

FEBRUARY 28, 2013

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, February 28, 2013, at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Deputy Mayor Ferramosca, Members Schleifer, 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 L. Ferramosca, Deputy Mayor

**RECOGNITION OF SERVICE: Peter Monteverdi Upon Retirement As Coach
Of The Hanover Township Wrestling Program**

The Township Committee presented a plaque to Coach Peter Monteverdi in recognition of 15 years of dedicated service as Coach for the Hanover Township Wrestling Program. Coach Pete's achievements include over 100 varsity victories and 4 League championships.

OPEN TO THE PUBLIC:

Deputy Mayor Ferramosca opened the meeting to the public.

Fred Meola addressed the Township Committee concerning what he referred to as a parking situation at 22 and 28 Whippany Road. He questioned when the problem would be resolved as it has been ongoing for the past two years.

Acting Mayor Ferramosca stated that an answer will be provided once the governing body has had an opportunity to look into the matter.

Peggy Esposito owner of Richards Farm Stand, accompanied by her husband, advised the governing body that they are having problems as a result of complaints being made by the residents of a house on Slattery Lane. Ms. Esposito noted that the Property Maintenance Officer is threatening to issue fines if the truck parking violations are not abated. She said that she and her husband cannot handle the problem due to the illnesses they are both experiencing. In addition, she said that if her tenants move out they will "lose everything".

Acting Mayor Ferramosca extended his condolences and stated that they will contact the Building Department since none of the members are familiar with the situation.

John Papa of 11 Hubert Street stated that residents are aware that the Township Committee met with Carol Grossi the Superintendent of Schools regarding the upcoming \$17 million referendum to be voted on on March 12th to install turf fields and make other improvements at both High Schools. Mr. Papa stated that residents would like the support of the members of the Township Committee made known in public.

Acting Mayor Ferramosca said he did not think it was fair for the members of the Committee to be asked to voice either for or against what is occurring in another taxing district. He explained that the Town, the Fire Districts and the Board of Education are all independent taxing entities.

Member Brueno then read into the record the following letter from Mayor Francioli, who could not be present this evening:

"To the resident voters of Hanover Township,

At a special election to be held this March 12th you will be asked to vote on the subject of improvements to our Regional High Schools athletic fields and the cost there-of to be funded by a bond issue.

Many of our neighbors have asked my personal opinion on this and I offer the following:

The upgrades and improvements requested by the Regional School Board involve upgrading the surfaces of the existing playing fields, spectator bleachers and critically needed lighting. The plans and specifications for these improvements have received a courtesy review from the Hanover Township Planning Board who are satisfied these improvements would not negatively impact the immediate neighborhoods.

The Township Committee has also been provided with a comprehensive briefing on the project, which included a detailed needs assessment. I make no comment on each Committeeman's opinion.

When asked personally, I find the upgrades to be justifiable and if left unattended – only costlier.

Before voting take note of the following: Hanover, the municipal government, remains with no bonded debt. While this is admirable for the municipal government, the schools requirements are not the same. Consider this, if there is a need to borrow, there is no doubt that bond rates are at an all-time low and borrowing at this time can be extremely advantageous.

Having, said that, improvements that will last for the length of time the bonds are issued for are worth your consideration – that's just good financial management.

Questions: Will these improvements add to my property values? The answer is, yes. Schools are one of the leading reasons a family selects a community like Hanover. And, athletic facilities are more and more a foremost consideration.

Will this raise my taxes? The answer is also, yes – slightly. But in my opinion, only for the short term. Hanover's ratable base is growing at an ever increasing rate and so are our commercial income levels. Commercial taxes will shortly exceed our residential.

Who will this benefit from the most? All of us, but certainly our students and young athletes. In either event, there is no side stepping the need to maintain all the facilities in our community that serve all of us; Athletic facilities, parks and recreational facilities, streets, utilities they all must be maintained or the costs of ignoring them will only mount up.

The decision is yours Hanover. Some will oppose this on the basis of cost – understood. Others will support it for the same reason, but that of lowering the cost of long-term maintenance while adding value to the Hanover facilities.

