

**MARCH 14, 2013**

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, March 14, 2013, at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

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

ABSENT: None

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**PLEDGE OF ALLEGIANCE TO THE FLAG**

**STATEMENT BY PRESIDING OFFICER:**

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

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

and by filing same with the Township Clerk.

(Signed) Ronald F. Francioli, Mayor

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**RECOGNITION OF SERVICE**

**JOHN DIGLIO – CHAIRMAN & MEMBER OF  
THE CULTURAL ARTS COMMITTEE**

Mayor Francioli on behalf of the Township Committee, presented a plaque to John Diglio upon his retirement in recognition of his service to the residents of the Township. Mr. Diglio served as Chair and member of the Cultural Arts Committee for the past 21 years.

**LOUIS ZAVAGLIA – RETIREMENT FROM  
THE POLICE DEPARTMENT**

The governing body presented a plaque to Patrolman Louis Zavaglia who is retiring after having served as a Hanover Township Police Officer for the past 21 years. He also served as the Township's DARE officer for several years.

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**OPEN TO THE PUBLIC:**

Mayor Francioli opened the meeting to the public.

Dr. Robert Giaquinta owner of the 57 Whippany Road house which the Township is seeking to acquire for intersection improvements addressed the Township Committee. Dr. Giaquinta requested the governing body cease and desist in spreading false information which information he said he read in an e-mail from Committeeman Coppola not addressed to him. He said Member Coppola had written that Dr. Schmidt who practices dentistry at said location had been offered a \$1 million property swap. Dr. Giaquinta said that he wanted to set the record straight. He said that the information in Member Coppola's e-mail was not true and Dr. Schmidt could not have made a commitment to swap because he does not own the property.

At the conclusion of Dr. Giaquinta's comments, Mayor Francioli stated that he does not comment on e-mails and advised that the matter has been placed in the hands of the Township Attorney. He did advise that the Township is following protocol and appraisals are now being obtained on the two houses in question. In addition, he reiterated that he is willing to sit down with the owners of the two properties, listen to them and hopefully come to some conclusion that would please everyone.

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

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**APPROVAL OF MINUTES:**

Mayor Francioli stated that the Minutes of the Regular Meeting of January 24, 2013, the Minutes of the Special Meeting of January 31, 2013 and the Minutes of the Bid Committee Meetings of February 6, 12 & 20, 2013, had been presented to the members of the Committee prior to this meeting by the Clerk.

Member Coppola moved that the Minutes of the Regular Meeting of January 24, 2013, the Minutes of the Special Meeting of January 31, 2013 and the Minutes of the Bid Committee Meetings of February 6, 12 & 20, 2013, be accepted and approved as presented by the Clerk. The motion was seconded by Member Brueno and was unanimously passed.

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**COMMUNICATIONS:**

The following communication was read and action taken as indicated:

1. Hanover Township Board of Education, Vanessa Wolsky, Secretary, as follows:

(a) Requesting the sum of \$1,784,635.00 to meet current obligations.

Member Coppola moved that the sum of \$1,784,635.00 be transmitted to the Board's Secretary. The motion was seconded by Member Brueno and was unanimously passed.

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**DEPARTMENTAL REPORTS:**

The following reports were presented and ordered filed as received:

Police department	S.Gallagher	Month Ending 2/28/13
Building Department	S.Donlon	Month Ending 2/28/13
Treasurer's Report	S. Esposito	Month Ending 2/28/13
Parks	B.Foran	Month Ending 2/28/13
DPW	B.Foran	Month Ending 2/28/13

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**ORDINANCE:**

**NO. 10-2013**

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

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

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

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

NOES: None

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NOES: None

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Following the reading of said Ordinance by title, 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 REPEALING ORDINANCE NO. 26-2012", 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 28<sup>th</sup> 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 Brueno, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

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**(Land Use and Development  
Legislation Amendment by Revising  
Various Development Regulations)**  
**ORDINANCE:      NO. 13-2013**

Member Ferramosca offered the following resolution and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED, LAND USE AND DEVELOPMENT LEGISLATION, BY REVISING VARIOUS DEVELOPMENT REGULATIONS CONCERNING STORMWATER RUNOFF; LIGHTING; NUMBER AND DIMENSIONS OF LOADING SPACES; PAVEMENT, CURBING, STRIPING OF PARKING AND LOADING SPACES; BUS SHELTER AND ACCESSORY BUILDING; AND FLAG POLES", be introduced and read by title on first reading.

