in his authority and in conformance with the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., the Township Engineer has carefully examined both written proposals and quotations and recommends to the Township Committee that **Daren J. Phil,** a professional engineer licensed by the State of New Jersey and the Firm of **Suburban Consulting Engineers, Inc.** be retained to perform the necessary engineering and surveying services related to the removal and replacement of the existing railroad tie wall and decking along the edge of the pond at Malapardis Park including other related improvements; and

WHEREAS, the Township has utilized the services of **Suburban Consulting Engineers, Inc.** on other improvement projects 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 and surveying services related to the project described herein; 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. Construction Document Preparation Phase – Lump Sum…$13,850.00
2. Bidding Phase Tasks – Lump Sum…… $ 2,500.00
3. Construction Administration and
   Observation Phase Tasks – Estimated Fee. ……$ 7,500.00

   TOTAL AMOUNT:…….. $23,850.00; and

WHEREAS, the total cost for the performance of the scope of services as described in the August 13, 2012 letter proposal and quotation shall not exceed $23,850.00 plus out-of-pocket disbursements; 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 surveying 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, Account 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.
100 Valley Road, Suite 202
Mount Arlington, New Jersey 07856

for the purpose of performing the following tasks related to the removal and replacement of the existing railroad tie wall and decking with a masonry wall system including other improvements along the edge of the existing pond at Malapardis Park:

A. Construction Document Preparation Phase – Lump Sum…$13,850.00
B. Bidding Phase Tasks – Lump Sum…… $ 2,500.00
C. Construction Administration and
Observation Phase Tasks – Estimated Fee. ……$ 7,500.00
TOTAL AMOUNT:…….. $23,850.00

2. The total contract amount for the scope of services to be performed by **Suburban Consulting Engineers, Inc.** shall not exceed $23,850.00 plus out-of-pocket disbursements.

3. The August 13, 2012 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. The Township's Chief Municipal Finance Officer has certified that sufficient funds are available in the Township's Open Space Trust Account, Account No. 254-3509-499 to underwrite the cost of the wall replacement project along the pond at Malapardis Park, all in accordance with requirements of the Local Budget Law at N.J.S.A. 40A:4-1 et seq.

6. 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 surveyors licensed by the State of New Jersey, and such services are not subject to competitive bidding.

7. 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 $23,850.00 plus out-of-pocket disbursements.

8. 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 Ferramosca, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

ABSENT: Mayor Francioli

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<u>RESOLUTION:</u> **<u>NO. 184-2012</u>**

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION AUTHORIZING RENEWAL OF A PLENARY RETAIL CONSUMPTION LICENSE FOR THE PERIOD COMMENCING JULY 1, 2012 THROUGH JUNE 30, 2013

WHEREAS*,* the following establishment has applied for the 2012-2013 renewal of Plenary Retail Distribution License, and has deposited the required fee:

NAME & ADDRESS	LICENSE TYPE & NO.	FEE
Casa Lubrano, Inc. CONSUMPTION 41 Ridgedale Avenue Cedar Knolls, NJ 07927	PLENARY RETAIL $1,713.00 1412-33-026-003	

WHEREAS, reports of all municipal agents and officials having been filed and found satisfactory; and

WHEREAS, an Ad Interim Permit application was filed with Alcoholic Beverage Control and approved until a Tax Clearance issue was satisfied/resolved; and

WHEREAS, Tax Clearance Certificate for renewal has been received from the New Jersey Division of Taxation of the above named licensee; and

WHEREAS, in accordance with N.J.A.C. 13:2-23.6, it is the intent of the Township Committee to impose a special condition on all licenses as set forth below.

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

1. The Plenary Retail Consumption License described above is hereby renewed for the period commencing July 1, 2012 through June 30, 2013.

2. The renewal application and license shall include the following special condition which is imposed by the governing body as the licensing authority:

"Nothing is permitted on the licensed premises which, in any way, depicts sexual activity or shows the genitals, private parts of persons or female breasts. This includes not only live entertainment of this type, but movies and other audio or video material and printed matter depicting it."

