

**April 10, 2014**

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, April 10, 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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**OPEN TO PUBLIC**

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

Howard Olsen, 93 Griffith Drive, Whippany; What I would like to do is ask the Township Committee if we can continue or start to work on the Path that I had mentioned about.

Mayor: Patriot's Path?

Mr. Olsen: No the path around Bee Meadow Pond. I brought this to your attention a while ago and I would like to know whether or not; I took a walk around there and finally, Gerry, after 6 years we finally got the culvert finished and that is going to be done and you have the walkway on the right side of that follows the road, behind the football field, now over that we can add to that and make it a walking path all the way around the pond. There is almost a path way there now and I'm sure with the capability

that we have now with our Recreation Department, working along with Brian, I'm sure we can do it with our own personnel nothing to do with EPA, and all it would really take would be quarry process the same as we have on the other side, and I was just hoping and praying that maybe we can get this done so that way when people come up and watch football games or bring the kids to the games up there or swimming they have a place to walk around, and there is nothing nicer than to walk around a pond.

Mayor: It is a nice amenity.

Mr. Olsen: You have one on that side of Route 10; which is actually Whippany Park. They use that all the way around and... The track or they also have a black top that goes all the way around. I would also like to bring up, is that I brought this up before but is there anything that we as a Township can do about our wonderful eye sore on Route 10 next to Bogey's? We had too many eye sores going through Whippany Village, we don't need to air out our laundry by having something like that sitting there so that everybody goes through Hanover, because everybody hears how great Hanover is, and they say that they have the old dilapidated house right there on Route 10, I'd like to know if there is anything that we as a Township Committee can do?

Mayor: Oddly enough, that was on our agenda in Conference Session and the property in question publically known as the Hardy Property. That is the house next to Bogey's you are talking about, in terrible disrepair and we got several of those houses, luckily not all of them are on Route 10, but there are several things that are happening at this particular time. One is in regards to private land owners that are talking about that particular property right now and for the longest time that property fell into the control of the heirs because the owners became incapacitated or a death maybe, regardless the Township is anxious to see some private sector or peoples come to terms with that property and acquire it and knock it down and that might be imminent. If it is not, then we have explored some avenues that the Township can take. We are all concerned with the eye sores along Route 10, we truly are, and I think everyone who sits on this Township Committee is but we also walk a very fine line with the rights of private land owners, and when does a piece of property become a blight or a safety issue or when does it come a detriment to the Township and when it does and we define it as such what action can we take? I just can't go on your property and start nailing boards on your windows. Howie you know that, but we are exploring that avenue. There are similar properties that we had to go on the property and take action and we did, and we are prepared to do that on this particular property to. There are some others that are a problem to us, further down by Route 10 by the Fire house, that flood zone down there, there are some properties some of them are still being used, some are vacated they all have to be dealt with and it's on the Township Committee's top of the agenda. The Administrator brought it up again tonight for what we are going to do and we discussed it with council who just had to leave us a little while ago, so bear with us, we are going to see if we can get some things goings.

Going back to the pond for a second, Gerry where did we leave that matter?

Gerry Maceira: What Mr. Olsen is proposing is a nature trail around the pond, right now there is an informal trail and that is what he is referring to, I think he is proposing is that we formalize it and it can conceivably be connected to the connectivity plan that we have adopted. Right now there is no formal budget,

Mayor: There is no budget in our formal proposal for that?

Mr. Maceira: No, not particularly.

Mayor: Is it a nature trail? Is it finished surface right now?

Mr. Maceira: That's what we discussed, right now it's just informal, some people like to walk around the pond, and they created kind of like a path. There is no formal delineations there is no surface.

Mayor: If the Township comes in and I understand we have another plan on the drawing board here with connectivity but if the Township wanted to go ahead and undertake the work are there tree removals?

Mr. Maceira: There might be but certainly you want to minimize that type of activity but you want to make sure that it is wide enough and safe enough and make sure it's a stable surface.

Mr. Olsen: Most of it, when I walked it today, most of it is dead leaves brush, underbrush.

Mayor: Is it clear?

Mr. Olsen: You aren't going to do a straight jog you work your way around the trees and everything else like that and it worked out perfect.

Mr. Brueno: We are going to take a look at it, I don't think we are going resolve that tonight, take a look at it and see what is feasible.

Mr. Maceira: I think it might be a project that maybe the Board of Recreation can maybe look at.

Mayor: Can I suggest that you and Bob get together and maybe review this and take a look at this if it something that is within the scope of what we can do and finish up and even though we want to go further with let's say if it something we can get on for active use right now.

Mr. Brueno: Absolutely, we can take a look at it; it's not going to be imminent, we have a lot of work going on in the fields, our playing fields took a beating this winter as we know the winter from Antarctica really with all the snow, ice and rain. We are trying to get the field ready for Little League, soccer, lacrosse, but certainly it is something that

Gerry and Brian and I can take a look at and see if it's a project that we can take on with our own private resources or something that we might have to get some outside help.

Mayor: That's fair.

Mr. Olsen: We can also use the Open Space Fund.

Mayor: Good.

Gene Pinnadella, 38 Sunset Drive: There was a time if you can show that was going to be part of the Patriot's Path, there was a time when the County had agreed that would clear that and pave it with stone...

Mayor: We entered into a contract with them at the time.

Mr. Pinnadella: And that since that will be part of the connectivity path that might be a way to get it done early. The county might want to come in and do that

Mayor: Gene that contact probably goes back 10-12 years now, I don't even know if the ink faded,

Mr. Pinnadella: I don't know if it is still enforced, but we can probably see.

Mayor: I think we are going to talk some more about it but

Mr. Pinnadella: But that is an avenue you can explore; somebody can talk to the County. They have been anxious to do a lot of work with us, according to what Art and his group has done.

Mayor: Well ultimately, let's say ultimately, but if there is something that we can do between recreation and public works right now to just make it usable then what the heck we can always come back on it and prove it.

Mr. Olsen: The only thing that I would say Gerry is, pardon me, this is going to Gerry, when is the culvert supposed to

Mr. Maceira: The culvert replacement construction work is planned for August.

Mr. Olsen: So if we are looking at

Mr. Maceira: by the fall of this year,

Mr. Olsen: And I understand, Mr. Brueno, that we are working very diligently on the fields, they are taking a beating from the weather; it is just something to put in the mind because we are always looking to do something for the people of Hanover Township and I think this is a cheap way out and a great thing.

Art Linfante: 2902 Appleton Way, I know you are going to be talking to Gerry about the funding program about doing that later, if you want to do it now.

Mayor: Well, we are probably going to take it up again in conferences that is going to be a discussion with the engineer as to what this grant is all about, where we are with it, the filings that we have to have in by a certain date, I think it is May 15, so it is going to be more of a discussion like thing.