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

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

NOES: None

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

**BE IT RESOLVED**, that an Ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED, LAND USE AND DEVELOPMENT LEGISLATION, BY REVISING VARIOUS DEVELOPMENT REGULATIONS CONCERNING STORMWATER RUNOFF; LIGHTING; NUMBER AND DIMENSIONS OF LOADING SPACES; PAVEMENT, CURBING, STRIPING OF PARKING AND LOADING SPACES; BUS SHELTERS AND ACCESSORY BUILDING; AND FLAG POLES", 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 11<sup>th</sup> day of April, 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 Brueno, was passed and the resolution adopted by the following roll call vote:

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

NOES: None

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**RESOLUTION:      NO. 59-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE PROMOTING DEMETRIOS PESLIS TO THE RANK OF LIEUTENANT EFFECTIVE MONDAY, APRIL 1, 2013 AND ESTABLISHING HIS COMPENSATION AT \$107,026.00 PER ANNUM UNDER STEP 1 OF THE POLICE SUPERIOR OFFICER'S STEP CLASSIFICATION GUIDE AS SET FORTH IN SALARY ORDINANCE NO. 14-2008**

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

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

**WHEREAS**, in accordance with the Police Department's Policies and Procedures, the promotional process for the rank of lieutenant began in mid-2012 and culminated with the posting of test scores on January 28, 2013; and

**WHEREAS**, in a memorandum dated January 28, 2013 to the Township's Business Administrator, the Chief of Police provided the scores of the three (3) candidates who attained the highest overall test scores; and

**WHEREAS**, the Police Department followed its promotional process effective April 1, 2012 which requires that all applicants for the rank of lieutenant must have served seven (7) years with the Hanover Township Police Department and have served as a sergeant for a minimum of three (3) years in order to be eligible to apply for the rank of lieutenant; and

**WHEREAS**, as a result of the promotional testing procedures initiated by the Police Department, **Sergeant Demetrios Pelslis** finished first and achieved a final overall test score of 76.81 grade point credits based on the following: (1) an oral examination administered by the New Jersey Chiefs of Police Association; (2) an oral interview with an inter-departmental review board; and (3) a review of the candidate's personnel file consisting of educational attainment, internal affairs investigations and seniority; and

**WHEREAS**, based on the promotional process, and in accordance with the test scores posted in the Police Department on January 28, 2013, which list is valid until January 28, 2015, it is the recommendation of Chief Stephen Gallagher to promote **Sergeant Demetrios Pelslis** to the rank of Lieutenant effective Monday, April 1, 2013; and

**WHEREAS, Sergeant Peslis** commenced employment with the Township as a law enforcement officer on October 16, 1995; and

**WHEREAS**, in a memorandum dated January 28, 2013 to the Mayor and Township Committee, a copy of which is attached hereto and made a part of this resolution, it is the intention of the Township Committee as the appropriate authority to accept the recommendation of the Chief and appoint **Sergeant Peslis** to the rank of Lieutenant effective Monday, April 1, 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. Pursuant to N.J.S.A. 40A:14-118 and Section 53-3.1 of Chapter 53 of the Code of the Township entitled Police Department, the governing body, as the appropriate authority, hereby appoints and promotes **Sergeant Demetrios Peslis** to the rank and position of **Lieutenant** effective Monday, April 1, 2013.
2. **Lieutenant Peslis** shall be compensated at the base salary of \$107,026.00 per annum under Step 1 of the Lieutenant's Step Classification Guide as set forth in Ordinance No. 14-2008.
3. That certified copies of this resolution shall be transmitted to the Chief of Police, the Township's Chief Municipal Finance Officer and **Lieutenant Peslis** for reference and information purposes.

