

November 13, 2014

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, November 13, 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 Ferramosca, Gallagher, Brueno and Coppola

ABSENT:

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

PLEDGE OF ALLEGIANCE TO THE FLAG

PRESENTATIONS

Recognition Of Saverio "Sal" Iannaccone In Gratitude For His Service To The United States During World War II As A Member Of The United States Marine Corps.

Distinguished Community Service Award Presented To American Martial Arts In Recognition Of Its Support And Commitment To The Youth Of Hanover Township In Fighting The Good Fight To Help Prevent Substance Abuse.

OPEN TO PUBLIC

Motion to open moved by Member Ferramosca and seconded by Member Coppola and unanimously passed.

Joseph Mihalko, 12 Anna Terrace, Whippany: The good news you only have to put up with me for a couple of more months because the wife says we are going to Florida again so I can't leave you without some good news and bad news. The very

good news Mr. Gerry I had a problem, I am gradually getting worse and worse with mobility and I have a power wheelchair which allowed me to answer a fire call the other day, first of all they won't let me get a truck, I keep telling them they got to put one of those little ramps for me and my power wheel chair, but on my way down from Anna Terrace to the firehouse in my power wheel chair there was an obstruction on the sidewalk that Jersey Central had been doing some repair work along the rail road tracks, and left the sidewalk almost impassable for me however I called the Engineering Department of our illustrious Town, received a return call within an hour,

Mayor: That's a better start...

Mr. Mihalko: and this morning there was remediation of my impediments..

Mayor: Is that an "Atta boy"?

Mr. Mihalko: Congratulations to the Engineering Department, I'll tell you what, these guys make me proud, thanks Gerry.

Other than that, this AMA Program and the things that are going on are just so positive, I hate to bring up a negative, but I just have to because it's bothering me, when things bother me I share them, having attended numerous meetings, over the past year, I have always felt that we have always had an open relationship with the Township Committee and the ins and outs of the procedures and principals that we follow. After last month's post Committee meeting, I was shocked to say the least. The mechanisms for presentations of proposals for the development of Hanover Township are not as transparent as one might assume. The last post Committee Meeting as you are all well aware of was for the development of the southern campus of Bayer property in which the developer's representative first stated that he required a quick response to their proposal and of course our Good Mayor responded that it doesn't work that way and some deliberation would be required. That being said it came about that there has been a subcommittee meeting or a subcommittee of either the Township Committee or the Planning Board working with these people, unbeknownst to some of the rest of the Township Committee and some of the people of the Planning Board. This led me to believe that some transparency is being clouded over and this I must say, is where the mustard hits the fan, what Committee is allowed to appoint subcommittees that nobody knew about? What ability do subcommittees have to encourage developers with proposals that go against the wishes of most of the representatives of the Township Committee and the Town especially? When a developer comes in, and, I am surprised you didn't hit... says I need an answer I need it now, I will not entertain any proposals for a continuation into Algonquin Parkway which is almost imperatively necessary to achieve traffic flow, less traffic congestion in town.

In addition, not once was it mentioned by the developer, Bayer still has two more buildings to put up that they have approval for. That will encompass another 1,000 people none of this was brought forward. I think that we have to take a little stronger stance. I know for a fact going back and I am going to have to say it was September or October of last year that our Committeeman Brueno, had questioned the validity of the developer coming in with a proposal that included housing and as I recall he said "don't bother us, we don't need it, we don't want it." Any proposal that includes heavily populated high density rental units is not what Hanover Township needs, give me 320 senior citizens, 55 and older one story no basement houses, I'll fill them up for you I'll give you 350 other homes in Town that are available for the mass market.

Mayor: Joe that really, let me respond because you bring up some points that really should be addressed. As I said at the last Township Committee meeting, which you attended and we addressed some misconceptions of facts that were on some of the local blogs in the Township and transparency is critical and while we are working toward that end we are not there yet. But we are putting in some programs that will require some social networking. We are going to meet people on the plans that what they are using now, whether its Facebook or Twitter, YouTube, we plan to have active programs in that area, having said that, you bring up a matter of a Planning Board Subcommittee on the South Campus, has been meeting for nearly a year. Those meetings which have been published through the Planning Board have been attended by some citizens during the afternoons when they met. These consist of a few members of the Planning Board, not the entire Planning Board, and these Subcommittees are not empowered to do anything but make recommendations to the Planning Board. And ultimately, you know how the system works, the Planning Board then makes recommendations to the Township Committee and if the Township Committee doesn't ratify then approve it through a zone change it doesn't happen. So we have developers, yes, that have come through, one wanted 450 units of rentals on the South Campus. They had some urgency as of lately, because of some other potential office uses that want to go on there and they have, I'll be honest with you, they have tied into the fact that in order to get A they need B. Well, we don't think so, we are presently giving their plan consideration as we must, and that concept is being discussed. They came before this Township Committee about a week ago and I think you were present, at the time they made their presentation to us and they demanded an answer, and our answer was we are sending it back to our Planning Board which is procedurally the way we should go and your answer will come forward after they make a recommendation to us. That hasn't happened yet. They have looked at it at a regular open public planning session, they looked at it, they discussed it, and they had some points of view. And by the way points of view on this current project are different from the points of view that the Subcommittee had on the previous project, so we have seen enough of these changes