Mr. Brueno: As Mr. Linfante has the floor though; you can give us a quick update overview as to where we are.

Mr. Linfante: Sure, our agenda tonight was to talk about this program so when I heard you were having it on the agenda, we might as well hear what is going on from you guys and if you needed anything from us, we are here to tell you whatever you need us to tell you. But I think Gerry has been working with Dave, you have all the costs from Dave and you know what this project is going to cost. It is a soup to nuts cost somewhere, and Gerry correct me if I'm wrong, somewhere around \$650,000, however, those costs include improvements to Hanover Avenue, which probably is a longer term issue, the costs also include paving from the community gardens to Woodmont, that is an issue that we are going to try to resolve with the County, because the County has expressed an interest in maybe doing that paving for us or something along those lines.

Mayor: The County indicated that they might have funding?

Mr. Linfante: Now you are talking about something that I don't know anything about, I kind of reported what, Gerry you can correct me if I'm wrong,

Mayor: You got into a nasty area, there, okay go ahead.

Mr. Linfante: I understand, that was a question and that was certainly an issue, but I think Dave is supposed to have a meeting with them soon and where we are right now is we are looking to see what kind of funding we are going to have for Phase I, the grant which we think is a phenomenal project and I don't know if Gerry had a chance to talk to Ed Farmer yet who is the Grant's Coordinator I put in touch with Gerry. That if we are lucky enough to get some decent funding it is probably going to be for Phase II and the longer term projects from Phase I like East Hanover Avenue, and some of the major improvements but so what we need is to have some kind of schedule to get Phase I funded and that is one of the things we wanted to talk to you folks about.

Mayor: We can't move forward, the subject at hand tonight is going to be this grant, and your right, that's for forget Phase I Phase II; that's grant money against this entire project. Phase I we have been talking to some corporate and private sectors as you know, but the Township cannot move forward in those kinds of discussions without having information about what the potential costs, what are we looking for?

Mr. Linfante: You have it;

Mayor: We have it?

Mr. Maceira: Well, to correct Art, I haven't received it yet.

Mr. Linfante: Oh... Ok,

Mr. Maceira: It might be imminent it might be in the mail, I haven't received it.

Mr. Linfante: I know he had these numbers around \$650,000 forever, but so I will call them tomorrow and I will make sure you get them right away. Because what Gerry has told you, we are ready to go to bid in a couple of months and go to construction shortly thereafter it is not a huge.

Mayor: You are going to be able to bid in a couple of months?

Mr. Maceira: Well we have a consultant working on the plans putting the back ends so I haven't received those yet, plans to review, but I think they are about 80% done.

Mr. Linfante: So that's what we were saying about two months, so the project is not a heavy lift we can do a lot fairly quickly, so that is why, well the grant money...

Mayor: Who is the, we have the recreation department involved, environment involved, we got all the stake holders, as I say, involved. Who is the point person on this? I sound a little naive on this but I have to ask. Who is? I know Gene is involved,

Mr. Linfante: I imagine Gene just pointed to me? Is that what happened?

Mayor: Yes he pointed to you. The reason I ask that is this, this is a project we are all salivating over, it is so close, and for some of us it is 30 odd years or more that we have been on this okay, so we want it to happen, but my point is that I need an ongoing report to the Township Committee in some fashion on the combined efforts of your group. What actions you have taken through such and such a date; where we are with costs analysis; where we are with Engineering; where are we in the design; I think most of us here on the Township Committee, I know Bob just asked a question, an update, a very ligate question, as we go on with this discussion tonight about the grant but in the meantime, this is an assignment, if we can get a memo on an ongoing basis whether its' monthly that would be a great help to us to monitor it with you and move it along.

Mr. Linfante: Okay we will do that no problem,

Mayor: We will pick this discussion up in conference where it will just be an open discussion with the Engineer.

Mr. Linfante: You need the memo, but you need those costs done?

Mayor: Yea.

Mr. Linfante: I think at that point, our Committee is looking to see how we can schedule to talk about funding; after we get costs for you, how can we earmark money from open space, corporate sponsors, etc., I think Joe and Barbara from Land Conservancy has been talking about a few couple of thousand dollar grants here or there, not sure if it's been applied for, but getting funding in place for Phase I is probably the most imminent issue right now.

Mayor: And, the most assured one, I might tell you at this point, because of some of the commitments we have gotten early on already, so in other words, the only difference and again we are having this discussion, but we are going to need to know more about from the Arboretum up to Woodmont, what improvements need to be done and who is going to do it. What is the cost and from there we need to go to the Crossings and then we are going down Eden Lane to Bayer and Central Park. Well we got Phase I up here we just need to know where the pieces of money are going to be.

Mr. Linfante: I think Dave has that broken down segment by segment; you are just waiting for final numbers from him.

Mr. Maceira: Yes, I want final numbers and final plans set, or a plan set that is 90% complete so we can do our initial review.

Mr. Linfante: The only other update I can give you is EDAC, I showed some concept plans or designs for signage and stuff like that, we ran those by our marketing people and they gave glowing remarks on connect Hanover concept, they said it was phenomenal and fits right into what they are doing on the marketing plan and they said if you choose go right ahead with it, it fits perfectly with what Bayer is doing.

Mayor: No doubt it appears to be a wonderful asset to us when they are finally done in the area of wellness, etc., every corporate that we talk to about it are liking it so it is going to be a great asset.

Mr. Linfante: Other than that, that's pretty much where we are, think you are all up to date as to where we are, so we will make sure we start instituting a memo system to the Township Committee once a month.

Mayor: Keep us in the loop and in turn once we review a memo like that, if we have comment it will go right back to you.

Mr. Linfante: Great and I just have to get Gerry those final costs.

Floor is still open ~  
Seeing none, hearing none.

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

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**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of March 27, 2014 and Bid Meeting of April 1, 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 27, 2014 and Bid Meeting of April 1, 2014 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

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**DEPARTMENTAL REPORTS:**

The following reports were presented and ordered filed as received:

Construction Dept.	S. Donlon	Month 2/1/2014 - 2/28/2014
Property Maintenance	E. DeSimone	Months Ending 3/26/14 & 4/9/14
Township Engineer	G. Maceira	Month 3/27/2014
Summary Report	S. Esposito	Month of 3/13/2014
Police Department	S. Gallagher	Month Ending 2/2014
Public Works	B. Foran	Month 3/14 Sanitation/Road & Month 3/14 Park Division

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**ORDINANCES FOR ADOPTION**

Member Ferramosca offered the following Ordinance and moved its adoption:

**ORDINANCE NO. 9-2014**

**BE IT RESOLVED, AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE PROVISIONS CONCERNING DEVELOPMENT APPLICATION FEES AND ESCROW DEPOSITS** be passed on final reading and that a Notice of the final passage of said Ordinance be published in the April 17, 2014 issue of the Morris County Daily Record.

