

**March 27, 2014**

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, March 27, 2014, at 8:30 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Mayor Francioli, Members Gallagher, Ferramosca, Brueno,  
And Coppola

ABSENT: None

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**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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**PLEDGE OF ALLEGIANCE TO THE FLAG**

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**PRESENTATION:**

Presentation of Plaque to Former Township Committeeman and Deputy Mayor Kenneth C. Schleifer In Recognition Of More Than Ten Years of Service as an Elected Official, Board of Adjustment Member and Director of The Office of Emergency Management.

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**OPEN TO PUBLIC**

Motion to open Meeting by Member Brueno and seconded by Member Ferramosca.  
All in favor.

Fred Partridge, 805 DellWood Lane, Oak Ridge Townhouse, Whippany. I have approached the Committee a couple of times previously regarding the erosion on the right bank of the Whippany River which is adjacent to our property. The last time that my neighbor Dan Burden and I were here, you referred me to the Whippany River Water Shed Commission, so Dan and I went to the March meeting which was at the Morris County Library and that is an interesting group, and it's comprised of all the

different towns along the Whippany River. We brought the subject of erosion up to them. They don't have any facilities to remedy the problem. The reason Dan and I came back again here so quickly is because suddenly mud slides are in the news and the newspapers, and the terrible tragedy out in Washington State, is considerably larger than the problems we are facing but they are not all that different, just on a smaller scale. Once again, if you have passed there the right bank which is about 30 to 40 feet high has slipped considerably a couple of years ago, I go pass there regularly and keep an eye on it and certain trees which are ready to tip in and nothing else has happened yet, but it's just a matter of time. I don't know who is responsible, the property itself is owned by Morris County Parks Commission we have been to that meeting a couple of time, and let them know about it. But I would like to find out exactly what our problem is and I'm trying to figure out what our next step would be. I would like to suggest if the Township Committee could send a letter to the State Senator or the State Government Civil Engineer come out and assess our situation, I don't know exactly what avenue that would take but either the civil engineer or perhaps the Army Corps of Engineers as I'm reading all the information about what is happening out in Washington, evidently that area where these homes were swept away, was recognized as being a threatening situation and the Army Corps of Engineers had done a study about ten years ago and warned them that it was about to happen again, and nobody took it seriously and look what has happened, I would hate to see the same thing occur in our neighborhood.

Mayor: Absolutely, you mention that in the research that you had done, that this property fell into the Morris County Parks Commissions?

Mr. Partridge: They own the river banks.

Mr. Giorgio: We contacted Dave Helmer, remember Gerry? Dave Helmer is the Executive Director of the Morris County Park Commission and we sent a letter to him and we pointed that out. If I recall correctly, I have to check my correspondences. They felt that they had no responsibility with regard to the bank. So I agree with you, I think it's under the realm of the Morris County Park Commission.

Mayor: Let's do this. There is vegetation, trees that might be in jeopardy.

Mr. Partridge: There are trees ready to pitch in, the next heavy rain.

Mayor: Let's have our arborist Lorraine, out there. Gerry can you set that up? Let's have her examine the bank and examine the trees, and give us her recommendation as to the status of this and in doing so then we will have a report that we can possibly forward on to Morris County Park Commission and at the same time if there are areas of this work that the Township can do with in our prevue to do, since it's the Commissions property, if public works can be advised of any imminent problem with this bank. So what we will try to do we have our Arborist in town we will have her out there let's take a look, she is very thorough, she will give us an evaluation and once I have a written report the Township Committee can then use that report onto the property authorities be it on the County level or even the State level if we copy the DEP

on it as well. We will do that, and probably within the next week or so we should have something from her?

Mr. Maceira: I would think maybe like two weeks.

Mr. Partridge: Thank you, Dan and I have attended the Morris County Park meetings a couple of them and we have met Mr. Helmer. They promised that they will continue to monitor the situation, well monitoring it is fine until the darn thing slips again and the property it's not either Dan's nor my building but it is one of our neighbor's buildings, it is not far from where the mud is.

Mayor: I was going to ask that next question, what is the distance between the dwellings to the bank?

Mr. Partridge: I would say, 30 feet, it is very close.

Mr. Giorgio: I recall that all started to happen when we had Tropical Storm Irene. Can you please make sure you give Mrs. Luger your full name and address please and we will get in contact with you once we have that report.

Seeing none, hearing none.

Motion to close by Member Ferramosca and seconded by Member Gallagher.  
Motion to close all in favor.

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#### **APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of March 13, 2014 and Bid Reception Meeting of March 18, 2014 had been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Coppola moved that the Minutes of the Regular Meeting of March 13, 2014 and Bid Reception Meeting of March 18, 2014 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Brueno and was unanimously passed.

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#### **INTRODUCTION OF THE 2014 CURRENT FUND MUNICIPAL BUDGET:**

PUBLIC HEARING AND CONSIDERATION OF ADOPTING THE 2014 CURRENT FUND MUNICIPAL BUDGET IN THE AMOUNT OF \$24,927,191.79

The Township Clerk stated that the Division of Local Government Services has acknowledged receipt of the Annual Debt Statement as filed by the CMFO. The Township Clerk also advised that in accordance with State regulations a synopsis of the 2014 Local Municipal Budget will appear in the Daily Record.

\*A note for the record there will be no increase in the Municipal portion of the tax rate in 2014. Member Ferramosca moved to convene a public hearing and was seconded by Mr. Brueno and unanimously passed.

Motion to close the public hearing by Member Coppola and seconded by Member Gallagher and unanimously passed.

Member Brueno offered the following Ordinance and moved its adoption:

BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE THAT THE 2014 LOCAL MUNICIPAL BUDGET BE ADOPTED AND SET FORTH IN THE DOCUMENT WHICH WILL BE SUBMITTED TO THE STATE DIVISION OF LOCAL GOVERNMENT SERVICES,

The motion was seconded by Member Gallagher was passed and the Ordinance adopted by the following roll call vote:

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

NOES: None

**ORDINANCES FOR PUBLIC HEARING AND CONSIDERATION OF ADOPTION:**

**ORDINANCE NO. 7-2014 AMENDING AND SUPPLEMENTING SECTION 125-2. ENTITLED "FEES" COLLECTED THROUGH CLERK'S OFFICE UNDER CHAPTER 125 OF THE CODE ENTITLED FEES BY INCREASING THE FEES FOR CERTAIN ALCOHOLIC BEVERAGE CONTROL LICENSES.**

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the March 20, 2014 issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

Motion to convene a public hearing made by Member Coppola and seconded by Mayor Francioli and unanimously passed.

Motion to close a public hearing made by Member Coppola and seconded by Member Brueno and unanimously passed.