chameleon like things go on for quite some time. So we have not reached a decision as to the South Campus.

So let's go back to transparency, we are trying in earnest to reach the public in any way we can. Our meetings are all on our websites, our agendas are published on that website, in advance of what we are doing. The public is openly invited to attend any meeting of this Council, the Planning Board, Board of Adjustment, etc., listen to what they are talking about but here is where I put my money, right here, where you are now. Because we represent the constituents, we represent you the people, it doesn't matter what I think, it matters what you think, and that is the responsibility that we should fulfill in answering some of these zoning issues. We may like something individually, but it is the consensus the majority of the this Board that acts on a zone change. Nothing happens in this Town without their signatures on a zone change, and this is how it happens. Is there a breakdown in the transparency or communications of our Boards to our public, etc., I hope not. I think we are doing everything we possibly can, and we want to do more, EDAC wants to do more, and Brush Fire, our advertising agency, that the Township has is now entering into a program with FaceBook and setting up a page and setting up a blog system on the Facebook page so you can openly ask your questions anytime of the day or night and get answers back. So I want the community to know that we are trying on our end to be as open as we possibly can. Nothing is going to happen behind closed doors, God Bless Alexander Bell years ago, he used to say in a back room here, doesn't work that way, so Joe keep your trust in us and we are going to try and keep our eye on the ball.

Joe Mihalko: Mr. Mayor, I appreciate your affirmation of what I assume has always been what it should be and I thank you for your comments and I appreciate the opportunity that you give me and other residents of the town to voice their concerns and their fears if you will. We know that the rumor mill works great, it's fantastic, and I'm sure that not quite as fast as our Engineering Department but almost. I thank you all for your comment.

Mayor: Thank you Joe, you know we always respect you coming forward and bringing these to our attention truly, keep it up.

Mr. Semrau: Just for the record, so there is no misunderstanding, that what was termed "post meeting" presentation by the developer, that was a public meeting that was taped. It's available to the public, and as a matter of fact the developer had asked to meet in executive session and this governing body said no any discussion would be in public portion of the meeting. So I think that is something that municipalities sometimes struggle with but that is not what this governing body struggles with, so this was done in the public portion of the meeting.

Mayor: Appreciate that, and this is true, the request was that they wanted to act in executive session, and the Township Committee would not hear of it so. Thank you Joe.

Mayor: Once again the floor is still open if anyone else would like to address the Township Committee at this time.

Hearing none seeing none, motion to close made by Member Ferramosca and seconded by Member Brueno.

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of October 23, 2014 and the Bid Reception Meeting of November 4, 2014 had been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Brueno moved that the Minutes of the Regular Meeting of October 23, 2014 and Bid Reception Meeting of November 4, 2014 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

DEPARTMENTAL REPORTS:

The following reports were presented and ordered filed as received:

Property Maintenance	E. DeSimone	Month of 10/2014 (2 Reports)
Human Resource	J. Johnston	Month of 10/2014
Public Works	B. Foran	Month of 10/2014 (2 Reports)
Treasurer's Report	S. Esposito	Month of 10/2014

ORDINANCES FOR PUBLIC HEARING AND CONSIDERATION OF ADOPTION:

ORDINANCE NO. 41-2014

AN ORDINANCE OF THE TOWNSHIP COMMITTEE AUTHORIZING THE ACQUISITION OF 940 ROUTE 10 LOCATED IN THE WHIPPANY SECTION OF THE TOWNSHIP AND ALSO DESIGNATED AS LOT 4 IN BLOCK 9001 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER AND FURTHER AUTHORIZING THE APPROPRIATION OF \$140,000.00 FROM THE CAPITAL IMPROVEMENT FUND OF 2014 AND ALL PRIOR YEARS.

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 41-14 appeared in full in the October 16th, 2014 issue of the Daily Record in accordance with the law.

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

Is there anyone present wishing to be heard at this time?

Joe Mihalko, Whippany: We are referring to the Hardy Property?