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

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 Mr. Gallagher and unanimously passed.

Member Coppola offered the following Ordinance and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE PROVISIONS CONCERNING DEVELOPMENT APPLICATION FEES AND ESCROW DEPOSITS be read by title on second reading and a hearing held thereon.

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

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Member Ferramosca offered the following Ordinance and moved its adoption

**ORDINANCE NO. 10-2014**

BE IT RESOLVED, **AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE PROVISIONS CONCERNING SITE PLAN EXEMPTION FOR MINOR CONFORMING DEVELOPMENTS**, be passed on final reading and that a Notice of the final passage of said Ordinance be published in the April 17, 2014 issue of the Morris County 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

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 Mr. Brueno and unanimously passed.

Member Ferramosca offered the following Ordinance and moved its adoption:

BE IT RESOLVED, that an Ordinance entitled, **AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE PROVISIONS CONCERNING SITE PLAN EXEMPTION FOR MINOR CONFORMING DEVELOPMENTS** be read by title on second reading and a hearing held thereon.

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

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Member Gallagher offered the following Ordinance and moved its adoption:

**ORDINANCE NO. 12-2014**

BE IT RESOLVED, **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**, be passed on final reading and that a Notice of the final passage of said Ordinance be published in the April 17, 2014 issue of the Morris County Daily Record.

The motion was seconded by Member Ferramosca was passed and the Ordinance adopted 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 3rd, 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 Mr. Brueno and unanimously passed.

Member Ferramosca offered the following Ordinance and moved its adoption:

**BE IT RESOLVED 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** be read by title on second reading and a hearing held thereon.

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

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Member Brueno offered the following Ordinance and moved its adoption:

**ORDINANCE NO. 13-2014**

**BE IT RESOLVED, 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 ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES,** be passed on final reading and that a Notice of the final passage of said Ordinance be published in the April 17th, 2014 issue of the Morris County Daily Record.

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

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the March 27, 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. Coppola and unanimously passed.

Member Ferramosca offered the following Ordinance and moved its adoption:

BE IT RESOLVED, **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 ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES**, be read by title on second reading and a hearing held thereon.

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

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**ORDINANCE NO. 15-2014**

BE IT RESOLVED **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,**

Again we are waiting a new agreement with the PBA and under the advice of counsel this section of the Code should be repealed at this time. We have the proof of publication that the Ordinance and the Notice of Introduction appeared in full in the April 3, 2014 edition of the Daily Record.

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

Anyone present that would like to comment on this Ordinance?

Motion to close by Member Coppola and seconded by Member Ferramosca and unanimously passed.

Now on adoption, BE IT RESOLVED THAT, **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**, be passed on final reading and that a

Notice of the Final Passage of the Ordinance be published in the April 17, 2014 issue of the Morris County Daily Record.

Motion for Adoption made by Member Brueno and seconded by Member Gallagher and unanimously passed.

So Adopted.

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**ORDINANCES FOR INTRODUCTION FIRST READING:**

**ORDINANCE NO. 16-2014**

**AUTHORIZING THE PURCHASE OF ONE (1) NEW PASSENGER BUS WITH TWELVE (12) AMBULATORY SEATS AND ACCESSIBILITY FOR TWO (2) WHEELCHAIRS FROM THE WOLFINGTON BODY COMPANY PURSUANT TO CONTRACT NO. CC-9012-13 AWARDED BY THE SOMERSET COUNTY COOPERATIVE PRICING COUNCIL AND FURTHER APPROPRIATING THE SUM OF \$55,000.00 FROM THE CAPITAL IMPROVEMENT FUND OF 2014 AND ALL PRIOR YEARS FOR THE PURCHASE OF THE PASSENGER BUS.**

**ORDINANCE NO. 17-2014**

**AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP LAND USE AND DEVELOPMENT LEGISLATION BY ADDING AND AMENDING PROVISIONS CONCERNING THE ADMINISTRATIVE OFFICER**

May 8, 2014 Public Hearing ~

Member Coppola made a Motion for consent agenda 16 & 17 only and seconded by Member Ferramosca and unanimously passed.

**CONSENT AGENDA**

**ORDINANCE NO. 18-2014**

**AMENDING & SUPPLEMENTING SECTION 125-4. ENTITLED "RECREATION DEPARTMENT FEES," AND CREATION OF A NEW SECTION 125-9.H(8) UNDER "FEES APPLICABLE TO ACCIDENTS AND INCIDENT REPORTS."**

Following the reading of said Ordinance by title, the Clerk presented the Proof of Publication of said Ordinance as published in the April 17, 2014, issue of the Morris County Daily Record. Said Proof of Publication was ordered filed as received.

**ORDINANCE NO. 19-2014**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ESTABLISHING THE SALARIES OF THE FULL-TIME EMPLOYEES IN**

**THE PUBLIC WORKS, BUILDING AND GROUNDS AND PARK MAINTENANCE DEPARTMENT REPRESENTED BY IBT LOCAL 97 FOR CALENDAR YEAR 2013**

Motion for Consent Agenda by Member Francioli and seconded by Member Coppola and unanimously passed.

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**RESOLUTIONS AS A CONSENT AGENDA:**

**Note\*** Unfortunately, I did not have the opportunity in conference work session to advise the Township Committee that Township Attorney Fred Semrau has requested the approval of a funding agreement between the Township of Hanover and 67 Whippany Investors as it relates to the work to be done on Whippany Road and Parsippany Road. And, of course, that agreement will be subject to the final review and approval of the Township Attorney and the Business Administrator. This is something that the Township Attorney feels needs to be done as part of this meeting. That funding agreement will mean that all costs related to anything dealing with that project would be paid by 67 Whippany Investors.

Motion for Consent Agenda and Amendment made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

**RESOLUTION NO. 75-2014**

**A RESOLUTION APPROVING THE APPOINTMENT OF FULL-TIME, SEASONAL PERSONNEL TO BE EMPLOYED AS PUBLIC WORKS DEPARTMENT LABORERS AND PARK MAINTENANCE WORKERS, ALL IN ACCORDANCE WITH SECTION 12. OF SALARY ORDINANCE NO. 15-2013**

**WHEREAS**, the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department recommends the employment of the individuals listed below to work as full-time, seasonal employees assigned to the Public Works Department under the following categories:

**DPW Laborers  
Park Maintenance Workers**

**WHEREAS**, it is the recommendation of the Business Administrator that the Township Committee approve the individuals listed below under paragraph one (1), who shall be compensated at the rates set forth in accordance with the salary ranges established in Section 12. of Salary Ordinance No. 15-2013.