BE IT RESOLVED, that an Ordinance entitled, **"AMENDING AND SUPPLEMENTING SECTION 125-2. ENTITLED "FEES" COLLECTED THROUGH**

**CLERK'S OFFICE UNDER CHAPTER 125 OF THE CODE ENTITLED FEES BY INCREASING THE FEES FOR CERTAIN ALCOHOLIC BEVERAGE CONTROL LICENSES,**” be passed on final reading and that that a notice of final passage of the Ordinance be published in the April 3, 2014 of the Daily Record.

Motion on adoption was made by Member Coppola. The motion was seconded by Member Brueno, was passed and the Ordinance adopted by the following roll call vote:

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

NOES: None

**ORDINANCE NO. 8-2014 AMENDING AND SUPPLEMENTING SECTION 237-6. ENTITLED “ENFORCEMENT” UNDER CHAPTER 237 OF THE CODE ENTITLED SNOW AND ICE REMOVAL BY LISTING THE POSITIONS AND DEPARTMENTS RESPONSIBLE FOR THE ENFORCEMENT OF SNOW AND ICE REMOVAL REGULATIONS.**

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the March 20, 2014 issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

Motion to convene a public hearing made by Member Coppola and seconded by Member Gallagher and Mr. Brueno and unanimously passed.

Motion to close a public hearing made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

Motion on adoption was made by Member Gallagher:

BE IT RESOLVED, that an Ordinance entitled, **“AMENDING AND SUPPLEMENTING SECTION 237-6. ENTITLED “ENFORCEMENT” UNDER CHAPTER 237 OF THE CODE ENTITLED SNOW AND ICE REMOVAL BY LISTING THE POSITIONS AND DEPARTMENTS RESPONSIBLE FOR THE ENFORCEMENT OF SNOW AND ICE REMOVAL REGULATIONS,”** be passed on final reading and that that a notice of final passage of the Ordinance be published in the April 3, 2014 of the Daily Record.

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

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

NOES: None

**ORDINANCE NO. 11-2014 AUTHORIZING THE SETTLEMENT OF THE MATTER KNOWN AS TOWNSHIP OF HANOVER V. 57 WHIPPANY ROAD ASSOCIATES, ET AL, DOCKET NO. MRS-L-3223-12 WITH RESPECT TO THE PROPERTY KNOWN AS BLOCK 5801, LOT 2 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the March 20, 2014 issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

Motion to convene a public hearing made by Member Ferramosca and seconded by Member Coppola and unanimously passed.

Motion to close the public hearing made by Member Coppola and seconded by Member Brueno and unanimously passed.

**\*\*Mr. Semrau: May we have just one amendment to adoption that's it subject to a settlement agreement that is satisfactory to the Administration.**

Motion on adoption was made by Member Ferramosca:

BE IT RESOLVED, that an Ordinance entitled "**AUTHORIZING THE SETTLEMENT OF THE MATTER KNOWN AS TOWNSHIP OF HANOVER V. 57 WHIPPANY ROAD ASSOCIATES, ET AL, DOCKET NO. MRS-L-3223-12 WITH RESPECT TO THE PROPERTY KNOWN AS BLOCK 5801, LOT 2 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**" be passed on final reading and that that a notice of final passage of the Ordinance be published in the April 3, 2014 of the Daily Record.

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

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

NOES: None

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**INTRODUCTION OF ORDINANCES ON FIRST READING:**

\*Mr. Giorgio: NOTE FOR THE RECORD: Ordinance 12-2014 is as a result of Legislation approved by the Legislature and signed by Governor Christie which provides that a municipality has the option to provide for the direct deposit and require all employees to have direct deposit of their salary and wages. In consort with the law the Township Committee has agreed to provide direct deposit effective July 1, 2014 when the law takes effect.

Mayor Francioli offered the following Ordinance and moved its introduction:

**ORDINANCE NO. 12-2014**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES UNDER ARTICLE I ENTITLED “GENERAL POLICY AND PROCEDURES” BY ADDING A NEW SECTION 61-36. TO BE ENTITLED “DIRECT DEPOSIT” BY REQUIRING ALL FULL-TIME AND PART-TIME TOWNSHIP EMPLOYEES TO BE COMPENSATED BY DIRECT DEPOSIT ONLY COMMENCING JULY 1, 2014 IN ACCORDANCE WITH P.L. 2013, C.28**

**WHEREAS**, on March 14, 2013, Governor Chris Christie, approved P.L. 2013, c.28, which allows municipalities to opt for mandatory direct deposit for all employee compensation on or after July 1, 2014; and

**WHEREAS**, that bill was codified into law at N.J.S.A. 52:14-15f; and

**WHEREAS**, the law provides that the Township Committee must approve a resolution or ordinance in order to utilize this law; and

**WHEREAS**, the adoption of this policy would result in significant cost savings to the Township; and

**WHEREAS**, the policy will allow the Township to conveniently deposit net pay funds into a specific banking institution checking, savings or shared account based on the information provided by each employee; and

**WHEREAS**, this policy would apply to compensation for all full-time civilian and law enforcement personnel and part-time Township employees (except temporary and seasonal employees); and

**WHEREAS**, the Township will provide employees who desire assistance with opening an account for purposes of complying with the mandatory direct deposit, with any necessary information.

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

**Section 1.** Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies under Article I entitled “General Policy and Procedures” is hereby amended and supplemented with the inclusion of a new Section 61-36. Entitled “Direct Deposit” to read as follows:

“Section 61-36 – Direct Deposit

Commencing July 1, 2014, the net pay of all full-time civilian and law enforcement employees including part-time Township employees (except temporary and seasonal personnel) shall be made by direct deposit only. The Chief Municipal Finance Officer shall be responsible for the payment of employees through direct deposit.

If, however, a temporary or seasonal employee requests to have his/her net pay processed through a direct deposit, the Township's Finance Department will accommodate and process the request.

A copy of this Ordinance shall be forwarded to the Chief Municipal Finance Officer for reference and action purposes."

**Section 2.** All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

**Section 3.** If any word, phrase, clause, section or provision of this ordinance shall be found by any Court or competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

**Section 4.** This Ordinance shall take effect in accordance with law.

The motion was seconded by Member Coppola was passed and the Ordinance introduced by the following roll call vote:

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

NOES: None

This Ordinance will be further considered for public hearing and final passage at the April 10, 2014 meeting of the Township Committee and at that time any person wishing to be heard will be given the opportunity to do so. The Ordinance and the Notice of Introduction will appear in full in the Daily Record in the April 3, 2014 of the newspapers.

So Introduced.