More information to help you make an informed decision can be obtained through the Regional Board of Education's offices in East Hanover. I highly suggest you acquaint yourself with all the facts.

(Signed)
Ron Francioli"

Member Brueno then stated that he is in favor of the improvements since he feels turf fields are no longer a luxury.

And Member Coppola explained that he is in the middle of the two groups he represents, which groups are the Senior Citizens and both the local and Regional School Boards. He recommended that everyone focus on getting residents out to vote.

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

APPROVAL OF MINUTES:

Acting Mayor Ferramosca stated that the Minutes of the Reorganization Meeting of January 1, 2013 and the Minutes of the Regular Meeting of January 10, 2013, had been presented to the members of the Committee prior to this meeting by the Clerk.

Acting Mayor Ferramosca moved that the Minutes of the Reorganization Meeting of January 1, 2013 and the Minutes of the Regular Meeting of January 10, 2013 be accepted and approved as presented by the Clerk. 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.W.Gallagher	Month Ending 1/31/13
Police Department	S.W.Gallagher	Annual Summary 2012
Building Department	S.Donlon	Month Ending 1/31/13
Building Department	S.Donlon	Month Ending 12/31/12
Treasurer's Report	S.Esposito	Month Ending 1/31/13
DPW	B.Foran	Month Ending 1/31/13
Parks	B.Foran	Month Ending 1/31/13
DPW/Parks	B.Foran	Annual Summary 2012
Treasurer's Report	S.Esposito	Month Ending 12/31/12
Collector's Report	S.Esposito	Annual Summary 2012
Property Maintenance	E.DeSimoni	Month Ending 1/31/13

ORDINANCE: **NO. 8-2013**

**(Authorizing a 1.5% Increase in the
Appropriation Limit of the 2013
Current Fund Budget)**

Member Brueno 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 ONE AND A HALF (1.5%) PERCENT INCREASE IN THE APPROPRIATION LIMIT OF THE TOWNSHIP'S CALENDAR YEAR 2013 CURRENT FUND BUDGET AND FURTHER ESTABLISHING A CAP BANK, ALL IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14" be read by title on second reading and a hearing held thereon.

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

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

NOES: None

ABSENT: Mayor Francioli

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the February 21, 2013, issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

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

Member Schleifer 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 ONE AND A HALF (1.5%) PERCENT INCREASE IN THE APPROPRIATION LIMIT OF THE TOWNSHIP'S CALENDAR YEAR 2013 CURRENT FUND BUDGET AND FURTHER ESTABLISHING A CAP BANK, ALL IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14" be passed on final reading and that a Notice of the final passage of said Ordinance be published in the March 7th, 2013 issue of the Morris County Daily Record.

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

AYES: Acting Mayor Ferramosca, Members Schleifer,

Brueno and Coppola

NOES: None

ABSENT: Mayor Francioli

ORDINANCE: **NO. 9-2013** **(Reducing the \$.02/100 Assessed Valuation Dedicated Open Space Trust Fund Tax Rate to \$.005 for 2013)**

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 REDUCING THE TWO CENT (\$.02) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DEDICATED OPEN SPACE TRUST FUND TAX RATE TO ONE-HALF CENT (\$.005) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DURING CALENDAR YEAR 2013 ONLY AND FURTHER AUTHORIZING THE TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO COLLECT THE ONE-HALF CENT (\$.005) DEDICATED TAX", be read by title on second reading and a hearing held thereon.

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

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

NOES: None

ABSENT: Mayor Francioli

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the February 21, 2013, issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

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

Member Brueno 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 REDUCING THE TWO CENT (\$.02) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DEDICATED OPEN SPACE TRUST FUND TAX RATE TO ONE-HALF CENT (\$.005) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DURING CALENDAR YEAR 2013 ONLY AND FURTHER AUTHORIZING THE TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO COLLECT THE ONE-HALF CENT (\$.005) DEDICATED TAX", be passed on final reading and that a Notice of the final passage of said Ordinance be published in the March 7th , 2013 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: Acting Mayor Ferramosca, Members Schleifer, Brueno and Coppola

NOES: None

ABSENT: Mayor Francioli

**(Authorizing Lease Agreement
With Hanover Township Little League
For Black Brook Park Concession
Stand – 4/13/13 thru 8/31/13)**

ORDINANCE: NO. 10-2013

Member Brueno offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE HANOVER TOWNSHIP LITTLE LEAGUE, INCORPORATED, FOR THE OPERATION OF THE BLACK BROOK PARK CONCESSION STAND COMMENCING APRIL 31, 2013 THROUGH AUGUST 31, 2013", be introduced and read by title on first reading.