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

1. In accordance with Section 7 of Salary Ordinance No. 15-2013, the rates of compensation for the following seasonal employees mentioned below shall be as follows:

**PUBLIC WORKS, BUILDINGS & GROUNDS & PARK MAINTENANCE:**

The following individuals shall be assigned to work as Roads, Sanitation and/or Park Maintenance Division Workers:

<b><u>NAME &amp; ADDRESS:</u></b>	<b><u>RATE OF PAY:</u></b>
1. Mark Prosicki, 7 Emerson Drive, Whippany	\$ 9.00/hr.
2. Christopher Schimminger, 9 Goldblatt Ter., E. Hanover	8.75/hr.
3. Joseph Stefanelli, 6 Emerson Drive, Whippany	8.75/hr.
4. Enzo Strada, 4 Emerson Drive, Whippany	9.00/hr.
5. Anthony Torre, 10 Legion Place, Whippany	9.25/hr.
6. John Waddon, 10 Emerson Drive, Whippany	9.00/hr.
7. Andrew Zwigord, 7 Pierson Lane, Florham Park	8.75/hr.

2. Irrespective of the assignment of the individuals listed above, the Superintendent reserves the right to assign any of the summer seasonal personnel to any of the Department's Divisions based on work load needs.

3. Except for disciplinary removal, all appointments (with the exception of the all year round Teen Coordinators) as seasonal employees shall terminate on or before September 15, 2014.

4. That a certified copy of this resolution be transmitted to the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department, the Superintendent of the Recreation and Park Administration Department and the Township's Chief Municipal Finance Officer for their reference and action.

**RESOLUTION NO. 76-2014**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING GABRIELLA SALESE TO SERVE AS A MEMBER OF THE HANOVER TOWNSHIP BOARD OF RECREATION COMMISSIONERS IN FILLING THE UNEXPIRED TERM OF OFFICE OF THOMAS QUIRK, WHICH TERM OF**

**OFFICE SHALL EXPIRE ON DECEMBER 31, 2017, ALL IN ACCORDANCE WITH  
SECTION 59-1. ENTITLED "CREATION; TERMS; COMPENSATION." UNDER  
CHAPTER 59 OF THE CODE OF THE TOWNSHIP ENTITLED BOARD OF  
RECREATION COMMISSIONERS**

**WHEREAS**, Section 59-1. Entitled "Creation; Terms; Compensation." under Chapter 59 of the Code of the Township Board of Recreation Commissioners provides for the establishment of the Board of Recreation Commissioners including the terms of office and powers of the Board all in accordance with N.J.S.A. 40:12-1 et seq.; and

**WHEREAS**, Section 59-1. provides for the appointment of a seven (7) member Board whose members shall be appointed to serve a term of five (5) years each; and

**WHEREAS**, by letter dated December 18, 2013, Mr. Thomas Quirk submitted his letter of resignation as a member of the Board of Recreation Commissioners effective immediately as a result of his appointment as the part-time Assistant Control Person/Account Clerk in the Building Department; and

**WHEREAS**, Thomas Quirk was first appointed to serve as a member of the Board of Recreation Commissioners to fill the unexpired term of office of Michael Holleran which term of office expired on December 31, 2012; and

**WHEREAS**, on January 1, 2013, Mr. Quirk was reappointed to a full five (5) year term of office to expire on December 31, 2017; and

**WHEREAS**, as a result of Mr. Quirk's notice of resignation, the Township Committee received three (3) letters of interest from residents of the community wishing to fill the vacancy; and

**WHEREAS**, on behalf of the governing body, the Board of Recreation Commissioners interviewed three (3) candidates during its March 18, 2014 personnel conference work session; and

**WHEREAS**, in accordance with the interviews and pursuant to the provisions set forth under Chapter 59 of the Code of the Township entitled Board of Recreation Commissioners, specifically Section 59-1.B. related to membership and terms of office, it is the recommendation of the Board of Recreation Commissioners that **Ms. Gabriella Salese**, be appointed to serve as a member of the Board of Recreation Commissioners in filling Mr. Quirk's unexpired term of office which term of office shall expire on December 31, 2017; and

**WHEREAS**, the letter of Chairman James P. Coiley dated March 26, 2014 in setting forth the recommendation of the Board of Recreation Commissioners is attached hereto and made a part of this resolution as if set forth in full; and

**WHEREAS**, the Township Committee concurs with the recommendation of the Board of Recreation Commissioners concerning the appointment of **Gabriella Salese** to serve as a member of the Board of Recreation Commissioners and concurs with the nomination.

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

1. In accordance with Section 59-1.B. of Chapter 59 of the Code of the Township entitled Board of Recreation Commissioners, **Gabriella**
2. **Salese** residing at 10 Howell Street in the Whippany Section of the Township is hereby appointed to serve as a member of the Board of Recreation Commissioners in filling Thomas Quirk's unexpired term of office.
3. Pursuant to Section 59-1.B. of Chapter 59 of the Code, **Ms. Salese's** term of office shall take effect immediately with the approval of this resolution and shall expire on December 31, 2017, or until such time as his successor shall be duly appointed and qualified.
4. That a certified copy of this resolution shall be transmitted to the Superintendent of the Recreation and Park Administration Department and **Ms. Salese** for reference and information purposes.

**INTRODUCED AND SPONSORED BY COMMITTEEMAN AND LIAISON TO THE COMMISSION ROBERT M. BRUENO, JR.**

**RESOLUTION NO. 77-2014**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE AWARD OF A CONTRACT TO DESESA ENGINEERING COMPANY, INC., THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, IN AN AMOUNT NOT TO EXCEED \$48,500.00 FOR THE PURCHASE OF A NEW REPLACEMENT BOILER TO BE INSTALLED IN THE POLICE HEADQUARTERS WING OF THE TOWNSHIP'S MUNICIPAL BUILDING LOCATED AT 1000 ROUTE 10 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE CONTRACT**

**WHEREAS**, the boiler located in the Police Headquarters wing of the Municipal Building has not functioned properly in providing adequate heat to that portion of the building for many years; and

**WHEREAS**, the Township of Hanover, acting in conformity with N.J.S.A. 40A:11-1 et seq., publicly advertised for bids on March 19, 2014 for the purchase of a new replacement boiler to be installed in Police Headquarters; and

**WHEREAS**, on April 1, 2014, pursuant to public advertising, the Township's Bid Reception Committee received and opened a total of seven (7) sealed competitive bids out of nine (9) prospective bidders; and

**WHEREAS**, the Township Engineer, acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has carefully examined all the bid documents for the boiler replacement project and has determined that the lowest competitive bid submitted by **DeSesa Engineering Company, Inc.** for the purchase and installation of a new replacement boiler for Police Headquarters is in total conformance with the Township's Specifications and Supplementary Specifications and does not include any exceptions, deviations or deficiencies, and is therefore deemed the lowest responsible and responsive bidder; and

**WHEREAS**, in a letter dated April 3, 2014 to the Township Committee, the Township Engineer recommended that the governing body award a contract for the boiler replacement project described herein to **DeSesa Engineering Company, Inc.** which bidder submitted the lowest competitive bid for this project in the total lump sum amount of \$48,500.00; and