Mayor Francioli offered the following Ordinance and moved its Introduction:

**ORDINANCE NO. 13-2014**



**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
HANOVER REPEALING THE RANK DIFFERENTIAL GUIDE FOR THE RANKS OF  
CHIEF, CAPTAIN AND LIEUTENANT AS DESCRIBED UNDER SECTION 61-4.1.  
ENTITLED “SCHEDULE C POLICE SUPERIOR OFFICERS’ SALARY GUIDE”  
UNDER CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES  
AND COMPENSATION; PERSONNEL POLICIES**

**WHEREAS**, in 2003, the Township Committee established a rank differential guide for the ranks of Chief, Captain and Lieutenant as described in Salary Ordinance 12-2003, which was adopted by the governing body on June 12, 2003; and

**WHEREAS**, subsequent salary ordinances adopted by the Township Committee in 2004 through 2008 contained the rank differential guide; and

**WHEREAS**, in June 2009, the Public Employment Relations Commission certified the creation of Hanover PBA Local 128A - Superior Officers Association as the exclusive negotiations representative for the ranks of Captain and Lieutenant; and

**WHEREAS**, in 2013, the Township of Hanover and PBA Local 128A reached agreement on a new contract for the period beginning January 1, 2009 through December 31, 2013; and

**WHEREAS**, the annual wage schedule by job classification for the ranks of Captain and Lieutenant contained in the 2009-2013 Collective Bargaining Agreement incorporates a new rank differential which supersedes the rank differential provisions established under Section 61-4.1 of the Code of the Township and by preceding ordinances; and

**WHEREAS**, the salaries for the ranks of Lieutenant and Captain shall henceforth be determined by way of collective negotiations with the Township, and will be incorporated into the Collective Negotiations Agreements that result from those negotiations; and

**WHEREAS**, the salary for the rank of Chief of Police is now determined by way of the salary range first set forth in Section 4. of Salary Ordinance No. 15-13 as amended by Ordinance No. 33-2013 (adopted on December 12, 2013), and further as same may be amended from time to time; and

**WHEREAS**, it is the intention of the Township Committee to repeal as superseded the existing provisions of Section 61-4.1 entitled “Schedule C: Police Superior Officers’ Salary Guide” under Chapter 61 of the Code of the Township, and to replace them with the language set forth below.

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

**Section 1.**

A. The existing provisions of Section 61-4.1 entitled "Schedule C: Police Superior Officers' Salary Guide" under Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies which established a rank differential for the positions of Chief, Captain and Lieutenant are hereby repealed. In addition, the rank differential provisions as described in Salary Ordinance Nos. 12-2003, 30-2004, 15-2005, 14-2006, 10-2007 and 14-2008 are also repealed.

B. There is hereby adopted a new Section 61-4.1, entitled "Police Superior Officers' Salaries," which shall provide as follows, "The salaries for the ranks of Lieutenant and Captain shall be determined by the applicable collective negotiations agreement negotiated by the Township and ratified by the Township Committee of the Township of Hanover in accordance with applicable law."

**Section 2.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** This ordinance shall take effect in accordance with the law.

The motion was seconded by Member Brueno was passed and the Ordinance introduced by the following roll call vote:

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

NOES: None

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the April 3<sup>rd</sup>, 2014 issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

So Introduced.

Member Brueno offered the following Ordinance and moved its Introduction:

**ORDINANCE NO. 14-2014**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE FOLLOWING IMPROVEMENTS AT THE BEE MEADOW SWIMMING POOL FACILITY: (1) REPLACEMENT OF THE MAIN DRAIN GRATES IN THE MAIN AND WADING POOLS; (2) EXPANSION OF THE RECREATION AREA TO INCLUDE A HALF COURT BASKETBALL COURT, THREE FOUR SQUARE COURTS AND A TETHERBALL COURT; AND (3) INSTALLATION OF A ONE-HALF METER DIVING BOARD AND FURTHER APPROPRIATING THE SUM OF \$93,000.00 FROM THE SWIMMING POOL ENTERPRISE FUND – CAPITAL ACCOUNT FOR 2014 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT**

**WHEREAS**, the Hanover Township Board of Recreation Commissioners has included in its 2014 Capital Budget certain improvements and amenities to the Bee Meadow Swimming Pool facility; and

**WHEREAS**, the Township Committee has reviewed the proposed projects and concurs with the Board of Recreation Commissioners that the continual maintenance and improvement to the Bee Meadow Swimming Pool is essential in order to maintain its integrity and reliability as a fully functional and operational amenity for the benefit of Pool members.

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

**Section 1.** The governing body hereby authorizes and approves the following capital improvement projects at the Bee Meadow Swimming Pool facility located at Bee Meadow Park:

1. Replacement of the main drain grates in the main and wading pools;
2. Expansion of the recreation area to include a half-court basketball court, three (3) four-square courts; and one (1) tetherball court including any site preparation work necessary for the expansion of the recreation area; and
3. Installation of a new one-half meter diving board

**Section 2.** In accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-6.1, the Superintendent of the Recreation and Park Administration Department is hereby authorized and directed to obtain at least two (2) written competitive quotations for the replacement of the main drain grates in the main and wading pools. Likewise, the Township Engineer and/or Assistant Township Engineer are also directed to obtain at least two (2) written competitive quotations for the installation of one-half meter diving board, all in accordance with requirements of the Local Public Contracts Law.

**Section 3.** With respect to the expansion of the recreation area at the Bee Meadow Swimming Pool to include a half-court basketball court, three (3) four-square courts and a tetherball court and the installation of a one-meter diving board,

the Township Engineer and/or Assistant Township Engineer are authorized and directed to retain the services of a licensed professional engineer and licensed land surveyor in order to prepare the necessary drawings, plans and specifications related to the recreational amenities described above.

**Section 4.** In accordance with the drawings, plans and specifications prepared by the licensed professional engineer and licensed land surveyor, the Township Engineer and/or Assistant Township Engineer are further authorized and directed to advertise for the receipt of sealed competitive bids pursuant to the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq. for the installation of the improvements specified in this ordinance.

**Section 5.** The Township Committee hereby appropriates the following moneys from the 2014 Swimming Pool Enterprise Fund – Capital Account for 2014 and all prior years for each of the projects listed below:

- 1. Replacement of the main drain grates in the main and wading pools...\$ 1,700.00
- 2. Expansion of the recreation area to include a half-court basketball court, three (3) four-square courts; and one (1) tetherball court including any site preparation work necessary for the expansion of the recreation area.....\$ 63,000.00
- 3. Installation of a new one-half meter diving board.....\$ 28,000.00

**TOTAL AUTHORIZED APPROPRIATION.....\$93,000.00**

**Section 6.** This Ordinance shall take effect in accordance with law.

The motion was seconded by Member Gallagher was passed and the Ordinance introduced by the following roll call vote:

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

NOES: None

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the April 3, 2014, issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

So Introduced.