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

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

NOES: None

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**RESOLUTION:      NO. 60-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE PROBATIONARY EMPLOYMENT OF TIMOTHY G. CULVER AS THE TOWNSHIP'S PART-TIME FIRE PROTECTION SUB CODE OFFICIAL/ASSISTANT PROPERTY MAINTENANCE OFFICER IN THE BUILDING DEPARTMENT EFFECTIVE MARCH**



**18, 2013, AND ESTABLISHING HIS COMPENSATION AT \$30.00 PER HOUR UNDER JOB GROUP IX, SALARY GUIDE "C" OF SALARY ORDINANCE NO. 14-12 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, NEGATIVE DRUG TEST AND NEGATIVE CRIMINAL HISTORY INFORMATION RECORD CHECK)**

**WHEREAS**, Billy Donnerstag was appointed by resolution of the Township Committee on January 10, 2008 to serve as the Township's part-time Fire Protection Sub-Code Official/Assistant Property Maintenance Officer effective January 14, 2008; and

**WHEREAS**, by letter dated January 15, 2013, Mr. Donnerstag advised the Township that due to personal reasons, he was resigning from his position with the Township immediately; and

**WHEREAS**, through the job application process, the Building Department received a total of three (3) applications for the position of part-time Fire Protection Sub Code Official/Assistant Property Maintenance Officer; and

**WHEREAS**, in accordance with the Township's job application process, the three (3) applicants were initially interviewed by the Construction Official and the Assistant Business Administrator on February 12, 2013; and

**WHEREAS**, the applicants were rated on their employment experience and expertise and their overall skills and abilities to perform the duties and tasks of Fire Protection Sub-Code Official; and

**WHEREAS**, subsequently, the Business Administrator, Construction Official and Assistant Business Administrator conducted a second round of interviews with the two (2) finalists on February 26, 2013; and

**WHEREAS**, as a result of the second round of interviews with the two (2) candidates, the Business Administrator and Construction Official believe that **Timothy G. Culver** residing at 119 Sunrise Drive in Whippany, New Jersey 07981 possesses the necessary experience, skills and expertise to assume the job duties and responsibilities of part-time Fire Protection Sub Code Official/ Assistant Property Maintenance Officer; and

**WHEREAS**, the Construction Official estimates that **Mr. Culver** will be required to work seven (7) to twenty (20) hours a week which timeframe may vary depending on an increase in the workload; and

**WHEREAS**, in accordance with Township policy as it pertains to part-time employees, **Timothy Culver** shall not be eligible to receive any prior service credit or receive or accrue any paid vacations, holiday pay, sick leave, or health and dental

benefits coverage of any kind whatsoever in his part-time position as Fire Protection Sub Code Official/Assistant Property Maintenance Officer.

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

1. That **Timothy Culver** of 119 Sunrise Drive in Whippany, New Jersey 07981 is hereby appointed to serve as the Township's part-time Fire Protection Sub Code Official/Assistant Property Maintenance Officer, commencing Monday, March 18,

2013. **Mr. Culver** shall work seven (7) hours a week up to a maximum of twenty (20) hours depending on the Department's workload. However, depending on the workload, the number of hours may increase.

2. In accordance with Salary Guide "C" of Salary Ordinance No. 14-12, **Mr. Culver** shall be compensated at the rate of \$30.00 per hour under Job Group IX as set forth in Schedule "B".

3. Pursuant to the requirements of the Township's Employee Job Performance Evaluation System, as described in full under Section 61-18 of Chapter 61 of the Code of the Township entitled Salaries and Compensation, **Mr. Culver** shall serve a six (6) month probationary period commencing March 18, 2013 and ending September 18, 2013. At least twenty (20) working days prior to the expiration of the six (6) month probationary period, the Construction Official shall prepare a written job evaluation of **Mr. Culver's** performance. In the event that **Mr. Culver** receives an unsatisfactory job performance evaluation at any time during his probationary period, **Mr. Culver** may be terminated at the conclusion of the probationary period or sooner, whichever case is applicable.