**WHEREAS**, sufficient funds have been appropriated and are available for the boiler replacement project through the Capital Improvement Ordinance No. 21-12, Line Item #410-5671-499, all in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

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

1. A contract is hereby awarded to:  
**DeSesa Engineering Company, Inc.**  
83 Dorsa Avenue  
Livingston, New Jersey 07039

for the purchase of one new replacement boiler to be installed in the Police Headquarters' wing of the Municipal Building. The lump sum amount for the boiler replacement project described above shall not exceed \$48,500.00, all in accordance with the Township's March, 2014 Specification and Supplementary Specifications.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract by and between the Township and **DeSesa Engineering Company, Inc.**

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

4. The Township's Chief Municipal Finance Officer has certified that sufficient funds have been appropriated and are available through Capital Improvement Ordinance No. 21-12, Line Item No. 410-5671-499 in the amount of \$48,500.00 for the boiler replacement project set forth in this resolution.

5. A certified copy of this resolution shall be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **DeSesa Engineering Company, Inc.** for reference and information purposes.

#### **RESOLUTION NO. 78-2014**

**A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$15,000.00 WITH GARDEN STATE FIREWORKS, INCORPORATED FOR AN INDEPENDENCE DAY CELEBRATION OF FIREWORKS ON THE EVENING OF JULY 2, 2014 WITH A RAIN DATE OF JULY 3, 2014 OR THE NEXT CLEAR NIGHT IN CASE OF INCLEMENT WEATHER AT THE WHIPPANY PARK HIGH SCHOOL ATHLETIC FIELD, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-5.(1)(a)(ii) AND (3) AND N.J.S.A. 40A:11-6.1 OF THE LOCAL PUBLIC CONTRACTS LAW**

**WHEREAS**, the Township of Hanover intends to provide a fireworks display for the 2014 Independence Day Celebration on July 2, 2014 with a rain date of July 3, 2014 or the next clear night in case of inclement weather at the Whippany Park High School Athletic Field; and

**WHEREAS**, the Local Public Contracts Law (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**, the Township has determined that the performance of a fireworks display requires an expertise and extensive training in this field of endeavor and involves the additional problem that if the displays are not properly furnished in the first instance, there is no opportunity for correction of any errors or omissions on the part of those providing said displays; and

**WHEREAS**, in mid-February, 2014, the Township sent a Request for Proposal and Quotation to seven (7) fireworks display vendors requesting the submission proposals and quotations to be submitted to the Township's Bid Reception Committee on Tuesday, March 18, 2014; and

**WHEREAS**, no proposals and quotations were received by the Bid Reception Committee on March 18, 2014; and

**WHEREAS**, subsequently, on March 19, 2014, the Business Administrator mailed a revised Proposal and Quotation to seven (7) fireworks display vendors inviting them to submit proposals and quotations to be received at the Bid Reception Committee meeting on April 8, 2014; and

**WHEREAS**, on April 8, 2014, the Bid Reception Committee met but did not receive any proposals and quotations from the vendors that were solicited; and

**WHEREAS**, since the Township did not receive any responses to its Requests for Proposals and Quotations on two (2) occasions, and in view of the fact that historically the estimated cost for the fireworks display in past years has not exceeded the Township's bid threshold of \$36,000.00, N.J.S.A. 40A:11-5 provides an exception that a contract may be negotiated and awarded by the governing body if no bids have been received on two (2) occasions; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-5(3) of the Local Public Contracts Law, the Superintendent of the Recreation and Park Administration Department contacted **Garden State Fireworks** to determine if **Garden State** would be able to submit a quotation and provide a fireworks display on July 2, 2014 or, in the event of inclement weather on the night of July 3, 2014 or the next clear night; and

**WHEREAS**, **Garden State Fireworks** advised the Superintendent that the Company was in a position to submit a quotation which quotation **Garden State** had intended to submit on April 8, 2014; and

**WHEREAS**, on April 9, 2014, **Garden State Fireworks** submitted its proposal and quotation in the amount of \$15,000.00 including all documentation as required in the Township's March 19, 2014 Request for Proposal and Quotation; and

**WHEREAS**, the Chief Municipal Finance Officer has certified that sufficient funds have been appropriated and are available for this expenditure through the year 2014 Current Fund Budget - Line Item Number 124-0038-304; and

**WHEREAS**, the Township Committee of the Township of Hanover conclude that the providing of fireworks displays should be classified as an "Extraordinary, Unspecifiable Service" as defined by N.J.S.A. 40A:11-5.(1)(a)(ii) and N.J.S.A. 40A:11-6.1.

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

1. In accordance with N.J.S.A. 40A:11-5.(1)(a)(ii) and (3) and N.J.S.A. 40A:11-6.1, the governing body hereby authorizes the performance of an Independence Day Fourth of July Fireworks Display to be held on Wednesday evening, July 2, 2014 with a rain date of Thursday, July 3, 2014 or the next clear night in case of inclement weather which fireworks display shall be held at the Whippany Park High School

Athletic Field.

2. That the Mayor and Township Clerk are further authorized to execute an Extraordinary, Unspecificable Services Agreement with **Garden State Fireworks, Inc.** located at P.O. Box 403, 383 Carlton Road, in Millington, New Jersey 07946 at a cost not to exceed \$15,000.00 for a fireworks program to be displayed at the Whippany Park High School Athletic Field on Wednesday, July 2, 2014, with a rain date of Thursday, July 3, 2014 or in the event of inclement weather, on the next clear night.

3. This contract is awarded without competitive bidding as an Extraordinary, Unspecificable Service in accordance with N.J.S.A. 40A:11-5.(1)(a)(ii) and N.J.S.A. 40A:11-6.1 of the Local Public Contracts Law guidelines and regulations.

4. The Township's Chief Municipal Finance Officer has certified that sufficient funds have been appropriated in the year 2014 Current Fund Budget, Patriotic Celebration Account, Line Item No. 124-0038-304 and are available for the purpose set forth in this resolution.

5. The contract be awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5.(1)(a)(ii) and (3) because providing Fireworks Displays requires an expertise and extensive training in this field of endeavor and involves the additional problem that if the displays are not properly furnished in the first instance, there is no opportunity for correction of any errors or omissions on the part of those providing said displays.

6. A brief notice of the action taken in this resolution shall be published once in the Daily Record within ten (10) days of its passage.

7. The resolution and contract are on file in the office of the Business Administrator/Township Clerk and are available for public inspection.

8. A certified copy of this resolution shall be transmitted to the Township's Chief Municipal Finance Officer, Acting Superintendent of Recreation and Park Administration, and **Garden State Fireworks, Inc.** for their reference and information.