Mayor Francioli offered the following Ordinance and moved its introduction:

**ORDINANCE NO. 15-2014**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER REPEALING THE SALARY GUIDE FOR THE RANKS OF PATROLMEN, DETECTIVES AND SERGEANTS AS DESCRIBED UNDER SECTION 61-4.2. ENTITLED “SALARY SCHEDULE FOR PATROLMEN, SERGEANTS AND DETECTIVES” UNDER CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES**

**WHEREAS**, Section 61-4.2 entitled “Salary Schedule for Patrolmen, Sergeants and Detectives” under Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies describes the annual wage schedule by job classification in the Police Department for current police officers as of January 1, 2008 as adopted by Ordinance No. 25-07; and

**WHEREAS**, in February, 2014, the Township of Hanover and PBA Local 128 reached agreement on a new contract for the period beginning January 1, 2014 through December 31, 2017; and

**WHEREAS**, the annual wage schedule by job classification for the ranks of patrolmen and sergeants and officers assigned to the Detective Bureau need to be modified in accordance with the new four (4) year agreement; and

**WHEREAS**, the salaries for the ranks of patrolmen and sergeants and officers assigned to the Detective Bureau having been determined by way of collective negotiations with the Township will be incorporated into the Collective Negotiations Agreement that resulted from those negotiations; and

**WHEREAS**, it is the intention of the Township Committee to repeal as superseded the existing provisions of Section 61-4.2 entitled “Salary Schedule for Patrolmen, Sergeants and Detectives” under Chapter 61 of the Code of the Township, and to replace them with the language set forth below.

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

**Section 1.**

A. The existing provisions of Section 61-4.2 entitled “Salary Schedule for Patrolmen, Sergeants and Detectives” under Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies which established a wage schedule by job classification commencing January 1, 2008 is hereby repealed.

B. There is hereby adopted a new Section 61-4.2, entitled “Salary Schedule for Patrolmen and Sergeants and Officers Assigned to the Detective Bureau” which shall provide as follows, “The salaries for the ranks of Patrolmen, Sergeants and Officers assigned to the Detective Bureau shall be determined by the applicable collective negotiations agreement negotiated by the Township and ratified by

the Township Committee of the Township of Hanover in accordance with applicable law.”

**Section 2.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** This ordinance shall take effect in accordance with the law.

The motion was seconded by Member Brueno was passed and the Ordinance introduced by the following roll call vote:

AYES: Mayor Francioli, Members Gallagher,  
Ferramosca and Coppola

NOES: None

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the April 3, 2014, issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

Motion to convene a public hearing made by Member Francioli and seconded by Mr. Ferramosca and unanimously passed.

So Introduced.

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**RESOLUTIONS AS A CONSENT AGENDA:**

A-K as a Consent Agenda; are there any questions concerning any of the Resolutions or any comments into the record,

Motion by Member Coppola and seconded by Member Brueno and unanimously passed.

**RESOLUTION NO. 63-2014**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING THOMAS G. COBANE AS A REPLACEMENT LABORER II/SANITATION COLLECTOR II/TRUCK DRIVER I IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING APRIL 14, 2014 AND ENDING OCTOBER 14, 2014 AND ESTABLISHING HIS COMPENSATION AT \$20.19**

**PER HOUR OR IF ANNUALIZED \$42,000.00 UNDER JOB GROUP IV IN ACCORDANCE WITH SALARY RANGE GUIDE “D-1” (IBT) OF SALARY ORDINANCE NO. 12-2012 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, NEGATIVE DRUG TEST AND NEGATIVE CRIMINAL HISTORY RECORD CHECK)**

**WHEREAS**, with the retirement of Patrick Doonan effective March 1, 2014, a need exists to fill a vacant position in the Sanitation Division of the Department of Public Works, Buildings and Grounds and Park Maintenance in order to bring staffing up to its current authorized strength; and

**WHEREAS**, the position of Laborer II/Sanitation Collector II/Truck Driver I is classified as a Job Group IV under Salary Guide “D-1” (IBT Salary Range) of Salary Ordinance No. 12-12; and

**WHEREAS**, a total of sixteen (16) applications were received by the Township for the above referenced position; and

**WHEREAS**, the applicants were rated on their prior employment experience and their overall skills and abilities; and

**WHEREAS**, in accordance with the Township’s job application process, six (6) applicants were initially interviewed by the Human Resource Specialist and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department; and

**WHEREAS**, on March 18, 2014, the Business Administrator and Superintendent conducted follow-up interviews with the four (4) candidates who appeared to have the necessary skills and experience to perform the job of Laborer II/Sanitation Collector II/Truck Driver I; and

**WHEREAS**, as a result of the second round of interviews, the Business Administrator and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department believe that **Thomas G. Cobane** residing at 58 Kearney Avenue in the Whippany Section of Hanover Township possesses the necessary work experience and job qualification matching the Township’s job description for Laborer II/Sanitation Collector II/Truck Driver I and should be employed to fill the current vacancy; and

**WHEREAS, Mr. Cobane** passed both the written examination and drivers test for a Commercial Driver License and holds a current and valid Class “B” license; and

**WHEREAS, Mr. Cobane** shall commence employment on April 14, 2014 and serve in a probationary capacity for a six (6) month probationary period ending on October 14, 2014.

**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 **Thomas G. Cobane** residing at 58 Kearney Avenue in the Whippany Section of the Township is hereby employed to serve in the position of full-time **Laborer II/Sanitation Collector II** for a six (6) month probationary period commencing on Monday, April 14, 2014 and ending on Tuesday, October 14, 2014. In accordance with Salary Range Guide "D-1" (IBT Salary Guide) of Salary Ordinance No. 12-2012, **Mr. Cobane** shall be compensated at \$20.19 per hour or if annualized, \$42,000.00 under Job Group IV.
2. Because **Mr. Cobane** has already received a valid and current Commercial Driver License, Class "B", he is not entitled to receive any additional remuneration at the conclusion of his six (6) month probationary period.
3. This offer of employment is conditional and subject to **Mr. Cobane** receiving a satisfactory medical examination, a negative drug test and a negative criminal history record check, all in accordance with the Township's Personnel Policies and Procedures and Section 61-29.N.(1) through (4). Entitled "Alcohol and Drug Testing Policy for Civilian Employees" under Chapter 61 of the Code of the Township.
4. **Mr. Cobane** shall be subject to the requirements of the Employee Job Performance Evaluation System as described in full under Section 61-18. Of Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies. In the event that **Mr. Cobane** receives an unsatisfactory evaluation during the probationary period, **Mr. Cobane** shall be terminated at the conclusion of the probationary period or sooner, whichever is applicable.
5. The provisions of this resolution are subject to any applicable collective negotiations agreement that may be duly negotiated between the Township and IBT Local 97 and/or its successors, if any.
6. That certified copies of this resolution shall be transmitted to **Mr. Cobane**, the Township's Chief Municipal Finance Officer and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department for reference and information purposes.