2. That a certified copy of this resolution shall be transmitted to the New Jersey Division of Alcoholic Beverage Control and the Hanover Township Police Department.

3.

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

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: NO. 185-2012

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER REFUNDING A PORTION OF THE BEE MEADOW SWIMMING POOL MEMBERSHIP FEES TO POOL MEMBERS WHO HAVE MADE REFERRALS DURING THE 2012 POOL SEASON

WHEREAS*,* Section 3. of Ordinance No. 3-2012 states that if a current resident or non-resident pool member refers a new resident or non-resident to join the pool based on the membership categories described in Ordinance No. 3-2012, the resident or non-resident pool member making the referral shall receive a refund of 15% on the type of membership referral. The refund will be made at the conclusion of the pool season. However, the refund shall not exceed the cost of their original membership; and

WHEREAS, a total of forty-one (41) Bee Meadow Swimming Pool members made new membership referrals during the 2012 pool season; and

WHEREAS, in accordance with Section 3. of Ordinance No. 3-2012, the pool members who are listed below are entitled to receive a refund of 15% based on their membership fee category.

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 Section 3. Of Ordinance No. 3-2012, the following pool members who made referrals of new members to the pool shall receive a refund as computed below by the Department of Recreation and Park Administration:

MEMBER:	**REFERRAL REFUND:**
Ileana Cascio	**$158.00**
Richard Fernandez	**79.00**
Ann Sabatino	**127.00**
Michele Hughes	**79.00**
Jodie Haefele	**79.00**
Angela Freeman	**96.00**
John Sheridan	**48.00**
Diane Pillon	**19.00**

Jeffrey Swanson	**79.00**
Linda Rago..	**79.00**
Lilly Callie…….	**79.00**
Frank Rotella……..	**48.00**

MEMBER:	**REFERRAL REFUND:**
Jennifer Heckler……	**48.00**
Elizabeth McCormick	**96.00**
Bonnie Reagan	**79.00**
Julie DiMuzio…….	**48.00**
Frank Grippo..	**79.00**
Sheryl Beyer…	**48.00**
Susan Mondano.	**41.00**
Jill Hoffman……	**79.00**
Allyson Vitale	**48.00**
John Gammero….	**67.00**
Jennifer Costello…….	**29.00**
Sue Spinella……..	**79.00**
Altan Mansur……..	**79.00**
Theresa Diglio……	**48.00**
Andrew Carroll……	**96.00**
Samantha Roake……	**48.00**
Teresa Rakoczy……	**29.00**
Corinne Fitzsimmons……	**79.00**
Amy Stein…….	**79.00**
Marc Amoresano……..	**48.00**
Karen Shoshan….	**79.00**
Scott Walder…	**79.00**
Pam Spindler…….	**79.00**
Valerie Herwood	**79.00**
John Tykowski…….	**29.00**
Jackie Winters….	**29.00**
Tricia Gasperine…….	**29.00**
Mark Vaccero	**48.00**
Robert Korn…….	**41.00**
Ann Hamtil……	**48.00**

2. The Township's Chief Municipal Finance Officer is hereby authorized and directed to issue the refunds to the individuals listed above.

3. That certified copies of this resolution shall be transmitted to the Superintendent of the Recreation and Park Administration Department and the Chief Municipal Finance Officer for reference and action purposes.

The motion was seconded by Member Ferramosca, was passed and the

resolution adopted by the following roll call vote:

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: NO. 186-2012

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING A TWELVE (12) MONTH, ONE TIME EXTENSION OF THE BULK ROCK SALT CONTRACT BY AND BETWEEN THE TOWNSHIP AND INTERNATIONAL SALT COMPANY, LLC BASED ON THE SAME PRICING AND TERMS AND CONDITIONS AS THE ORIGINAL CONTRACT FOR THE PERIOD COMMENCING NOVEMBER 1, 2012 AND ENDING ON OCTOBER 31, 2013, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-15