#### **RESOLUTION NO. 79-2014**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN LAUREL ESTATES, LLC AND THE TOWNSHIP CONCERNING THE CONSTRUCTION OF SIXTEEN (16) DETACHED SINGLE FAMILY DWELLING UNITS TO BE LOCATED AT 60-66 NORTH JEFFERSON ROAD IN THE WHIPPANY SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 15 IN BLOCK 9202, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER WHICH EXECUTION OF THE AGREEMENT IS SUBJECT TO THE RECEIPT OF THE CASH AND SURETY PERFORMANCE BONDS, AND ANY**

## **OTHER INSTRUMENTS AS DESCRIBED IN THE DEVELOPER'S AGREEMENT**

**WHEREAS**, on January 14, 2014, the Planning Board of the Township of Hanover by resolution adopted on January 28, 2014, granted preliminary and final site plan approval, to **Laurel Estates, LLC**, as Applicant and Developer, for the demolition of several buildings located at 60-66 North Jefferson Road and the subsequent construction of sixteen (16) new detached single family dwelling units, including other site improvements on the property described above and designated as Lot 15 in Block 9202 as set forth on the Tax Map of the Township of Hanover in the R-10A Residence Zone District; and

**WHEREAS**, under State law, Township Ordinances, and Planning Board rules, regulations and requirements, the granting of final approval to said site plan is contingent upon the Developer having completed all such improvements within and without Block 9202, Lot 15, in accordance with the requirements of said preliminary and final approvals or furnishing performance guarantees in lieu thereof to be approved by the Township and conditioned upon satisfactory completion by the Developer of all such improvements as provided in N.J.S.A. 40:55D-53 and the execution of this Agreement; and

**WHEREAS**, the Developer desires to improve said Site in accordance with all applicable requirements, including those set forth in this 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 Mayor and Township Clerk are hereby authorized and directed to execute a Developer's Agreement by and between the Township of Hanover and **Laurel Estates, LLC**, the Developer, concerning the demolition of several buildings located at 60-66 North Jefferson Road in the Whippany Section of the Township and the subsequent construction of sixteen (16) new detached single family dwelling units including other site improvements as set forth in the Developer's Agreement on the property described above and designated as Lot 15 in Block 9202, as set forth on the Tax Map of the Township of Hanover. However, the Mayor and Township Clerk shall not execute the Developer's Agreement until the following instruments and guarantees are first submitted to the Township, and only after the Township Engineer has reviewed and accepted all of the pertinent documents and plans required for approval before construction activities commence, including but not limited to any other State or County approvals that may be required. In addition, where an approval of a site plan or a variance is subject to certain stated conditions, or where the approval was made subject to the approval of other governmental units, N.J.A.C. 5:23-2.15(a)(5) requires that the applicant for a building permit must furnish a "statement that all required State, County and local prior approvals have been given:"

A. The Developer shall be responsible in submitting a total performance guarantee of \$489,809.00 which includes submission to the Township Clerk of a

certified check or cash in the amount of \$48,981.00 representing the cash performance guarantee as required pursuant to the Township's Ordinance and paragraph 5(a) of the Developer's Agreement. And, submission to the Township Clerk of a Surety Performance Bond or Irrevocable Standby Letter of Credit in the amount of \$440,828.00 as a performance guarantee for completion of the improvements provided for in Schedule "A" attached to the Developer's Agreement, and all in accordance with paragraph 5(a) of said Agreement.

B. In accordance with paragraph 5(c) of the Developer's Agreement, and the Township Engineer's Schedule "A", the Developer shall pay to the Township the sum of \$29,389.00 to compensate the Township for all Township engineering review, inspection and supervision of all the improvements as required to be installed by the Developer.

C. The Developer shall also be required to pay to the Township the sum of \$25,000.00 to cover the cost of the Hanover Sewerage Authority's engineering review, inspection and supervision of the sanitary sewer facilities and improvements required for this project subject to the provisions of N.J.S.A. 40:14A-40.

D. Submission of a Certificate of Insurance to the Township Clerk naming the Township of Hanover as "an additional insured", all in accordance with paragraph 13 of the Developer's Agreement.

E. Pursuant to paragraph 20 of the Developer's Agreement, the developer shall be responsible to pay a Mandatory Development Fee for Affordable Housing in accordance with §166.48.1 of Chapter 166 of the Code of the Township entitled Land Use Legislation by paying a development fee of 1% of the equalized assessed value of any residential property as determined by the Municipal Tax Assessor.

F. In accordance with paragraph 22 of the Developer's Agreement, the Developer is subject to the terms of the Township's tree regulations as described in full in Chapter 166 of the Code of the Township entitled Land Use and Development Legislation. The Developer shall pay a fee based on the calculations of the conditions set forth in the tree regulations. The fee shall be determined prior to the release of the cash bond and the Surety Performance Bond or Irrevocable Standby Letter of Credit.

G. Furthermore, the Developer shall comply with all the requirements and conditions more specifically outlined in full in the attached Developer's Agreement and Schedule "A".

H. The Developer's Agreement shall not be signed by the Mayor and Township Clerk until the Township Engineer has received all of the cash and surety performance bonds, any other fees as required at the time of signing, and the conveyance of any applicable deeds of dedication, conservation easements or any other pertinent documents, drawings and plans needed for approval prior to the commencement of any construction activities.

2. That certified copies of this resolution shall be transmitted to the Township Engineer, the Construction Official, the Township's Chief Municipal Finance Officer, the HSA Executive Director and **Laurel Estates, LLC** for reference and action purposes.

**RESOLUTION NO. 80-2014**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, THE COUNTY OF MORRIS AND THE HANOVER TOWNSHIP BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 2 CONCERNING THE INSTALLATION OF AN EMERGENCY FIRE PRE-EMPTION CONNECTION SYSTEM WITH THE TRAFFIC SIGNAL AT ROUTE 10 AND TROY HILLS ROAD (CR 637)**

**WHEREAS**, with the relocation of the Whippany Fire House to Troy Hills Road (County Road 637) near the intersection of New Jersey State Highway Route 10 (hereinafter referred to as "Route 10"), the installation and operation of emergency pre-emption equipment is needed in order to expedite the movement of emergency vehicles through the intersection in addition to the existing semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection; and

**WHEREAS**, a push button system to activate the pre-emption sequence will be installed in the Fire House located on Troy Hills Road along with a connection (consisting of conduit, wiring and junction boxes) to the traffic signal; and

**WHEREAS**, in order to achieve the overall objective of safe and efficient movement of traffic along Route 10 and Troy Hills Road, it is necessary for the State of New Jersey, County of Morris, the Township of Hanover and the Hanover Township Board of Fire Commissioners of Fire District #2 to enter into an agreement pertaining to the operation and maintenance of the traffic control system; and

**WHEREAS**, the New Jersey Department of Transportation has indicated its willingness to install the necessary traffic control signal equipment at the intersection of Route 10 and Troy Hills Road; and

**WHEREAS**, the maintenance of the push button emergency pre-emption sequence equipment within the new fire house, including the maintenance of the conduit, wires and junction boxes from the fire house to the NJDOT's junction box at the corner of Route 10 and Troy Hills Road shall be the responsibility of the Board of Fire Commissioners of Fire District #2; and

**WHEREAS**, the Township of Hanover shall continue to be responsible for the payment of the electric current operating cost; and

**WHEREAS**, the New Jersey Department of Transportation has proposed a form of agreement pertaining to the operation and maintenance of the traffic signal and related appurtenances; and

**WHEREAS**, it is the desire of the Township Committee to enter into the agreement with the State of New Jersey, the County of Morris and the Hanover Township Board of Fire Commissioners of Fire District #2.