**RESOLUTION NO. 64-2014**



**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE  
EMPLOYMENT OF TERESA K. ESPOSITO AS THE REPLACEMENT PART-TIME  
RECORDING SECRETARY TO THE LANDMARK COMMISSION, OPEN SPACE  
ADVISORY COMMITTEE, ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND  
ESTABLISHING HER COMPENSATION AT \$15.00 PER HOUR IN ACCORDANCE  
WITH SALARY ORDINANCE NO. 15-13**

**WHEREAS**, Anita Ahlmeyer resigned as the Part-Time Recording Secretary to the Landmark Commission, Open Space Advisory Committee and Economic Development Advisory Committee effective October 31, 2013; and

**WHEREAS**, in order to assist the Boards mentioned above a need exists to replace the part-time recording secretary to assist the Commission and Advisory Committees in keeping accurate minutes of its meetings, and in performing other essential tasks in order for the Commission and Advisory Committee to discharge its duties and responsibilities in accordance with the general legislation under Chapters 21, 31 and 50 of the Code of the Township of Hanover; and

**WHEREAS**, through the job application process, the Department of Administration advertised for the position of Part Time Recording Secretary and received a total of two (2) applications; and

**WHEREAS**, both candidates were interviewed and, as a result of those interviews, the Business Administrator believes that **Teresa K. Esposito** residing at 43 Skyview Drive in Franklin, New Jersey 07416 possesses the necessary skills and ability to assume the job duties and responsibilities of the Part Time Recording Secretary to the Landmark Commission, Open Space Advisory Committee and Economic Development Advisory Committee, and therefore, should be appointed by the governing body to fill the vacant position.

**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 **Teresa K. Esposito** of 43 Skyview Drive in Franklin, New Jersey 07416 is hereby employed to serve as the replacement part-time Recording Secretary to the Landmark Commission, Open Space Advisory Committee and Economic Development Advisory Committee.

2. **Ms. Esposito** shall be compensated at the rate of \$15.00 per hour in accordance with Salary Ordinance No. 15-2013.

3. Pursuant to Township policy, as it pertains to part-time employees, **Ms. Esposito** shall not be eligible to receive or accrue any paid vacations, sick leave, insurance coverages or health benefits of any kind whatsoever.

4. This appointment to part-time employment shall take effect immediately.

5. That a certified copy of this Resolution shall be transmitted to the Township's Chief Municipal Officer, the Chairpersons of the Landmark Commission, Open Space Advisory Committee, Economic Development Advisory Committee and **Ms. Esposito** for reference and information purposes.

#### **RESOLUTION NO. 65-2014**

### **A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A ONE-TIME SALARY RANGE INCREASE FOR KRISTA DIGIORGIO, THE TOWNSHIP'S EXECUTIVE SECRETARY II TO THE BUSINESS ADMINISTRATOR FROM \$43,000.00 PER ANNUM TO \$47,000.00 PER ANNUM UNDER JOB GROUP VII HAVING RECEIVED A SATISFACTORY JOB PERFORMANCE EVALUATION**

**WHEREAS, Krista DiGiorgio** served as the Part-Time Assistant Control Person/Account Clerk in the Building Department since her initial starting date on May 29, 2012; and

**WHEREAS, Rita Rewick** retired as the Executive Secretary II to the Business Administrator effective November 1, 2013; and

**WHEREAS, based on the recommendation of the Business Administrator, Ms. DiGiorgio** was promoted by the Township Committee by resolution dated September 12, 2013 to serve as the Business Administrator's Executive Secretary II effective September 23, 2013; and

**WHEREAS, Ms. DiGiorgio** was promoted to the position of Executive Secretary II at a salary of \$43,000.00 per annum under Job Group VII pursuant to Schedule "B" and Salary Range Guide "C" of Salary Ordinance 15-2013; and

**WHEREAS, paragraph 2 of the Resolution of Appointment stipulated that Ms. DiGiorgio** shall receive an additional \$4,000.00 under Salary Range Guide "C" for a total salary of \$47,000.00 at the conclusion of her six (6) month probationary period provided she receives a satisfactory job performance evaluation; and

**WHEREAS, Ms. DiGiorgio** received a satisfactory job performance evaluation at the conclusion of her six (6) month probationary period on March 23, 2014; and

**WHEREAS, paragraph 2 further stipulates that since Ms. DiGiorgio** is classified under Salary Range Guide "C" she will not be entitled to receive any additional increments except for the annual cost of living adjustments which may be authorized by the governing body.

**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 paragraph 2 set forth in the September 12, 2013 resolution promoting **Krista DiGiorgio** to the position of Executive Secretary II to the Business Administrator, **Ms. DiGiorgio** shall receive a one-time \$4,000.00 increment retroactive to March 23, 2014. **Ms. DiGiorgio's** new annual salary is hereby established at \$47,000.00 per annum under Job Group VII of Salary Range Guide "C" as set forth in Salary Ordinance No. 15-2013.
2. That certified copies of this resolution shall be transmitted to **Ms. DiGiorgio** and the Township's Chief Municipal Finance Officer for reference and information purposes.

#### **RESOLUTION NO. 66-2014**

### **A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A ONE-TIME HOURLY RATE INCREASE FOR SHELBY SNOW, THE TOWNSHIP'S PART-TIME ACCOUNT CLERK IN THE FINANCE DEPARTMENT FROM \$17.00 PER HOUR TO \$17.50 PER HOUR UNDER JOB GROUP III HAVING RECEIVED A SATISFACTORY JOB PERFORMANCE EVALUATION**

**WHEREAS, Shelby Snow** served as a temporary seasonal employee in the Building Department during the summer of 2013; and

**WHEREAS,** with the transfer of Elia Rudy to the position of Support Services Secretary/Senior Clerk Typist in the Police Department effective September 16, 2013, a need existed to fill Ms. Rudy's vacant position of Account Clerk; and

**WHEREAS,** the Township's Chief Municipal Finance Officer interviewed **Ms. Snow** and recommended that she be transferred from the temporary seasonal position in the Building Department to the part-time Account Clerk position in the Finance Department effective September 16, 2013; and

**WHEREAS, Ms. Snow** was appointed to the part-time position of Account Clerk at the rate of \$17.00 per hour under Job Group III pursuant to Schedule "B" and Salary Range Guide "C" of Salary Ordinance 15-2013; and

**WHEREAS,** paragraph 2 of the Resolution of Appointment stipulated that **Ms. Snow** shall receive an additional \$.50 per hour under Salary Range Guide "C" for a total salary of \$27,300.00 at the conclusion of her six (6) month probationary period provided she receives a satisfactory job performance evaluation; and

**WHEREAS, Ms. Snow** received a satisfactory job performance evaluation at the conclusion of her six (6) month probationary period on March 16, 2014; and

**WHEREAS**, paragraph 2 further stipulates that since **Ms. Snow** is classified under Salary Range Guide "C" she will not be entitled to receive any additional increments except for the annual cost of living adjustments which may be authorized by the governing body.