4. This offer of employment is conditional and subject to **Mr. Culver** receiving a satisfactory medical examination, spinal-back injury prevention evaluation, negative drug test and negative criminal history record information check, all in accordance with the Township's hiring practices as set forth in the Township's Personnel Policies and Procedures Manual and Section 61-29.N.(1) through (4) entitled "Alcohol and Drug Testing Policy for Civilian Employees".

5. Pursuant to Township policy, **Mr. Culver** shall not be eligible to receive any prior service credit or receive or accrue any paid vacations, holiday pay, sick leave and health and dental benefits of any kind whatsoever.

6. That a certified copy of this resolution shall be transmitted to the Construction Official, Chief Municipal Finance Officer and **Mr. Culver** for reference and information purposes.

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

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

NOES: None

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**RESOLUTION:      NO. 61-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE AWARD OF A CONTRACT TO MAD CHEF CAFÉ & GRILL INC., THE ONLY BIDDER, IN OPERATING THE TOWNSHIP'S BEE MEADOW POOL CONCESSION STAND DURING THE YEAR 2013 POOL SEASON BASED ON ITS BID TO PAY THE TOWNSHIP \$4,800.00 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH BRUNO G. PASCALE, THE OWNER OF MAD CHEF CAFÉ & GRILL INC.**

**WHEREAS**, the Bee Meadow Pool facility located on Pond Road includes a Concession Stand owned by the Township of Hanover; and

**WHEREAS**, the Board of Recreation Commissioners believe that in order to provide concession stand services to the Pool's members, the Concession Stand should be deriving some revenues in order to help offset the total costs to operate the Bee Meadow Pool facility; and

**WHEREAS**, on January 24, 2013, the Township of Hanover, acting in conformity with N.J.S.A. 40A:11-1 et seq., publicly advertised for the receipt of competitive quotations for the operation of the Township's Bee Meadow Pool Concession Stand during the period commencing Memorial Day weekend, May 24, 2013 through Labor Day, September 2, 2013; and

**WHEREAS**, the Township's Request For Proposal and the Specification stipulate that the Township Committee will award a contract to the person, firm, corporation or partnership which submits the highest bid for the operation of the Concession Stand; and

**WHEREAS**, in accordance with the January 24, 2013 Notice to Bidders, no sealed bids were received by the Township's Bid Reception Committee during the February 12, 2013 Bid Reception Committee meeting; and

**WHEREAS**, the Township re-advertised, for a second time, the Notice to Bidders, with a reduced minimum bid requirement in the February 19, 2013 issues of the Daily Record and The Star-Ledger; and

**WHEREAS**, pursuant to public advertising and in accordance with N.J.S.A. 40A: 11-6.1 et seq., the Township's Bid Reception Committee received and opened only one (1) sealed quotation on March 5, 2013 as follows:

**1. MAD CHEF CAFÉ & GRILL INC.**

Bruno G. Pascale, the Owner

32 Fulper Street

Flemington, New Jersey 08822

**WHEREAS, Mad Chef Café & Grill Inc.**, submitted the only written quotation in the amount of \$4,800.00 on the Township's "Proposal Form" as the amount to be paid to the Township for the operation of the Concession Stand in accordance with the Township's written Specification; and

**WHEREAS**, the Business Administrator has carefully examined the Proposal, which is attached hereto and made a part of this resolution, and recommends that the governing body award a contract to **Mad Chef Café & Grill Inc.**; and

**WHEREAS**, in accordance with the Township's Specification, **Mad Chef Café & Grill Inc.** shall pay the Township the sum of \$4,800.00 in two (2) equal installments of \$2,400.00 which payments shall be deposited in the Township's Swimming Pool Enterprise Fund - Miscellaneous Account by the Township's Chief Municipal Finance Officer.

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

1. That a contract be awarded to:

**MAD CHEF CAFÉ & GRILL INC.**  
**Bruno G. Pascale, the Owner**  
32 Fulper Street  
Flemington, New Jersey 08822

the only bidder in the operation of the Township's Bee Meadow Pool Concession Stand during the period commencing Memorial Day weekend commencing May 24, 2013 through Labor Day, September 2, 2013.