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

1. The Mayor and Township Clerk are hereby authorized and directed to enter into an agreement entitled "Traffic Engineering Traffic Signal Agreement", a copy of said agreement being attached hereto and made a part hereof, for the intersection of New Jersey State Highway Route 10 and Troy Hills Road (County Road 637) as it pertains to the installation and operation of a new fire pre-emption connection system for the new Whippany Fire House to be located on Troy Hills Road.

2. That certified copies of this resolution shall be transmitted to the NJDOT's Manager of Traffic Engineering, the Clerk to the Morris County Board of Chosen Freeholders, the Morris County Department of Planning and Public Works, the Hanover Township Board of Fire Commissioners of Fire District #2 and the Township Engineer.

#### **RESOLUTION NO. 81-2014**

#### **A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER CERTIFYING THE PAYMENT OF \$14,796.12 TO THE STATE OF NEW JERSEY FOR 4,932.04 TONS OF SOLID WASTE MATERIALS DELIVERED TO THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE PERIOD COMMENCING JANUARY 1, 2013 THROUGH DECEMBER 31, 2013**

**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 2013 in the amount of \$14,796.12.
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.

**RESOLUTION NO. 82-2014**

**RESOLUTION OF THE TOWNSHIP COMMITTEE APPLYING FOR A YEAR 2013  
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 2013 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 2013 recycling tonnage application and to the Morris County Municipal Utilities Authority District Recycling Coordinator.

#### **RESOLUTION NO. 83-2014**

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

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 1, 2011, a lien was sold on Block 3503, Lot 7, also known as 13 Mt. Vernon Way, Whippany, New Jersey 07981, for 2010 delinquent taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 2011-13, was sold to Virgo Municipal Finance Fund for a 0% redemption fee and a \$400.00 premium paid; and;

**WHEREAS**, John Santarpia, owner has affected redemption of Certificate 2011-13 in the amount of \$5,526.86.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$5,526.86, payable to Virgo Municipal Finance Fund LP, 1441 Broadway, Suite 5010, New York, New York 10018 for the redemption of Tax Sale Certificate 2011-13

**BE IT FURTHER RESOLVED**, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$400.00 (Premium) to the aforementioned lien holder.

**RESOLUTION NO. 84-2014**

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

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 1, 2011, a lien was sold on Block 9304, Lot 3.01, also known as 229 Parsippany Road, Whippany, New Jersey 07981, for 2010 delinquent taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 2011-17, was sold to Virgo Municipal Finance Fund for a 0% redemption fee and a \$400.00 premium paid; and,

**WHEREAS**, John Santarpia, owner has affected redemption of Certificate 2011-17 in the amount of \$2,843.83.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$2,843.83, payable to Virgo Municipal Finance Fund, 1441 Broadway, Suite 5010, New York, New York 10018 for the redemption of Tax Sale Certificate 2011-17.

**BE IT FURTHER RESOLVED**, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$400.00 (Premium) to the aforementioned lien holder.

**RESOLUTION NO. 85-2014**

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

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 1, 2013, a lien was sold on Block 2801, Lot 4, also known as 116 Malapardis Road, Cedar Knolls, New Jersey 07927, for 2012 delinquent taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 2013-04, was sold to US Bank Cust for BV001 Trust for a 0% redemption fee and a \$500.00 premium paid; and,

**WHEREAS**, Richard Riley, owner has affected redemption of Certificate 2013-04 in the amount of \$541.02.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$541.02, payable to US

Bank Cust for BV001 Trust, 50 South 16<sup>th</sup> Street, Suite 1950, Philadelphia, Pa. 19102  
for the redemption of Tax Sale Certificate 2013-04

**BE IT FURTHER RESOLVED**, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$500.00 (Premium) to the aforementioned lien holder.

**RESOLUTION NO. 86-2014**

**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><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>QUAL. #</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>
1204	35		Carl & Francesca Aloï 21 Juniper Drive Cedar Knolls, NJ 07927	\$2095.32
1502	21	C0108	Tara C Cooper 166 Vista Drive Cedar Knolls, NJ 07927	\$1200.60
4301	2	C2608	Jennifer Nater 2608 Whippanong Way Whippany, NJ 07981	\$181.05
5601	10		Maureen & Benjamin Link 1 Martin Rd Whippany, NJ 07981	\$105.06
7103	11		Chung Kao & Chia-En Chen 8 Manchester Drive	

			Whippany, NJ 07981	\$119.14
9001	1	C1103	Tena R Wright 1103 Meadow Brook Ct Whippany, NJ 07981	\$1559.60

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**RAFFLES APPLICATIONS:**

RA/RL 2749 – Employment Horizons – Tricky Tray  
 RA/RL 2750 – Employment Horizons – 50/50 off premise  
 RA/RL 2751 – Saint Elizabeth – 50/50 off premise

Mayor Brueno moved, seconded by Mr. Gallagher  
 Members Gallagher, Ferramosca, Coppola and Mayor Francioli unanimously passed  
 Member Coppola will abstain on the vote for 2751

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of \$6,023,584.55 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 Francioli and seconded by Member Ferramosca and unanimously passed.

A copy of the bill 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:**

Mr. Ferramosca: The Planning Board is very busy kicking off a mini master plan study for Route 10, they have been working on this in concept sessions for the past 12 months and now we are getting to the state where we are going to bring in some outside experts to work with our planner to do that. For those of you who are aware we had done something very similar on Hanover Avenue and that was instrumental on to what we say the reinvention of that area. So we are very eagerly waiting to see the results of that study.

Second study is the Economic Development Advisory Council. They are working on the branding of Hanover Township and Hanover has been very blessed to have some significant economic growth and as we move forward we are trying to make certain that we are best positioning our Hanover Township for future quality ratables that we are trying to attract here.

Lastly, the Township website, for those of you that have not been on recently, I highly recommend you visit our website, it has been totally updated and has been a fine job collectively of members of EDAC as well as our professional staff within the Township to do this and congratulations go out to them they work very hard on this and I think you will find it very informative and easy to navigate. This concludes my report.