**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 paragraph 2 set forth in the September 12, 2013 resolution appointing **Shelby Snow** to the part-time position of Account Clerk in the Finance Department, **Ms. Snow** shall receive a one-time \$.50 increment retroactive to March 16, 2014. **Ms. Snow's** new annual salary is hereby established at \$273000.00 per annum under Job Group III of Salary Range Guide "C" as set forth in Salary Ordinance No. 15-2013.
2. That certified copies of this resolution shall be transmitted to **Ms. Snow** and the Township's Chief Municipal Finance Officer for reference and information purposes.

#### **RESOLUTION NO. 67-2014**

#### **A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING J. WILLIAM BYRNE TO SERVE AS A MEMBER OF THE HANOVER SEWERAGE AUTHORITY BOARD IN FILLING THE FIVE (5) YEAR UNEXPIRED TERM OF WALTER B. GALACKI WHICH TERM OF OFFICE SHALL EXPIRE ON JANUARY 31, 2017**

**WHEREAS**, Walter B. Galacki was first appointed to serve as a member of the Hanover Sewerage Authority (HSA) Board on April 13, 1995; and

**WHEREAS**, on January 1, 2012, Mr. Galacki was reappointed to serve a five (5) year term commencing February 1, 2012 and expiring on January 31, 2017; and

**WHEREAS**, in an e-mail dated February 3, 2014, Mr. Galacki advised the Township's Business Administrator of his resignation from the HSA Board effective immediately; and

**WHEREAS, J. William Byrne**, a resident of the community has expressed an interest to serve the Township in a voluntary capacity by actively participating on the Hanover Sewerage Authority's Board; and

**WHEREAS**, it is the intention of the Township Committee to appoint **J. William Byrne** to fill the five (5) year unexpired term of **Mr. Galacki**; and

**WHEREAS, Mr. Byrne's** term of office shall expire on January 31, 2017 or until his successor shall be appointed and qualified.

**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 appoints **J. William Byrne** residing at 7 Vincent Terrace in the Whippany Section of Hanover Township to serve as a member of the Hanover Sewerage Authority in filling the five (5) year unexpired term of Walter B. Galacki.
2. **Mr. Byrne's** term of office shall expire on January 31, 2017 or until such time as **Mr. Byrne's** successor shall be appointed and qualified.
3. This appointment shall take effect immediately upon approval of this resolution.
4. That certified copies of this Resolution shall be transmitted to **Mr. Byrne**, the Executive Director of the Hanover Sewerage Authority, the New Jersey Department of the Treasury and the Authority's Bond Counsel for reference and information purposes.

**RESOLUTION NO. 68-2014**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH JOSEPH BURGIS, PP, AICP AND THE FIRM OF BURGIS ASSOCIATES, INC. FOR THE PURPOSE OF PREPARING A NEW JERSEY STATE HIGHWAY ROUTE 10 STREETScape CORRIDOR IMPROVEMENT PLAN TO ESTABLISH A COMPREHENSIVE INTERGRATED PLAN FOR THE LONG TERM GROWTH OF THE ROUTE 10 CORRIDOR, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AND PAY-TO-PLAY LAWS AT N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND 19:44A-20.26 ET SEQ. AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$26,000.00**

**WHEREAS**, pursuant to the provisions of the Local Public Contracts Law at N.J.S.A. 40A:11-5.(1)(a)(i) and the Pay-to-Play regulations at N.J.S.A. 19:44A-20.5 and 19:44A-20.26, it is the intention of the Township Committee to retain the services of **Joseph H. Burgis, P.P., A.I.C.P.**, a professional planner licensed by the State of New Jersey and the **Firm of Burgis Associates, Inc.** for the purpose of preparing a comprehensive integrated plan for the long-term growth of the New Jersey State Highway Route 10 corridor for properties fronting on Route 10 between Interstate Route 287 eastward to municipal boundary line with the Township of East Hanover; and

**WHEREAS**, **Mr. Burgis** and the **Firm** will assist the Planning Board in the preparation of the New Jersey State Highway Route 10 Streetscape Corridor Improvement Plan which will include but not be limited to land use recommendations,

standards for design and concept plans to indicate the manner in which sites may be developed or redeveloped along the corridor; and

**WHEREAS**, the Business Administrator/Township Clerk requested that **Joseph H. Burgis** submit a proposal to the Township describing the scope of services to be performed with respect to Route 10 Streetscape Corridor Improvement Plan described above; and

**WHEREAS**, in a letter dated February 28, 2014, **Mr. Burgis** submitted a letter proposal and quotation outlining the framework for the plan and the cost; and

**WHEREAS**, the total cost to prepare the Streetscape Corridor Improvement Plan shall not exceed \$26,000.00; 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), that the estimated contract for the performance of professional planning consultant services has an estimated value in excess of \$17,500.00; and

**WHEREAS, Joseph Burgis, PP, AICP**, as the principal of **Burgis Associates, Inc.** has completed and submitted a Business Entity Disclosure Certification which certifies that **Burgis Associates, Inc.** has not made any reportable contributions to a political candidate or candidate committee in the Township of Hanover in the previous one (1) year and that the contract with the Township will prohibit **Burgis Associates, Inc.** from making any reportable contributions during the term of the professional services agreement; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.26, **Burgis Associates, Inc.** has also filed a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification; and

**WHEREAS, Joseph Burgis, PP, AICP** and the **Firm of Burgis Associates, Inc.** shall be compensated on an hourly rate basis, in accordance with the Firm's schedule of hourly rates as set forth on page 4 of the February 28, 2014 proposal and quotation. However, the total cost to perform the scope of services shall not exceed \$26,000.00; and

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

**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 **Joseph Burgis, PP, AICP** and the **Firm of Burgis Associates, Inc.** located at 25 Westwood Avenue in Westwood, New Jersey 07675 are hereby retained for the purpose of providing the Township Committee and the Planning Board with professional planning consultant services in the preparation of a New Jersey State Highway Route 10 Streetscape Corridor Improvement Plan to establish a comprehensive integrated plan for the long-term growth of the Route 10 Corridor. The scope of services shall be performed in accordance with the February 28, 2014 letter proposal and quotation submitted by **Joseph Burgis** which letter proposal and quotation is attached hereto and made a part of this resolution as if set forth in full.

2. The total cost to perform the Streetscape Corridor Improvement Plan shall not exceed \$26,000.00. The consultant and firm shall be compensated based on the Firm's 2014 hourly rate schedule which is set forth in the February 28, 2014 letter proposal and quotation.

3. The Mayor and Business Administrator are hereby authorized and directed to execute a Professional Services Agreement on behalf of the Township in an amount not to exceed \$26,000.00.

4. This appointment is awarded without competitive as a "Professional Service" under the provision of the Local Public contracts Law at N.J.S.A. 40A:11-5.(1)(a)(i) 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.

5. 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.