1. As remuneration to the Township for the operation of the Concession Stand, **Mad Chef Café & Grill Inc.** shall pay the Township one half (1/2) the sum of

\$4,800.00 or \$2,400.00 in cash or certified check at the time the signed contract is submitted to the Business Administrator/Township Clerk. On or before Monday, May 13, 2013, **Mad Chef Café & Grill Inc.** shall deliver to the Business Administrator/Township Clerk in cash or certified check, the second one half (1/2) payment in the amount of \$2,400.00.

2. The Township's Chief Municipal Finance Officer, upon receipt of the payments from the Business Administrator/Township Clerk, shall deposit the payments in the Township's Swimming Pool Enterprise Fund - Miscellaneous Account by the Township's Chief Municipal Finance Officer.

3. The Mayor and Township Clerk are hereby authorized to execute a contract on behalf of the Township of Hanover with **Bruno G. Pascale, the Owner of Mad Chef Café & Grill Inc..**

4. A certified copy of this resolution shall be forwarded to the Superintendent of the Recreation and Park Administration, the Township's Chief Municipal Finance Officer and, **Mad Chef** for reference and action purposes.

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

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

NOES: None

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**RESOLUTION:      NO. 62-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER REFUNDING \$150.00 TO FIMM INC (FREDERICK C. MEOLA) AS A RESULT OF OVERPAYING PRELIMINARY AND FINAL SITE PLAN AND "C" VARIANCE APPLICATION FEES TO THE PLANNING BOARD RELATED TO AN APPLICATION TO CONVERT AN ATTIC INTO OFFICE SPACE INCLUDING A PARKING VARIANCE AND INSTALLATION OF A CEDAR SPLIT-RAIL FENCE ON THE EAST AND WEST SIDE OF PROPERTY LOCATED AT 28 WHIPPANY ROAD, AND ALSO KNOWN AS LOT 8 IN BLOCK 4204**

**WHEREAS, FIMM Inc.** (Frederick C. Meola) made application to the Planning Board for preliminary and final site plan, and variance approvals for the following: (a) the conversion of an attic into additional professional office space; (b) a variance for three (3) parking spaces; and (c) the installation of a cedar split-rail fence 3' high and approximately 25' in length on the east side and 50' in length on the west side of property located at 28 Whippany Road in the Whippany Section of the Township and

also designated as Lot 8 in Block 4204 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS, FIMM Inc** deposited the sum of \$600.00 with the Planning Board for the preliminary and final site plan application fees and the “C” variance fee, all in accordance with the Fee Schedule set forth under Article VII entitled “Fees” in Section 166-48., of Chapter 166 of the Code of the Township entitled Land Use and Development Legislation; and

**WHEREAS,** the applicant overpaid the Township by \$150.00; and

**WHEREAS,** in a letter dated March 4, 2013 to the Planning Board and Township Committee, Frederick C. Meola, a principal in the firm of **FIMM Inc** has requested a refund in the amount of \$150.00.

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

1. In accordance with Mr. Meola’s letter request dated March 4, 2013, a copy of which is attached hereto and made part of this resolution as if set forth in full, the governing body hereby approves the refund of \$150.00 which represented an overpayment in preliminary and final site plan application fees and the application fee for a “C” variance.
2. The Township’s Chief Municipal Finance Officer is hereby authorized and directed to prepare the necessary purchase order/voucher in refunding the \$150.00 overpayment to **FIMM Inc.** located at 28 Whippany Road, Suite C in Whippany, New Jersey 07981-1508.
3. That certified copies of this resolution shall be transmitted to the Chief Municipal Finance Officer, the Secretary to the Planning Board and Mr. Meola for reference and information purposes.