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Township Committee, during its October 27, 2011 regular meeting approved a resolution awarding a contract to **International Salt Company, LLC** for the furnishing and delivery of bulk rock salt to the Township's Public Works Complex located at 25 North Jefferson Road in Whippany; and

WHEREAS, International Salt Company, LLC, was the lowest responsible and responsive bidder who submitted a bid in the amount of $65.70 per ton for furnishing and delivery of the bulk rock salt; and

WHEREAS, the contract period began on November 1, 2011 and shall end on October 31, 2012; and

WHEREAS, N.J.S.A. 40A:11-15 provides that municipalities may enter into contracts for the furnishing of materials, supplies or services for a period not to exceed twenty-four (24) consecutive months; and

WHEREAS, the Local Public Contracts Law also provides that the governing body, may by resolution, extend a service contract for no more than one, two (2) year, or two, one (1) year extensions, subject to certain limitations; and

WHEREAS, the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department has determined the **International Salt Company, LLC** has performed in an effective and efficient manner during the twelve (12) month contract period, that is, from November 1, 2011 through October 31, 2012 and

recommends that the contract be extended for an additional twelve (12) month period commencing November 1, 2012 through October 31, 2013; and

WHEREAS, by letter received on September 14, 2012, **International Salt Company, LLC** advised the Township's Business Administrator that it agrees to extend the contract through October 31, 2013 based on the same terms, conditions and pricing as set forth in the original contract executed in November, 2011; and

WHEREAS, based on the recommendation of the Township Engineer and the consent of **International Salt Company, LLC**, the Township Committee wishes to extend the bulk rock salt contract for the twelve (12) month period commencing November 1, 2012 and ending October 31, 2013.

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:11-15, the governing body hereby extends the bulk rock salt contract awarded to **International Salt Company, LLC** for one twelve (12) month extension of time commencing November 1, 2012 and ending October 31, 2013. **International Salt Company, LLC** will furnish and deliver bulk rock salt to the Township's DPW Complex in the amount of $65.70 per ton. All other terms and conditions, shall remain the same as those prices stipulated in the November, 2011 written contract by and between the Township and **International Salt Company, LLC.**

2. That a certified copy of this resolution shall be transmitted to the Township Engineer, the Township's Superintendent of the Department of Public Works, Buildings and Grounds and Park Maintenance, the Chief Municipal Finance Officer and **International Salt Company, LLC** for reference and information purposes.

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

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

NOES: None

ABSENT: Mayor Francioli

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RESOLUTION: **NO. 187-2012**

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ENDORSING AND SUPPORTING THE REQUEST BY THE TOWNSHIP OF MORRIS FOR THE SUBMISSION TO THE NJDOT OF TRANSPORTATION PROBLEM STATEMENTS FOR VARIOUS INTERSECTIONS INCLUDING THE COLUMBIA TURNPIKE AND PARK AVENUE INTERSECTION

WHEREAS, The Township of Hanover desires investigation by the New Jersey Department of Transportation of regional transportation issues at the following problem intersections, Columbia Road and Park Avenue, Whippany Road and East Hanover Avenue, Madison Avenue and Normandy Parkway, Madison Avenue and Punchbowl Road, Madison Avenue and Kahn Road; and

WHEREAS, each of the above intersections are within the jurisdiction of the New Jersey Department of Transportation; and

WHEREAS, numerous studies have been completed and have identified issues at these problem intersections. These studies, which have been provided to NJDOT, include the following:

- 2027 Transportation Needs Assessment Study, Florham Park, Prepared by Greenman-Pedersen, Inc. December 23, 2007.

- Traffic Impact Study General Development Plan: The Green at Florham Park, Prepared for Rock-GW, LLC by Stantec, March, 2008.

- Supplemental Traffic Submission, GDP: The Green at Florham Park, Prepared by Stantec, September 4, 2008.

- Traffic Impact Study, General Development Plan, Honeywell, Morris Township, Prepared by Langlan Engineering and Environmental Services, Inc., September 10, 2012.

- Preliminary Plan for flyover design

- Results of consultant analysis for the intersection of Whippany Road and East Hanover Avenue/RT 24 EP ramp.