#### **RESOLUTION NO. 69-2014**

#### **A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT IN RETAINING THE SERVICES OF CARFAX: LAW ENFORCEMENT SOLUTIONS TO UTILIZE AND PARTICIPATE IN CARFAX'S POLICE CRASH ASSISTANCE PROGRAM**

**WHEREAS, CarFax: Law Enforcement Solutions** (hereinafter referred to as **CarFax**) with its main office located in Centerville, Virginia has a Police Crash Assistance Program that serves as an information exchange for its members; and

**WHEREAS**, through its Program, **CarFax** is able to provide data regarding millions of vehicles through its E-Commerce and Investigative Tools Program; and

**WHEREAS**, participation in the Program would assist the Hanover Township Police Department in its investigations; and

**WHEREAS**, the Township has determined that the Police Crash Assistance Program is a unique program specific only to **CarFax**; and

**WHEREAS**, the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS**, it is the intention of the Township Committee to retain the services of **CarFax** and participate in its Police Crash Assistance Program; and

**WHEREAS**, **CarFax** has completed a Business Entity Disclosure Certification, a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification certifying that **CarFax** has not made any reportable contributions to a political or candidate committee in the Township with its elected officials in the previous one year and that the contract will prohibit **CarFax** from making any reportable contributions for the term of the contract.

**NOW, THEREFORE, BE IT RESOLVE**, 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 awards and authorizes the Mayor and Township Clerk to execute the E-Commerce and Investigative Tools Enrollment Form and any other necessary agreement for same with **CarFax: Law Enforcement Solutions** with offices located at 5860 Trinity Parkway, Suite 600 in Centerville, Virginia 2012 to participate in the **CarFax** Police Crash Assistance Program.
2. This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Services under provisions of the Local Public Contracts Law at N.J.S.A. 40A:11-5(1)(a)(ii) because the services provider are unique to the contract provider.
3. The Political Contribution Disclosure Form, Business Entity Disclosure Form and the Stockholder Disclosure Certification including the Business Administrator’s Determination of Value and Certification Form shall be placed on file with this resolution.
4. That a brief notice of this award shall be published once in the Daily Record as required by law within ten (10) days of its passage.
5. That certified copies of this resolution shall be transmitted to the Chief of Police and Matthew Simpson of **CarFax** for reference and information purposes.



## RESOLUTION NO. 70-2014

### A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING THE MUNICIPAL SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP AND THE VIERA AT HANOVER CONDOMINIUM ASSOCIATION, INC. TO PROVIDE FOR THE REIMBURSEMENT FOR SALTING, SANDING AND SNOW PLOWING SERVICES AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE AGREEMENT

**WHEREAS**, in calendar year 2009, in accordance with the Municipal Services Act, N.J.S.A. 40:67-23.1 et seq. the Township Committee conducted good faith negotiations with the **Viera at Hanover Condominium Association, Inc.** (hereinafter referred to as the "**Association**") for the purpose of determining reimbursements to **Viera**, and in providing certain municipal services to the homeowners and residents of the multi-family residential development; and

**WHEREAS**, by resolution dated January 28, 2010, the Township Committee approved a resolution authorizing the execution of a Municipal Services Agreement by and between the Township and the **Association**; and

**WHEREAS**, the Municipal Services Agreement was executed by the Township and the **Association** on April 6, 2010; and

**WHEREAS**, paragraph 6.C. of the Agreement stated that until Viera Drive, Chelsea Drive and Spring Hollow Road had a final surface coat applied, the Township would reimburse the **Association** every subsequent calendar year following the adoption of the Township's Current Fund Budget for what it would have cost the Township to provide the salting, sanding and snow plowing services along the main roads; and

**WHEREAS**, during the fall of 2013, the final surface pavement was applied to the three (3) main roads listed above; and

**WHEREAS**, with the application of the final asphalt pavement, the Township's Public Works, Buildings and Grounds and Park Maintenance Department began salting, sanding and snow plowing operations at the end of calendar year 2013; and

**WHEREAS**, subsequent to the commencement of these salting, sanding and snow plowing operations by the Township, INTEGRA Management Corporation, (the management firm representing the **Association**) requested that the **Association** would prefer reimbursement for salting, sanding and snow plowing work rather than having the Township perform the services; and

**WHEREAS**, the Business Administrator has discussed the request by the **Association** for an amendment to the April 6, 2010 Municipal Services Agreement whereby the **Association** would be reimbursed for salting, sanding and snow plowing activities performed by **Viera's** private contractor but based on what the Township's actual cost would have been to salt, sand and snow plow the .21 miles of Viera Drive, Chelsea Drive and Spring Hollow Road within the **Viera at Hanover Condominium Development**; and

**WHEREAS**, the Township Committee has carefully considered the request by the **Association** for reimbursement for salting, sanding and snow plowing services and consents to the amendment to the April 6, 2010 Municipal Services Agreement.

**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 consents to an amendment to paragraph 6.C. under Section 6. of the Agreement entitled "Election to Reimburse the **Association** – Salting and Snow Plowing for 2008 and 2009" to read as follows:

"6.C. The Township agrees to reimburse the **Association** for salting, sanding and snow plowing services for the months of January through March, 2013 and will continue to reimburse the **Association** for these services in 2014 and every subsequent calendar year thereafter following the adoption of the Township's Current Fund Budget with said reimbursements based on what it would have cost the Township to perform the salting, sanding and snow plowing services along the .21 miles of Viera Drive, Chelsea Drive and Spring Hollow Road within the **Viera at Hanover Condominium Development**. Reimbursement shall be made in lieu of the Township providing salting, sanding and plowing along the three (3) main roads."

2. A certified copy of this resolution shall be forwarded to the **Viera at Hanover Condominium Association, Inc.**, INTEGRA Management Corporation, the Township Engineer, and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department.

#### **RESOLUTION NO. 71-2014**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING CHANGE ORDER NO. 1 (FINAL) TO STANZIALE CONSTRUCTION, LLC FOR THE RESURFACING OF THE ENTIRE LENGTH OF WARREN STREET IN WHIPPANY AND DECREASING THE TOTAL DOLLAR AMOUNT OF THE CONTRACT FROM \$131,517.50 TO \$121,888.06 OR A \$9,629.44 REDUCTION WHICH REPRESENTS A 7.32% DECREASE OF THE TOTAL CONTRACT DOLLAR AMOUNT**

**WHEREAS**, the Township of Hanover entered into a contract with Stanziale Construction, LLC for the resurfacing of the entire length of Warren Street in the Whippany Section of Hanover Township; and

**WHEREAS**, the amount of the competitively bid contract was a unit price bid totaling \$131,517.50; and

**WHEREAS**, the Township Engineer has submitted Change Order No. 1 (Final), dated March 19, 2014, which describes extra work for storm drainage inlets, resetting existing sanitary manhole rims and covers with composite riser rings and granite block curb as described on the Change Order; and

**WHEREAS**, the Change Order also describes a supplemental asphalt price adjustment and police services as well as reductions for other work; and

**WHEREAS**, the Township's Change Order No. 1 (Final) signed by the Township Engineer and Assistant Township Engineer is attached hereto and made a part of this resolution as if set forth in full; and

**WHEREAS**, the Township Engineer has now determined that the reduced quantities for items needed in the resurfacing of the entire length of Warren Street shall decrease the total contract amount from \$131,517.50 to \$121,888.06 or a 7.32% decrease in the total dollar amount of the adjusted contract.