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

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

NOES: None

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**RESOLUTION:      NO. 63-2013**

Member Coppola offered the following resolution and moved its adoption:

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

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

<b>BLOCK</b>	<b>LOT</b>	<b>QUAL. #</b>	<b>NAME</b>	<b>AMOUNT</b>
301	22		Chester & Mary Kochan 280 Malapardis Road Morris Plains, NJ 07950	\$1667.97
607	6		National Real Estate Information Services of NJ 401 Route 70 East, Suite 210 Cherry Hill, NJ 08034 RE: 5 Linden Way/Symecko	\$2389.13
1002	13		Davidson Legal Group LLC Attorney Trust Account HEI Hanover 154 South Livingston Ave – Suite 207 Livingston, NJ 07039 Location:1401 Route 10 Reserve for Tax Appeals	\$83,749.00
1410	4		David & Ellen Griffith 9 Manger Road Cedar Knolls, NJ 07927	\$2045.15
1502	21	c0083	CCTS Capital, LLC 1415 Route 70 East – Suite 500 Cherry Hill, NJ 08034 RE: 141 Vista Drive	\$472.29
2003	6		Niraj Patel & Hiteksha Ajvalia 26 Academy Drive West Whippany, NJ 07981	\$1515.75
4301	2	C0402	Simon & Clarinda Lin 402 Brookview Court Whippany, NJ 07981	\$1438.71

5603	8		Wells Fargo Home Mortgage MACX2302-018 1 Home Campus Des Moines, IA 50328 RE:8 Crescent Dr/Della Badia	\$1267.83
7502	1		William & Merynda Fuellhart 21 Highland Ave Whippany, NJ 07981	\$1628.07
8603	4		Everhome Mortgage c/o LERETA, LLC – Central Refunds 1123 Park View Drive Covina, CA 91724 RE: Luzzi/14 Gloria Ave	\$660.49
9001	1	C0208	David & Rachel Lin 208 Stone Creek Court Whippany, NJ 07981	\$1505.51
9001	1	C0505	Rocco Marucci 505 Brook Hollow Drive Whippany, NJ 07981	\$1307.20
9303	21		Elise Tompkins 2 Nye Ave Whippany, NJ 07981	\$3034.66

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

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

NOES: None

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**RESOLUTION:      NO. 64-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION APPROVING A REFUND OF THE SKI PROGRAM FEE**

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



Lori Wilczak (Alec)

30 East Fairchild Place

Whippany, New Jersey 07981..... \$200.00

**WHEREAS**, said person finds that her schedule has been arranged beyond her control, and finds it necessary to withdraw her participation.

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

<b>Lori Wilczak .....</b>	<b>\$200.00</b>
<b>Processing Fee.....</b>	<b><u>40.00</u></b>
<b>TOTAL REFUND AMOUNT.....</b>	<b>\$160.00</b>

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

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

NOES: None

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**RESOLUTION:      NO. 65-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER CERTIFYING THE PAYMENT OF \$14,604.54 TO THE STATE OF NEW JERSEY FOR 4,868.18 TONS OF SOLID WASTE MATERIALS DELIVERED TO THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE PERIOD COMMENCING JANUARY 1, 2012 THROUGH DECEMBER 31, 2012**

**WHEREAS**, The Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**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 hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2012 in the amount of \$14,604.54.
2. Documentation supporting this submission is available at the Municipal Building, 1000 Route 10 in Whippany, New Jersey, and shall be maintained for no less than five years from this date.

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

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

NOES: None

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**RESOLUTION:      NO. 66-2013**

Member Coppola offered the following resolution and moved tis adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE APPLYING FOR A YEAR 2012  
RECYCLING TONNAGE GRANT THROUGH THE NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION AND AUTHORIZING THE TOWNSHIP'S  
RECYCLING COORDINATOR TO SUBMIT THE APPLICATION**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as to conditions for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants memorializes the commitment of Hanover Township to recycling and indicates the assent of the Township Committee to the efforts undertaken by the municipality, and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, this resolution designates the individual authorized to ensure the application is properly completed and timely filed.

**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. We hereby endorse the submission of the Year 2012 recycling tonnage grant application to the New Jersey Department of Environmental Protection.
2. Mr. Marko Bura, the Township's Recycling Coordinator is hereby designated and authorized to ensure that the tonnage grant application is properly filed with the New Jersey Department of Environmental Protection.
3. The moneys to be received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund to be used solely by the Township for the purposes of recycling.
4. A certified copy of this resolution shall be transmitted to the New Jersey Department of Environmental Protection along with the Year 2012 recycling tonnage application and to the Morris County Municipal Utilities Authority District Recycling Coordinator.