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

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

NOES: None

ABSENT: Mayor Francioli

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 AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE HANOVER TOWNSHIP LITTLE LEAGUE, INCORPORATED, FOR THE OPERATION OF THE BLACK BROOK PARK CONCESSION STAND COMMENCING APRIL 31, 2013 THROUGH AUGUST 31, 2013", be passed on first reading.

BE IT 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 14th day of March, 2013, 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 Schleifer, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

ABSENT: Mayor Francioli

ORDINANCE: NO. 11-2013 (Authorizing Replacement of Filter Media Systems for the Main & Wading Pool at Bee Meadow & Approp. \$20,000 from SPEF Cap. Acct. of 2013 & Prior)

Member Brueno 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 THE REPLACEMENT OF THE FILTER MEDIA SYSTEMS FOR THE MAIN POOL AND

WADING POOL AT THE BEE MEADOW SWIMMING POOL FACILITY AND FURTHER APPROPRIATING THE SUM OF \$20,000.00 FROM THE SWIMMING POOL ENTERPRISE FUND CAPITAL ACCOUNT OF 2013 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT', be introduced and read by title on first reading.

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

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

NOES: None

ABSENT: Mayor Francioli

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 OF THE TOWNSHIP OF HANOVER AUTHORIZING THE REPLACEMENT OF THE FILTER MEDIA SYSTEMS FOR THE MAIN POOL AND WADING POOL AT THE BEE MEADOW SWIMMING POOL FACILITY AND FURTHER APPROPRIATING THE SUM OF \$20,000.00 FROM THE SWIMMING POOL ENTERPRISE FUND CAPITAL ACCOUNT OF 2013 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT", 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 28th day of March, 2013, 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.

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

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

NOES: None

ABSENT: Mayor Francioli

INTRODUCTION OF THE 2013 CURRENT FUND MUNICIPAL BUDGET:

The Clerk stated that the Division of Local Government Services has acknowledged receipt of the Annual Debt Statement as filed by the CMFO. The Clerk also advised that in accordance with State regulations a synopsis of the 2013 Local Municipal Budget will appear in the Daily Record.

RESOLUTION: NO. 49-2013

Member Brueno offered the following resolution and moved its adoption:

A RESOLUTION PROVIDING FOR INTRODUCTION OF THE 2013 LOCAL MUNICIPAL BUDGET

BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris and State of New Jersey, that the 2013 Local Municipal Budget be read by title on first reading.

General Appropriations:

Appropriation within "CAPS" (a) Municipal Purposes	\$17,561,021.00
Appropriation excluded from "CAPS" (a) Municipal Purposes	\$ 2,970,238.00
Reserve for Uncollected Taxes Based on Estimated 95.0% of Tax Collection	\$ 2,995,563.60
Total General Appropriations	\$23,526,822.60
Less: Anticipated Revenues Other than Current Property Tax	\$ 8,412,984.00
Difference: Amount to be raised By Taxes for Support of Municipal Budget	
(a) Local Tax for Municipal Purposed Including Reserve For Uncollected Taxes	\$15,113,838.60

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

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 50-2013

Member Brueno offered the following resolution and moved its adoption:

A RESOLUTION SETTING THE DATE AND TIME FOR THE PUBLIC HEARING AND ADOPTION OF THE 2013 LOCAL MUNICIPAL BUDGET

BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris and State of New Jersey, that the 2013 Local Municipal Budget be passed on first reading.

BE IT FURTHER RESOLVED, that said Local Municipal Budget shall be further considered for final passage at the meeting of the Township Committee of the Township of Hanover on the 28th day of March, 2013, 1at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, Whippany, at which time and place all persons shall be given an opportunity to be heard concerning said Budget.