Mayor: Yes, and you know why, the building is in terrible demise and terrible shape, the Township intends to remove that building, an eyesore, and that's the only reason why we acquired it, has there been interest in other parties buying it, sure but this is the most expeditious way, we are not in a real estate business here in Hanover, but if we buy this property we are going to knock it down, clean it up and it will be part of the Township's inventory of properties and a proper use for the corner comes by we will look at it, so that's where we are.

Mr. Mihalko: I tried to get them to let me drive the Fire House through it since I'm not very able to do it...

Mayor: That would have been a perfect exercise the only problem is that the exercise wouldn't have lasted too long.

Motion to close the public hearing made by Member Ferramosca and seconded by

Be it resolved that Ordinance entitled "**AN ORDINANCE OF THE TOWNSHIP COMMITTEE AUTHORIZING THE ACQUISITION OF 940 ROUTE 10 LOCATED IN THE WHIPPANY SECTION OF THE TOWNSHIP AND ALSO DESIGNATED AS LOT 4 IN BLOCK 9001 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER AND FURTHER AUTHORIZING THE APPROPRIATION OF \$140,000.00 FROM THE CAPITAL IMPROVEMENT FUND OF 2014 AND ALL PRIOR YEARS FOR THE FINANCING OF THE ACQUISITION AND ANY NECESSARY ENVIROMENTAL REPORTS,**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the November 20th, 2014 issue of the Daily Record.

Motion on Adoption with the Amendment made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

So Adopted.

ORDINANCE NO. 42-14

AUTHORIZING THE ACQUISITION BY PURCHASE OR EMINENT DOMAIN, IF NECESSARY, OF A TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT EASEMENT IN THE REAL PROPERTY KNOWN AS BLOCK 5801, LOT 4 ON THE TAX MAP OF THE TOWNSHIP OF HANOVER FOR THE IMPROVEMENT AND REALIGNMENT OF THE INTERSECTION OF WHIPPANY ROAD AND PARSIPPANY ROAD

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 42-14 appeared in full in the October 30th, 2014 issue of the Daily Record in accordance with the law.

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

Is there anyone present wishing to be heard at this time?

Motion on Adoption to close the Public Hearing made by Member Francioli and seconded by Member Brueno and unanimously passed.

Be it resolved that Ordinance entitled **“AUTHORIZING THE ACQUISITION BY PURCHASE OR EMINENT DOMAIN, IF NECESSARY, OF A TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT EASEMENT IN THE REAL PROPERTY KNOWN AS BLOCK 5801, LOT 4 ON THE TAX MAP OF THE TOWNSHIP OF HANOVER FOR THE IMPROVEMENT AND REALIGNMENT OF THE INTERSECTION OF WHIPPANY ROAD AND PARSIPPANY ROAD,”** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the November 20th, 2014 issue of the Daily Record.

Motion on Adoption with the Amendment made by Member Brueno and seconded by Member Coppola and unanimously passed.

So Adopted.

INTRODUCTION OF ORDINANCES ON FIRST READING:

ORDINANCE NO. 43-14

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 166-141. ENTITLED, “REGULATIONS APPLICABLE IN ALL ZONES,” BOTH IN ARTICLE XX ENTITLED, “SIGNS” AS SET FORTH IN CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED, LAND USE AND DEVELOPMENT LEGISLATION, PERTAINING TO SPECIAL EVENT SIGNS IN THE TOWNSHIP OF HANOVER

WHEREAS, various special events are a common occurrence in the Township of Hanover, as in most municipalities; and

WHEREAS, such special events are typically accompanied by signage identifying the location of the event or directing the traveling public to such location; and

WHEREAS, the Township Committee believes that reasonable accommodation can be made for the signage for such special events; and

WHEREAS, excess and inappropriately designed and/or located signs detract from the overall aesthetic character of the Township; and

WHEREAS, excess and inappropriately designed and/or located signs can also contribute to safety concerns as they may create a distraction to motorists and impair visibility to motorists and pedestrians; and

WHEREAS, for the above stated reasons, the Township Committee believes that it is in the public interest to regulate special event signage;

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. Subsection O. in Section 166-141., *Regulations applicable in all zones*, in Article XX, *Signs*, is hereby amended and supplemented to read as follows:

- O. Temporary special event signs on public property. Temporary special event signs shall be permitted in accordance with the following requirements:
- (1) For purposes of this subsection, “temporary special event sign” refers to a sign that announces a short term happening or special occurrence in the Township that is sponsored by a non-profit organization and of general interest to the community.
 - (2) Such signs shall be located only on the property where the special event is to occur or within the right-of-way of public streets, but not on other public property.
 - (3) Such signs shall be erected and displayed for up to seven consecutive days. No subsequent temporary special event sign announcing or identifying the same or equivalent special event shall be permitted to be erected or displayed within seven (7) days of the prior display of such sign.
 - (4) The area of such signs shall not exceed six (6) square feet.
 - (5) Signs shall be prohibited on the paved area of roadways or walkways, and shall not be permitted to encroach within the air space above such areas.
 - (6) Such signs shall be separated from any signs pertaining to a different special event by a horizontal distance of at least 40 feet.