WHEREAS, The Township of Hanover hereby acknowledges the efforts of the Morris County Engineering Department and the office of the Commissioner of Transportation at their most recent meeting on May 22, 2012 to discuss the issues identified in these studies.

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 the efforts of the Township of Morris in submitting Transportation Problem Statements to the New Jersey Department of Transportation for each of the intersections described in this resolution and especially the intersection of Columbia Turnpike and Park Avenue.

2. That certified copies of this resolution shall be transmitted to the Morris Township Municipal Clerk, Business Administrator and the Hanover Township Engineer for reference and information purposes.

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

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

NOES: None

ABSENT: Mayor Francioli

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<u>RESOLUTION:</u> **<u>NO. 188-2012</u>**

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ACCEPTING AND ADOPTING THE FINDINGS AND RECOMMENDATIONS REPORT OF THE CONSTRUCTION OFFICIAL/PROPERTY MAINTENANCE OFFICER CONCERNING THE CONDITIONOF PROPERTIES LOCATED AT 38 NYE AVENUE, 441 ROUTE 10 AND 940 ROUTE 10 IN WHIPPANY, AND FURTHER AUTHORIZING THE EXPENDITURE OF MUNICIPAL FUNDS FOR THE PURPOSE OF IMPLEMENTING THE FINDINGS AND RECOMMENDATIONS IN REMEDIATING OR CORRECTING THE DEFECTS ON THE PROPERTIES AND APPOINTING THE CONSTRUCTION OFFICIAL/PROPERTY MAINTENANCE OFFICER TO SERVE AS THE CUSTODIAN OF THE PROPERTIES ALL IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE IV, ENTITLED "MUNICIPAL INTERVENTION" AS SET FORTH IN CHAPTER 218 OF THE CODE OF THE TOWNSHIP ENTITLED <u>PROPERTY MAINTENANCE</u>

WHEREAS, pursuant to Article IV, entitled "Municipal Intervention" under Chapter 218 of the code of the Township of Hanover entitled <u>Property Maintenance,</u> the Construction Official/Property Maintenance Officer, in accordance with 218-73., has

filed reports with the governing body of the Township, setting forth the conditions of properties located at 38 Nye Avenue, 441 Route 10 and 940 Route 10 in Whippany and also designated as Lot 1 in Block 3103, Lot 5 in Block 5901 and Lot 4 in Block 9001 respectively, as shown on the Tax Map of the Township of Hanover; and

WHEREAS, pursuant to 218-74. Of the Code of the Township of Hanover, on August 23, 2012, the Township Committee conducted a hearing and provided five (5) days written notice to the property owners as well as advising the property owners of an opportunity to present such evidence and testimony, and other information or documentation in support of the property owner's position; and

WHEREAS, at the August 23, 2012 hearing conducted by the Township Committee, the Construction Official/Property Maintenance Officer submitted his written reports to the governing body in support of the items identified in his three (3) reports; and

WHEREAS, subsequent to the August 23, 2012 hearing, and in accordance with the Hanover Township Property Maintenance Code, Section 218-74., the Construction Official/Property Maintenance Officer has since submitted three (3) reports dated September 27,2012 describing his findings and Recommendations to the Township committee with respect to 38 Nye Avenue, 441 route 10 and 940 route 10; and

WHEREAS, the Findings and Recommendations reports conclude that action in the public interest in warranted for the Township to abate the nuisance, and/or correct the defects relevant to the premises known as 38 Nye Avenue, 441 Route 10 and 940 Route 10; and

WHEREAS, the Township Committee agrees with the Findings and Recommendations submitted by Sean Donlon, the Township's Construction Official /Property Maintenance Officer to the extent that the governing body agrees with the Findings and Recommendations and actions relevant to the remediation or correction of such defects of the three (3) premises.

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

1. That the Findings and Recommendations presented by Sean Donlon, the Township's Construction Official/Property Maintenance Officer in his three (3) memoranda dated September 27, 2012 concerning properties located at 38 Nye Avenue, 441 Route 10 and 940 Route 10 in the Whippany Section of the Township are hereby adopted for the reasons expressed in this resolution as well as the deliberation of the governing body made on the record of the public hearing conducted on August 23, 2012.