BE IT FURTHER RESOLVED, that the Township Clerk be authorized and directed to advertise said Budget revenue and appropriate summaries with the Notice of Introduction thereof, in The Daily Record, according to law.

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

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

NOES: None

ABSENT: Mayor Francioli

PUBLIC HEARING:

Person to Person Transfer of Alcoholic Beverage License No. 1412-36-033-001 Merritt Hospitality, LLC, T/A Hanover Marriott Hotel, 1401 Route 10, Whippany To ISBI Hanover Hotel, LLC, T/A Hanover Marriott Hotel at the Same Location

The Township Clerk stated that all notices have been published and reports have been received in accordance with N.J.A.C. 13:2-2.5 and 13.2-29.

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

RESOLUTION: NO. 51-2013

Member Coppola offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPROVING A PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NUMBER 1412-36-033-001 PREVIOUSLY HELD BY MERRITT HOSPITALITY, LLC, TRADING AS HANOVER MARRIOTT HOTEL, AT 1401 ROUTE 10, WHIPPANY TO ISBI HANOVER HOTEL, LLC, TRADING AS HANOVER MARRIOTT HOTEL, AT THE SAME LOCATION

WHEREAS, ISBI Hanover Hotel, LLC, a Limited Partnership, has applied to the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, for a person to person transfer of Plenary Retail Distribution License Number 1412-36-033-001 previously held by Merritt Hospitality, LLC trading as Hanover Marriott Hotel, located at 1401 Route 10, Whippany, New Jersey 07981; and

WHEREAS, the applicant has deposited along with the application, a person to person transfer fee of \$171.30 and publisher's affidavits, are on file with the Township Clerk, which set forth that the proper notices of the application have been published in accordance with regulations prescribed under N.J.A.C. 13:2-2.5 and 13.2-2.9; and

WHEREAS, no objections have been filed with the Township Clerk, and whereupon, a hearing has been held by the Township Committee on February 28, 2013, on the application of **ISBI Hanover Hotel, LLC**, which application is deemed to be in order.

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 application of **ISBI Hanover Hotel, LLC**, trading as Marriott Hotel, for premises at 1401 Route 10, Whippany, for a person to person transfer of Plenary Retail Distribution License Number 1412-36-033-001 from Merritt Hospitality,

LLC, trading as **Hanover Marriott Hotel**, at 1401 Route 10, Whippany, is hereby approved, effective February 28, 2013.

2. The special condition prohibiting entertainment depicting sexual activity and nudity as imposed by the governing body on all licenses in the Township shall apply to the transfer of this license to **ISBI Hanover Hotel, LLC**, trading as **Hanover Marriott Hotel**, for premises located at 1401 Route 10, Whippany.

3. That a certified copy of this resolution shall be transmitted to the New Jersey Division of Alcoholic Beverage Control, **ISBI Hanover Hotel, LLC** and the Hanover Township Police Department 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: Acting Mayor Ferramosca, Members Schleifer, Brueno and Coppola

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 52-2013

Member Schleifer offered the following resolution and moved its adoption:

A RESOLUTION PROVIDING FOR THE ADVANCEMENT IN GRADE AND COMPENSATION FOR EMPLOYEES LUIS MONIZ AND LEO HALKO IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT 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 employees named below have received a satisfactory job performance evaluation from their Department Head, and subject to Township policy, are entitled to advance in grade and compensation based on their anniversary date; and

WHEREAS, the Township's Chief Municipal Finance Officer has certified the correct advancement in grade and compensation for the employees 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 individuals named below, in accordance with Salary Ordinance No. 14-2012, shall be advanced in grade and compensation on their anniversary date:

PUBLIC WORKS DEPARTMENT:

Luis Moniz
Group I- Step 2

\$ 17.92 per hour
Effective: 01/01/13

Leo Halko
Group III- Step 3

\$ 22.31 per hour
Effective: 02/01/13

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 Brueno, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 53-2013

Member Schleifer offered the following resolution and moved its adoption:

A RESOLUTION AUTHORIZING THE RECLASSIFICATION OF LOUIS MICHETTI FROM JOB GROUP III TO JOB GROUP IV IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT AS A RESULT OF RECEIVING A COMMERCIAL DRIVER LICENSE ALL IN ACCORDANCE WITH HIS RESOLUTION OF APPOINTMENT DATED MAY 24, 2012

WHEREAS, **Louis Michetti** was hired by the Township as a replacement full-time park maintenance worker by resolution dated May 24, 2012; and

WHEREAS, as a condition of employment, **Mr. Michetti** was required to obtain a valid Commercial Driver License with a Class "A" or "B" endorsement on or before December 1, 2012; and

WHEREAS, the resolution provided that if **Mr. Michetti** obtained a Commercial Driver License by the December 1, 2012 deadline, he would be reclassified from Job Group III to Job Group IV under Salary Guide "D" at the hourly rate of \$20.50; and

WHEREAS, the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department has advised the Business

Administrator/Township Clerk that **Mr. Michetti** has received a valid Commercial Driver License and should be reclassified to Job Group IV effective March 1, 2013; 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 as a result of receiving a valid Commercial Driver License:

PUBLIC WORKS DEPARTMENT:

Louis Michetti
Group IV

\$ 20.50 per hour
Effective: 03/01/13

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

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 54-2013

Member Schleifer offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE APPOINTMENT OF GRACE JACOBSON, KRISTEN DAKAK AND REBECCA NAYLOR AS MEMBERS TO THE TOWNSHIP'S SUBSTANCE AWARENESS COUNCIL FOR A TERM OF OFFICE COMMENCING IMMEDIATELY AND ENDING ON DECEMBER 31, 2013

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 individuals 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, 2013; and

WHEREAS, the Chairperson of the Substance Awareness Council has recommended the appointment of **Ms. Grace Jacobson, Ms. Kristen Dakak and Ms.**

Rebecca Naylor, Hanover Township School District guidance counselors to serve as members 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 individuals are 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, 2013:

Ms. Grace Jacobson, 61 Highland Avenue , Whippany, N.J. 07981
School District Representative.

Ms. Kristen Dakak , 61 Highland Avenue , Whippany, N.J. 07981
School District Representative.

Ms. Rebecca Naylor, 61 Highland Avenue , Whippany, N.J. 07981
School District Representative.

2. The individuals set forth above shall serve until December 31, 2013 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 Brueno, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 55-2013

Member Schleifer offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE AWARD OF A CONTRACT TO ANDY MATT, INC., THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, IN AN AMOUNT NOT TO EXCEED \$46,809.00 FOR THE MALAPARDIS PARK IMPROVEMENT PROJECT AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A CONTRACT WITH THE COMPANY

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, the Township of Hanover, acting in conformity with N.J.S.A. 40A:11-1 et seq., publicly advertised for bids on January 24, 2013 for the above referenced Park Improvement Project; and

WHEREAS, the Township's Specifications and Supplementary Specifications prepared by Suburban Consulting Engineers, Inc. requires soil erosion and sediment control, a 4' wide hot mix asphalt sidewalk, 2" thick, a pond access replacement platform and two (2) supplemental bid items which may be selected for construction under a contract; and

WHEREAS, the two (2) supplemental items include a 4' wide hot mix asphalt sidewalk, 2" thick and a replacement fishing platform meeting Americans With Disabilities Act specifications; and

WHEREAS, on February 20, 2013, pursuant to public advertising, the Township's Bid Reception Committee received and opened a total of six (6) sealed competitive bids out of fifteen (15) prospective bidders; and

WHEREAS, the Township Engineer, acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has carefully examined all the bid documents for the Malapardis Park Improvement Project and has determined that the lowest competitive bid submitted by **Andy Matt, Inc.** for the replacement of the existing railroad tie wall and decking, is in total conformance with the Township's Specifications and Supplementary Specifications dated January, 2013 and does not include any exceptions, deviations or deficiencies, and is therefore deemed the lowest responsible and responsive bidder; and

WHEREAS, in a letter dated February 26, 2013 to the Township Committee, the Township Engineer recommended that the governing body award a contract for the Malapardis Park Improvement Project described herein to **Andy Matt, Inc.** which bidder submitted the lowest competitive base bid for this project in the amount of \$34,534.00 related to the soil erosion and sediment control work, the 4' wide, 2" thick sidewalk and the replacement pond access platform; and