**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 approves the recommendation of the Township Engineer that Change Order No. 1 (Final), reducing the total contract amount by \$9,629.44 be accepted, and

2. That the final total adjusted contract amount with **Stanziale Construction, LLC** be fixed at \$121,888.06.

3. The Business Administrator/Township Clerk is hereby authorized to execute the final Change Order, Change Order No. 1.

4. A certified copy of this resolution be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **Stanziale Construction, LLC**.

#### **RESOLUTION NO. 72-2014**

**RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY  
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**Section 1.**

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Hanover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 which item is now available as a revenue from:

State of New Jersey:	\$ 3,000.00
Green Communities Grant Program	

**Section 2.**

**BE IT FURTHER RESOLVED**, that a like sum of \$ 3,000.00 and the same is hereby appropriated under the caption of:

Other Operations Excluded from "CAPS":	
State and Federal Programs Offset by Revenues:	\$ 3,000.00
Green Communities Grant Program: OE	

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services.

**RESOLUTION NO. 73-2014**

**RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**Section 1.**

***NOW, THEREFORE, BE IT RESOLVED***, that the Township Committee of the Township of Hanover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014, which item is now available as a revenue from:

State of New Jersey, Division of Motor Vehicles, Drunk Driving Enforcement Fund Grant - (P.L. 84, c.4)	\$24,121.99
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**Section 2.**

***BE IT FURTHER RESOLVED***, that a like sum of \$24,121.99 be and the same is hereby appropriated under the caption of:

Other Operations Excluded from Caps: State and Federal Programs Offset by Revenues: Police Drunk Driving Enforcement Fund Police - Salaries & Wages - (P.L. 84, c.4)	\$24,121.99
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The following raffle applications were approved as a consent agenda item.

**RAFFLES APPLICATIONS:**

- RA/RL 2740 – Parents for the Advancement of Girl’s Gymnastics – off premise raffle
- RA/RL 2741 – Mental Health Association of Morris Cty – 50/50 off premise
- RA/RL 2742 – Mental Health Association of Morris Cty – Tricky Tray
- RA/RL 2743 – P.G. Chambers School –on premise raffle
- BA- 2744 – St. John the Baptist Ukrainian Church – Bingo
- RA/RL 2745 – Hackettstown Comm. Hospital Found. – 50/50 off premise
- RA/RL 2746 – Whippany Fire Company – 50/50 off premise
- BA- 2747 – East Hanover PTA – Bingo
- RA/RL 2748 – East Hanover PTA – 50/50 off premise

Mayor Francioli moved, seconded by Mr. Ferramosca  
Members Gallagher, Ferramosca, Brueno, Coppola and Mayor Francioli.

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**OTHER BUSINESS:**

Mr. Gallagher: With the Substance Awareness Council, I’m proud to announce that we are going to have a new activity in Hanover Township on Memorial Day weekend. As many of us know a lot of people go down the shore but many families don’t. So what we are going to do on Friday night May 23, 2014 is being a volleyball tournament for K-8 graders and their families at Whippany Park High School. As of now

it is going to be 7:30-10:00 and offer pizza and hot dogs, open to all families of Hanover Township.

Tomorrow night, March 28, Substance Awareness Youth Night is going to have their first Roller Skating event at Florham Park Roller Rink. Permission slip is on the Recreation Department Website, bring it with you.

Lastly, on Tuesday, April 8, 2014 7:30 at MJS auditorium our Schools and Parks Traffic Safety Advisory Subcommittee will hold our public hearing.

Mr. Brueno: The DPW our second automated garbage truck in our fleet of one arm garbage trucks is due to arrive very shortly, the garbage cans were delivered yesterday and today and that truck will now allow us to pick up 2/3 of the town's garbage with our new one arm truck. Just want to make it clear that we are not eliminating any personnel or redeploying them, and hopefully we will be even more efficient in any other areas in town that need their attention, parks & recreation and so forth.

Recreation side, two dates to note April 26, opening day for Hanover Township Little League and the following May 3, hopefully we will have some warm weather by then our annual fishing contest will take place at 8:30 at Bee Meadow Pond.

Mr. Ferramosca: Mr. Brueno quick question, the new garbage truck we should put the cans out is it on April 23 that Wednesday, is that the first day?

Mr. Brueno: Not confirmed yet, but that is the date we are shooting for. I will let you know at the next meeting on that.

Mayor: Second truck is going to be a big advantage. A third truck which we are now beginning to fund for will complete the entire coverage of the Township. Every residential pick up will now be through the one arm truck. Which, by the way, over the last several years has proved to be phenomenal. I think everyone appreciates it.

Mr. Coppola: Our Memorial Day Services, just a reminder in May, Monday 26<sup>th</sup> at the Community Center at 7:00, the Veterans will be serving breakfast from 7-8:15 and 8:30 we will have our services and then we will have bus transportation from here to the High School where the parade begins at 10:00.

The Little League opening day, if anyone would like to see an extravaganza watch 900 hot dogs disappear in about 15 minutes. The kids can't wait for the services to end, just so they can get their hot dogs. It's always a nice day and a lot of fun.

Mayor: I want to recognize Tom, Tom Cobane is coming on with our DPW so welcome aboard, and secondly it's really appropriate as we a Township Committee to thank Silvio, our financial staff, everybody who is connected with our Administrator and Administrative staff for putting together the 2014 budget. It wasn't so much as putting it

together but it was working with us to crunch the numbers. This is the first time in a long time that Hanover Township can say not only are we the lowest taxes in the entire County, we will have Zero tax increase on the Municipal side that's for commercial and residential etc., we are still getting finalized reports from our school system and the

County claims it is going to be zero, as well, so for all of our residents and all the people that work in our Township, the companies in our township it's phenomenal and its' great and we thank you. It's a goal that we as a Township Committee had but you made it a reality so we appreciate everybody that had a hand in it.

April 3, 2014 just a reminder at 8:00 in these Chambers, Hanover will once again with the Township Committee will present the State of Hanover Address. The State of Hanover Address will cover all aspects of your municipal government, all issues before us, the budget itself, and we will give you a snap shot of what all of our departments are doing. I highly recommend that if you can join us on that date, be here.

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**OPEN TO THE PUBLIC**

Motion to open Meeting by Member Ferramosca.  
All in favor.

None appearing, Member Ferramosca moved the meeting be adjourned. The motion was seconded by Member Brueno and was unanimously passed.

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

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Joseph A. Giorgio, Township Clerk