Mayor: Regarding the website, many of our other municipal agencies, Fire Department as an example will be linked through that website, we are in the process of still shaking it out as we say, but you will be able to go to our own Hanover website and be able to access any governmental agency within Hanover Township.

Mr. Gallagher: Saturday, May 10, 2014 Employment Horizons Paper Shred Day 8-11am.

I also want to report that on Friday, March 28 we had a very successful Florham Park Roller Rink Hanover Youth Night with Substance Awareness Council we are going to be doing another one Friday, May 2, grades 4-5. Great night a lot of fun.

Lastly we had a public hearing this past Tuesday night for the School and Park Traffic Safety Advisory Committee. It went very well. We are continuing to learn quite a bit and working very closely with Transoptions and on Monday morning we did 2 and ½ examination of Salem Drive School all the driveways going in the pathways going in and out and the surrounding neighborhoods and next week we are going together with the same group and take a tour of Mountview Road School. I believe committeeman Coppola is going to report on the minutes from the other night.

Mayor: It was a very successful meeting and I thank you for that, good participation a lot of open dialogue a lot of good ideas exchanged and I'm sure they are all going to be taken into consideration in a final report when you are ready to prepare it for the Township Committee.

Mr. Gallagher: Mayor, you and I spoke quite a bit about this but and I appreciate being part of this team but the one thing that I heard since our meeting is how much people appreciate the way we are all working together on this, with all the groups in town for the sake of our children. Thank you to the Township Committee for all the support and working so hard on this with us. Thank you

Mr. Coppola: First of all, as far as the Safety Meeting I am preparing the minutes pretty much got a good idea of the concerns of the residents and I think it all went extremely well. I guess the one part that really surprised me more than anything was the number of residents who mentioned people going past school buses when they are stopped picking up school children. That really surprised me, I have yet to see it, but they all can't be making up a story. If you are going down Whippany Road and there is a divider in between you still have to stop, people are under the impression that they don't have to, but you do. Regardless of the fact that there is a divider in between, so that was kind of surprising. I am in the process of completing the minutes at which time

they will be submitted to the Township Committee, who have been extremely supportive and I thank them for that. Along with those minutes we have some new projects that are coming along and I think will work out very well.

Secondly, the Memorial Day Services, I had a meeting last night with the Veterans Alliance, again breakfast 7-8:15 at the Recreation Center and Memorial Services at Town Hall at 8:30-8:45 and then the parade starts at 9:30 and there will be transportation back and forth.

One other thing and I'm sure Mr. Brueno will speak about is Little League Opening Day, and the Knights will be cooking, 900 hot dogs disappear in about 10 minutes. Stop over at the field on April 26.

I was also asked from Troop 155 to note that we have three Eagle Scout members who will be receiving their Eagle Scout Award on April 27 at the American Legion. And, lastly, a couple of folks came up to me about the issue of the Cop Center, the State of the Art Morris County Cop Center, 25 Million Dollar facility. Both fire companies have made extensive tours of the facility and because of the issue with their communication system they are going to take, they considered it and the fire prevention group has approved a one year contract that they are looking at going with the Morris County Cop Center for their fire dispatching. That should be coming on shortly, once they get all the paperwork completed.

Mayor: Thank you.

Mr. Brueno: Opening Day is April 26, the parade will begin at Stoney Brook field at 9:30 and proceed over to Veterans Field and the ceremonies will begin at 10:00 and then the Knights cooking 900 hot dogs, let's keep our fingers crossed for good weather.

The following Saturday, May 3<sup>rd</sup> at 8:30 at Bee Meadow Pond, we will have our fishing contest, moved it back a month this year hopefully we will have warmer weather. We will be stocking some trout in there on Friday May 2<sup>nd</sup>. So, get the fishing poles out. And, I think there is going to be like 600 trout. Last year, we only caught about 30 fish. So, I think there are some left over from last year that are hopefully much bigger and make a meal out of it.

Also pertaining to the fields, I mentioned briefly when Mr. Linfante was speaking earlier, we have about 17 fields that we are trying to get ready for the spring. The winter was brutal as we all know. We have soccer teams, boys & girls lacrosse, baseball and softball and about 17 fields to try to get into shape in a very short period of time, so we thank everyone for their patience and we invite you if you are at a field and see some debris on the field that the DPW hasn't gotten to yet give us a call and let us know. We think we have a pretty good handle on getting everything ready to go by this weekend, hoping that Mother Nature cooperates and the fields were open last weekend. Of course, we got more rain and we will keep our fingers crossed once again for good weather.

Just a quick note on opening day, the rain location is MJS. Opening day ceremony will take place rain or shine.

Mayor: Bob mentioned the hard work that is going on and getting our fields ready for opening day. The fields are being played on now and we have had some terrible rain this winter. It has been awful but, I think it bears mentioning that we've improved and added on many fields to our Township over the last year or two. Veteran's Field 2 fields being the latest and while we have grown the amount of fields that we have we have not added to our staff, our grounds keepers and recreation staff and our public works staff in order to maintain those. These additional fields are still being maintained by the same complement of people that have been doing it over the years and they are doing a wonderful job. As difficult as it was to see through the rain as I left Town Hall Wednesday night after by Board of Health Meeting, I saw the lights on and a game going on at the field, so they were drained and the mounds were cleared and everything was ready to go. So, my compliments to all our staff and recreation and public works who are out there putting them together.

Mr. Ferramosca: Mr. Brueno one question, I just want to make sure there are a lot of people who are very eager to put out their new trash cans who haven't been on the automated route yet, is April 23 that's Wednesday the targeted expansion?

Mr. Brueno: We are just a little apprehensive about putting that date out on the website because the truck has not yet in fact been received. It is on its way. We are looking at the Cedar Knolls section for the 23<sup>rd</sup> and the Whippany people who have received their cans will be the following day, Thursday, the 24<sup>th</sup>. We will make that public as soon as the truck is received and all the proper registration has been gone through, but that is the target date as of tonight.

Mayor: That is going to be tremendous when that second one comes online and of course in 2015 we hope to complete the fleet with a third truck and that means our entire town's sanitation will be managed by a one person, one arm vehicle that is tremendously efficient, that is really great.

My compliments to Dr. George VanOrden our Health Officer, I just received dated March 19, from the State of New Jersey Office of the Governor the fact that our Dr. VanOrden has now been appointed as a Member of the Drinking Water Quality Institute for the State. The term of office commences immediately and runs until 2016. And, I second the motion with the Governor, you couldn't have put a better person on it than Dr. VanOrden, so we are very pleased with that.

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**OPEN TO THE PUBLIC**

Motion to open to the Public made by Member Ferramosca and seconded by Member Gallagher.

None appearing, Member Ferramosca moved the meeting be adjourned. The motion was seconded by Member Gallagher 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