WHEREAS, the Township Engineer also recommends that the two (2) supplemental items also be included as part of the award which supplemental items include the supplemental 4' wide hot mix asphalt sidewalk 2" thick in the amount of \$2,565.00 and the replacement of the fishing platform in accordance with ADA requirements in the amount of \$9,710.00; and

WHEREAS, the total contract amount shall not exceed \$46,809.00; and

WHEREAS, sufficient funds are available for this project through the Open Space Trust Fund Account, Line Item No. 254-3509-499, all in accordance with 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. A contract is hereby awarded to:

Andy Matt, Inc.
11 Schrub Oaks Road
Mine Hill, New Jersey 07803

for the performance of the following base bid items: (a) soil erosion and sediment control; (b) the installation of a 4' wide hot mix asphalt sidewalk 2" thick; and (c) the construction of a replacement pond access platform in an amount not to exceed \$34,534.00. In addition, the Township Engineer is recommending that the award of a contract include the following supplemental items: (d) plus the installation of supplemental 4' wide hot mix asphalt sidewalk 2" thick in the amount of \$2,565.00; and (e) the replacement of the fishing platform in accordance with ADA requirements in the amount of \$9,710.00 pursuant to the Specifications and Supplementary Specifications which were utilized by the Township in connection with the bidding process as set forth in the advertisement for bids, said contract being awarded on the basis that it shall not exceed \$46,809.00.

2. Upon commencement of the work, **Andy Matt, Inc.** shall be responsible in providing sufficient personnel, and to continue in completing the project in an expeditious fashion, all in accordance with requirements of the Township's Specifications and Supplementary Specifications. In addition, **Andy Matt, Inc.** shall be required to submit a satisfactory work or progress schedule to the Township Engineer.

3. The Township's Chief Municipal Finance Officer has certified that sufficient funds are available through the Township's Open Space Trust Fund Account, Line Item No. 254-3509-499 in the amount of \$46,809.00 for the Malapardis Park Improvement Project set forth in this resolution.

4. The Mayor and Township Clerk are hereby authorized to execute a contract on behalf of the Township of Hanover with **Andy Matt, Inc.** in an amount not to exceed \$46,809.00.

5. A certified copy of this resolution shall be transmitted to the Township Engineer, the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department, the Chief Municipal Finance Officer and **Andy Matt, Inc.** for their reference and information.

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

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 56-2013

Member Schleifer offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT WITH LAGUARDIA & ASSOCIATES ENTERTAINMENT & PRODUCTIONS IN AN AMOUNT NOT TO EXCEED \$25,750.00 AS AGENT AND PRODUCER OF FIVE (5) LIVE VOCAL CONCERTS ON JULY 8, 15, 22 AND 29 AND SEPTEMBER 7, 2013 WHICH CONCERTS SHALL BE HELD AT THE BRICKYARD FIELD AT BEE MEADOW PARK AND MALAPARDIS PARK, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-5.(1)(a)(ii) 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 N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq., the Township has a need to retain the services of a consultant who serves as an agent to professional vocal artists; and

WHEREAS, the Township's Recreation and Park Administration Department wishes to host a 2013 summer concert series offering the residents of the Township with an opportunity to take a trip down memory lane by enjoying the nostalgic music and talent of famous recording and performing artists from the 1950's through the 1970's; and

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WHEREAS, in order to assist the Recreation and Park Administration Department in producing and coordinating a live summer concert program, the Superintendent of the Recreation and Park Administration Department requested a proposal and quotation from a consultant who serves as an agent to performing artists, and has the necessary expertise and experience in the field of entertainment to help municipalities sponsor community events which headline top name entertainers from the past and present; and

WHEREAS, **LaGuardia & Associates Entertainment & Productions** (hereinafter referred to as **LaGuardia & Associates**) located at 388 Pompton Avenue, in Cedar Grove, New Jersey 07009 submitted a satisfactory proposal based on the needs of the Township of Hanover, to perform consultant entertainment services which

includes the engagement of five (5) vocal groups and furnishing the necessary sound amplification equipment and technician for each of the concerts; and