2. That the Township Committee intends to authorize the expenditure of municipal funds not to exceed $10,000.00 for the purpose of implementing

the Findings and Recommendations, and plan of remediation of the three (3) premises set forth in paragraph 1 above, all in accordance with Section 218-74. Of the Code of the Township of Hanover entitled “Hearing; Resolution to Abate; Expenditure of Municipal Funds.”

3. That the Township Committee hereby adopts the plan of remediation including costs presented in the findings and Recommendations of the Hanover Construction Official pursuant to Section 218-74. So that these conditions may be abated or remediated.

4. That pursuant to Section 219-75. Of the code of the Township entitled “Appointment of Custodian of Building.”, Sean Donlon shall serve as the custodian of the premises located at 38 Nye Avenue, 441 Route 10 and 940 Route 10, in Whippany and also known as Lot 1 in Block 3103, Lot 4 in Block 9001 and Lot 1 in Block 3103 as set forth on the Tax map of the Township of Hanover, The custodian is authorized to take charge of the premises and abate the nuisances, correct the defects of perform maintenance of the premises to maintain same in a proper condition. All costs and expenses of the Custodian shall be charged against the premise. The Custodian is also directed to coordinate the abatement of the defects and the performance of all maintenance at the properties described herein with the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department.

5. That a certified copy of this resolution shall be transmitted to the construction Official/Property Maintenance Officer, Superintendent of the Public works Department, Chief Municipal Finance Officer, Chief of Police and the Township Attorney for reference and action purposes.

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

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

NOES: None

ABSENT: Mayor Francioli

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RAFFLE APPLICATIONS:

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

1. St. John the Baptist Ukrainian Catholic Church, 60 North Jefferson Road, Whippany, New Jersey a Bingo to be held from 11/7/12 to 5/8/13 at the Ukrainian Center, 60 North Jefferson Road, Whippany, New Jersey. Said application was assigned No. BA-2592. Identification of the application is No. 193-1-13040.

2. Monsignor Sheering Assembly 673, 324 Whippany Road, Whippany, New Jersey, an on-premise raffle to be held on 12/19/12 at 324 Whippany Road, Whippany, New Jersey. Said application was assigned No. RL-2593. Identification of the application is No. 324-6-36059.

3. Morristown Beard School, 70 Whippany Road, Morristown, New Jersey, a Tricky Tray to be held on 11/13/12 at the Birchwood Manor, 111 No. Jefferson Road, Whippany, New Jersey. Said application was assigned No. RL-2594. Identification of the application is No. 324-5-17209.

4. The Rose House, 290 Cedar Knolls Road, Cedar Knolls, New Jersey, a 50/50 to be held on 12/06/12 at 290 Cedar Knolls Rd., Cedar Knolls, New Jersey. Said application was assigned No. RL-2595. Identification of the application is No. 323-4-35479.

5. St. John The Baptist Ukrainian Catholic Church, 60 North Jefferson Rd., Whippany, New Jersey, an on-premise 50/50 to be held on 10/6/12 at St. John's Ukrainian Church, 60 No. Jefferson Rd., Whippany, New Jersey. Said application was assigned No. RL-2596. Identification of the application is No. 143-1-13040-

Member Ferramosca 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 Bruenoand was unanimously passed.

Member Coppola abstained on Raffle License 2593.

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OTHER BUSINESS:

Member Brueno announced that the tennis and basketball courts at Black Brook Park will not be closed this weekend. Work has been delayed due to weather conditions and hopefully will begin next week.

Member Coppola invited all to attend the dedication ceremony to be held at the Whippany Burying Yard on October 13th in memory of Landmark Commission Chairman Robert Augelli.

And, Member Ferramosca announced that the free tree giveaway sponsored by the Environmental Commission was very successful – 115 residents applied for 100 trees.

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OPEN TO THE PUBLIC:

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

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

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

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Joseph A. Giorgio
Township Clerk