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

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

NOES: None

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**RESOLUTION:            NO. 67-2013**

Member Coppola offered the following resolution and moved its adoption:

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER RETAINING THE PROFESSIONAL PLANNING SERVICES OF PAUL PHILLIPS, P.P. AND THE FIRM OF PHILLIPS PREISS GRYGIEL LLC CONCERNING THE INVESTIGATION OF LOT 9 IN BLOCK 4001 AS BEING AN AREA IN NEED OF REDEVELOPMENT UNDER THE NEW JERSEY LOCAL DEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. AND THE PREPARATION OF A REDEVELOPMENT PLAN IN AN AMOUNT NOT TO EXCEED \$15,000.00**

**WHEREAS**, the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-1 et seq. (hereinafter referred to as the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within their jurisdiction constitute areas in need of redevelopment; and

**WHEREAS**, the Township Committee of the Township of Hanover desires the Planning Board to conduct an investigation to determine whether property located at Lot 9 in Block 4001 as set forth on the Tax Map of the Township of Hanover is in need of redevelopment; and

**WHEREAS**, pursuant to the provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and 19:44A-20.26, the Township of Hanover is in need of retaining the services of a licensed professional planner with experience and expertise in the investigation of an area that may be in need of redevelopment and, if necessary, the preparation of a redevelopment plan, all in accordance with the Redevelopment Law cited above; and

**WHEREAS**, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5.(1)(a)(i), the Township Attorney has received a quotation from Paul Phillips, P.P. and the Firm of Phillips Preiss Grygiel, LLC, professional planning consultants licensed by the State of New Jersey, for the purpose of providing professional planning services in determining whether Lot 9 in Block 4001 is an area in need of redevelopment and if so, to prepare a Redevelopment Plan; and

**WHEREAS**, the total cost for the investigation and the possible preparation of a Redevelopment Plan shall not exceed a fee of \$15,000; and

**WHEREAS**, it is the intention of the Township Committee to retain the services of Paul Phillips, P.P. and the firm of Phillips Preiss Grygiel, LLC in conducting a investigation to determine whether Lot 9 in Block 4001 is in need of redevelopment and upon said determination, to further prepare a Redevelopment Plan.

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

1. Pursuant to N.J.S.A. 40A:11-5.(1)(a)(i) of the Local Public Contracts Law and N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq. of the Pay-to-Play laws, Paul Phillips, P.P. and the Firm of Phillips Preiss Grygiel, LLC (located at 33-41 Newark Street, Third Floor, Suite D, Hoboken, New Jersey 07030), who are licensed professional planners in the State of New Jersey, are hereby retained to investigate and make a determination as to whether Lot 9 in Block 4001 as set forth on the Tax Map of the Township of Hanover is in need of redevelopment and if the determination confirms that the property is eligible for redevelopment to prepare a Redevelopment Plan.
2. The total cost for the investigation and the preparation of a Redevelopment Plan if necessary, shall not exceed \$15,000.00. The Business Administrator/ Township Clerk is hereby authorized and directed to issue a Purchase Order in an amount not to exceed \$15,000.00.
3. This contract is awarded without competitive bids as a “Professional Service” in accordance with N.J.S.A. 40A:11-5.(1)(a)(i) of the Local Public Contracts Law because the services to be performed are by a person authorized by law to practice a recognized profession as a professional planner licensed by the State of New Jersey and such services are not subject to competitive bid.
4. 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.
5. That certified copies of this resolution shall be forwarded to the Township Attorney, the Township’s Chief Municipal Finance Officer, Paul Phillips, P.P. and Phillips Preiss Grygiel, LLC for reference and information purposes.