WHEREAS, the award of a contract to **LaGuardia & Associates** may be narrowly construed as an Extraordinary, Unspecifiable Service in that the services to be rendered by the consultant can be classified as specialized in nature in the field of artistic endeavor related to the engagement and production of live entertainment by recording and performing vocal artists; and

WHEREAS, **LaGuardia & Associates** shall assist the Township in the production of the Township's 2013 Summer Concert by engaging five (5) vocal groups to perform on the nights of July 8, July 15, July 22 and July 29, 2013 which performances shall take place at the Brickyard Field at Bee Meadow Park in the Whippany Section of the Township of Hanover; and

WHEREAS, as part of Hanover Township Day which is scheduled for Saturday, September 7, 2013, a fifth concert is also scheduled; and

WHEREAS, various private sector businesses and corporations within the Township have contributed money to underwrite the cost to hire **LaGuardia & Associates** and shall serve as sponsors of each of the concerts; and

WHEREAS, in keeping with the requirements of the Non-Fair and Open process of the Pay-to-Play legislation at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq., the Township's Business Administrator, in his capacity as the Qualified Purchasing Agent, has prepared a "Value Determination and Certification", (a copy of which is attached hereto and made a part of this resolution), and certified in writing that the value of **LaGuardia & Associates'** consultant services during calendar year 2013 will not exceed \$25,750.00; and

WHEREAS, **LaGuardia & Associates** has completed and submitted a Business Entity Disclosure Certification form, which certifies that **LaGuardia & Associates** 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 contract will prohibit **LaGuardia & Associates** from making any reportable contributions for the term of the contract; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.26, **LaGuardia & Associates** has also filed a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification; and

WHEREAS, the total contract amount with **LaGuardia & Associates** shall not exceed \$25,750.00 which funds are available and deposited in Reserve for Recreation Account No. 190-0111-401.

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

1. The Mayor and Township Clerk are hereby authorized to execute a contract with **LaGuardia & Associates Entertainment & Productions** located at 388 Pompton Avenue, in Cedar Grove, New Jersey 07009 for the purpose of providing the Township with consultant entertainment services which includes the engagement of five (5) vocal groups and furnishing the necessary sound amplification equipment and technician for each of the concerts. The concerts shall be held on the nights of July 8, 15, 22 and 29, 2013 at the Brickyard Field at Bee Meadow Park in the Whippany Section of the Township.

2. A fifth concert will be held at Hanover Township Day on Saturday, September 7, 2013 with a rain date of Sunday, September 8, 2013 at Malapardis Park. The total contract amount shall not exceed \$25,750.00. Funds for the payment of **LaGuardia & Associates** and the five (5) vocal groups engaged by the consultant have been deposited by the Recreation and Parks Administration Department in Reserve for Recreation Account, Line Item No., 190-0111-401, all in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., and are available to meet the costs associated with the production of the concerts.

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 Disclosure Entity Certification form, the Chapter 271 Political Contribution Disclosure form, and the Stockholder Disclosure Certification submitted by **LaGuardia & Associates** 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. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service", in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law in that the services to be rendered by the consultant can be classified as specialized in nature in the field of artistic endeavor related to the engagement and production of live entertainment by recording and performing vocal artists.

5. 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 Brueno, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 57-2013

Member Schleifer offered the following resolution and moved its adoption:

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PERMITTING THE TOWNSHIP TO ASSUME THE RESPONSIBILITY OF CONDUCTING A SELF-EXAMINATION OF THE CALENDAR YEAR 2013 CURRENT FUND BUDGET

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hanover has been declared eligible to participate in the program by the Division of Local Government Services and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

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

1. In accordance with N.J.A.C. 5:30-7.6a and 7.6b, and based upon the Chief Financial Officer's Certification, the governing body has found that the calendar year 2013 Current Fund Budget has met the following requirements:
 - A. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 1. Payment of interest and debt redemption charges;
 2. Deferred charges and statutory expenditures;
 3. Cash deficit of preceding year;
 4. Reserve for uncollected taxes;
 5. Other reserves and non-disbursement items; and
 6. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for

exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the 2013 budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - A. All estimates of revenue are reasonable, accurate and correctly stated;
 - B. Items of appropriation are properly set forth; and
 - C. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the Township.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.
7. That certified copies of this resolution shall be transmitted to the Chief Municipal Finance Officer and forwarded to the Director of the Division of Local Government Services upon adoption.

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

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

NOES: None

ABSENT: Mayor Francioli

RESOLUTION: NO. 58-2013

Member Schleifer offered the following resolution and moved its adoption:

**A RESOLUTION AUTHORIZING THE REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER**

WHEREAS, at the Township of Hanover Municipal Tax Sale held on December 3, 2012, a lien was sold on Block 4605, Lot 11.02, also known as 11 Adelia Court, Whippany, New Jersey 07981, for 2011 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 2012-13, was sold to Park Finance II, LLC for a 0% redemption fee and a \$33,700.00 premium paid; and,

WHEREAS, Lineage Development, the owners have affected redemption of Certificate 2012-13 in the amount of \$30,246.19.

NOW, THEREFORE, BE IT RESOLVED, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$30,246.19, payable to Park Finance II, LLC, P.O. Box 109, Cedar Knolls, NJ 07927 for the redemption of Tax Sale Certificate 2012-13.

BE IT FURTHER RESOLVED, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$33,700.00 (Premium) to the aforementioned lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be transmitted to the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department and the Township's Chief Municipal Finance Officer for reference and action purposes.

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

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

NOES: None

ABSENT: Mayor Francioli

RAFFLE APPLICATIONS:

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

1. Notre Dame of Mt. Carmel Operation Appalachia, 75 Ridgedale Avenue, Cedar Knolls, New Jersey a Tricky Tray to be held on 5/3/13 at 75 Ridgedale Ave., Cedar Knolls, New Jersey. Said application was assigned No.RL-2636. Identification of the application is No. 193-1-950.
2. Notre Dame of Mt. Carmel/Operation Appalachia, 75 Ridgedale Avenue, Cedar Knolls, New Jersey, a Tricky Tray to be held on 5/3/13 at 75 Ridgedale Ave., Cedar Knolls, New Jersey. Said application was assigned No. RL-2637. Identification of the application is No. 193-1-950.

3. Parents for the Advancement of Girl's Gymnastics, 19 East Frederick Place, Cedar Knolls, New Jersey, an off-premise raffle to be held on 4/13/13 at 19 East Frederick Place, Cedar Knolls, New Jersey. Said application was assigned No. RL-2638. Identification of the application is No. 193-5-39370.
4. Whippany Rotary Club, 1600 Ridge, Ave., Evanston, Illinois, an off-premise raffle to be held on 9/7/13 at Malapardis Park, Malapardis Road, Cedar Knolls, New Jersey. Said application was assigned No. RL-2639. Identification of the application is No. 193-8-30337.

Member Brueno 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 Coppola and was unanimously passed.

OTHER BUSINESS:

Member Coppola announced that both Fire Districts will hold their Reorganization Meetings and elections in March. In addition, he advised that the Veterans Alliance has issued the schedule of Memorial Day events beginning with breakfast at the Community Center. And, Member Coppola advised that he has been attending School Safety Panel seminars on school violence and plans to attend a seminar on gun control

OPEN TO THE PUBLIC:

Acting Mayor Ferramosca opened the meeting to the public.

Barbara Eames of 6 Cove Lane Road advised that she is concerned that the Tree Ordinance is infringing on property rights. She pointed out that there is a large movement all across America to impose restrictions and limit property rights.

Both Acting Mayor Ferramosca and the Township Engineer assured Ms. Eames that no homeowner had been negatively impacted by Tree Ordinance provisions.

Ms. Eames then stated that she is interested in joining the Green Team if a vacancy exists. Acting Mayor Ferramosca noted that he has been announcing at several meetings the need for additional Green Team members.

Ms. Eames also inquired whether the Sign Ordinance was still being considered and was advised that line of sight was being reviewed at this time.

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

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

Joseph A. Giorgio,
Township Clerk