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

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

NOES: None

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**RAFFLE APPLICATIONS:**

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

1. Assumption School – Home School Association, 63 Macculloch Ave., Morristown, New Jersey, an on-premise raffle to be held on 10/17/13 at the Birchwood Manor, 111 No. Jefferson Road, Whippany, New Jersey. Said application was assigned No. RL-2640. Identification of the application is No. 324-5-6085.
2. HSA Assumption School, 63 Macculloch Avenue, Morristown, New Jersey an on-premise gift auction to be held on 10/17/13 at the Birchwood Manor, 111 No. Jefferson Rd., Whippany, New Jersey. Said application was assigned No. RL-2641. Identification of the application is No. 324-5-6085.
3. HSA Assumption School, 63 Macculloch Avenue, Morristown, New Jersey, an on-premise 50/50 to be held on 10/17/13 at the Birchwood Manor, 111 No. Jefferson Rd., Whippany, New Jersey. Said application was assigned No. RL-2642. Identification of the application is No. 324-5-6085.
4. HSA Assumption School, 63 Macculloch Avenue, Morristown, New Jersey an off-premise raffle to be held on 10/17/13 at the Birchwood Manor, 111 No. Jefferson Rd., Whippany, New Jersey. Said application was assigned No. RL-2643. Identification of the application is No. 324-5-6085.
5. Elizabeth Ann Seton Council 6904 Knights of Columbus, Monroe Hall, Whippany, New Jersey, a Tricky Tray to be held on 6/7/13 at OLM Parish Center, Whippany Road, Whippany, New Jersey. Said application was assigned No. RL-2644. Identification of the application is No. 195-6-22449.
6. Elizabeth Ann Seton Council 6904 Knights of Columbus, Monroe Hall, Whippany, New Jersey, an on-premise 50/50 to be held on 6/7/13 at OLM Church Center, Whippany Road, Whippany, New Jersey. Said application was assigned No. RL-2645. Identification of the application is No. 193-6-22449.
7. Mental Health Association of Morris County, ICN., 100 Route 46 East, Building C., Mountain Lakes, New Jersey, an off-premise 50/50 to be held on 5/6/13 at the Birchwood Manor, 111 Jefferson Road, Whippany, New Jersey. Said application was assigned No. RL-2646. Identification of the application is No. 274-4-28206.
8. Mental Health Association of Morris County, Inc., 100 Route 46 East, Building C., Mountain Lakes, New Jersey, a Tricky Tray to be held on 5/6/13 at the Birchwood Manor, 111 No. Jefferson Rd., Whippany, New Jersey. Said application was assigned No. RL-2647. Identification of the application is No. 274-4-28206.

9. P.G. Chambers School, 15 Halko Drive, Cedar Knolls, New Jersey, an on-premise raffle to be held on 5/2/13 at P.G. Chambers School, 15 Halko Drive, Cedar Knolls, New Jersey. Said application was assigned No. RL-2648. Identification of the application is No. 193-4-33788.
  
10. P.G. Chambers School, 15 Halko Drive, Cedar Knolls, New Jersey, an on-premise 50/50 to be held on 6/1/13 at P.G. Chambers School, 15 Halko Drive, Cedar Knolls, New Jersey. Said application was assigned No. RL-2649. Identification of the application is No. 193-4-33788.

Member Coppola moved that approval be granted to the above-mentioned Applications and the licenses be issued. He further moved authorizing and directing the proper officials to sign forms LGCCC5A and LGCCC6B/4, thereby indicating this Committee's approval to the granting of said licenses. The motion was seconded by Member Schleifer and was unanimously passed. Member Coppola abstained on License No. RL-2645.

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of \$4,149,199.92 for the payment of all bills as of this Regular Township Committee Meeting. A copy of the "Bills Payment List – by Vendor" is hereby approved and made a part of this resolution as if set forth in full. Moved by Member Schleifer and seconded by Member Coppola.

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

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**OTHER BUSINESS:**

Member Ferramosca announced that the Environmental Commission will hold its Annual Community Shred Day at Employment Horizons on April 27<sup>th</sup>.

And, Mayor Francioli wished everyone a safe and happy St. Patrick's Day.

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**OPEN TO THE PUBLIC:**

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

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

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

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Joseph A. Giorgio,  
Township Clerk