- (7) The following temporary special event signs and sign placement shall be prohibited:
- (a) Inflatable devices (except balloons), streamers, flags and pennants.
 - (b) "Snipe signs," including any signs attached to trees, utility poles, light poles, fences, traffic signs or other structures that are not designed to function solely as a support for the sign.
 - (c) Signs painted or attached to any motor vehicle or other vehicle or equipment advertising a business, service, event or property, when such signs are except for such signs that are painted on or affixed to a motor vehicle registered as a commercial vehicle, when such sign is used to identify the business for which the vehicle is registered.
 - (d) Signs that move, rotate or use flashing lights, or that utilize mechanically changing displays.
- (8) Such signs shall comply with the requirements of §166-141.B.
- (9) Such signs shall be exempt from the requirement to obtain a permit.

Section 2. All ordinances of the Township of Hanover which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

The Ordinance will be further considered for Public Hearing and Final Passage at the December 11th, 2014 meeting of the Governing Body and at time any person wishing to be heard will be given the opportunity to speak. The Ordinance and the Notice of Introduction will be published in full in the November 20th, 2014 issue of the Daily Record and pursuant to the Municipal Land Use Law the Ordinance will be forwarded to the Planning Board for review and recommendation to the Township Committee.

Motion on introduction made by Member Coppola and seconded by Member Gallagher and unanimously passed.

So Introduced.

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 209-2014

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING ENZO L. STRADA AS A REPLACEMENT LABORER II/SANITATION COLLECTOR II IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING NOVEMBER 17, 2014 AND ENDING MAY 17, 2015 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. 26-2014 (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 John Sessock effective November 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 is classified as a Job Group IV under Salary Guide "D-1" (IBT Salary Range) of Salary Ordinance No. 26-14; 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; and

WHEREAS, the Township has maintained a list of eligible candidates in the event that additional retirements would occur; and

WHEREAS, drawing from the list of eligible candidates, and 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 **Enzo L. Strada** residing at 4 Emerson Drive 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 and should be employed to fill the current vacancy; and

WHEREAS, Mr. Strada 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. Strada shall commence employment on November 17, 2014 and serve in a probationary capacity for a six (6) month probationary period ending on May 17, 2015.

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 **Enzo L. Strada** residing at 4 Emerson Drive 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, November 17, 2014 and ending on Sunday, May 17, 2015. In accordance with Salary Range Guide "D-1" (IBT Salary Guide) of Salary Ordinance No. 26-2014, **Mr. Strada** shall be compensated at \$20.19 per hour or if annualized, \$42,000.00 under Job Group IV.
2. Because **Mr. Strada** 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. Strada** 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. Strada** 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. Strada** receives an unsatisfactory evaluation during the probationary period, **Mr. Strada** shall be terminated at the conclusion of the probationary period or sooner, whichever is applicable.
5. Pursuant to Section 61-14.C. entitled "Health Benefits Coverage" under Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies, **Mr. Strada** shall be required to pay

25% of the total monthly premium cost for health insurance/medical benefits coverage under any one (1) of the three (3) health insurance plans offered by the Township.

6. **Mr. Strada** shall be entitled to .5 vacation days during calendar year 2014 in accordance with Section 61-10.C. and D. of Chapter 61 of the Code but shall not be permitted to utilize the .5 vacation day until he has completed his six (6) month probationary period and received a satisfactory job performance evaluation. In addition, **Mr. Strada** shall be eligible to earn and accrue .5 sick leave days per month up to six (6) sick leave days in each calendar year of service pursuant to Section 61-11.A. (3) of Chapter 61. Here again, **Mr. Strada** is not permitted to take any paid sick leave until he has satisfactory completed his probationary period.
7. 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.
8. That certified copies of this resolution shall be transmitted to **Mr. Strada**, 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. 210-2014

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH FRANK MATARAZZO, P.E., L.S. AND P.P., AND THE FIRM OF MATARAZZO ENGINEERING FOR THE PURPOSE OF PERFORMING PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE RESURFACING OF A PORTION OF EDEN LANE FROM BOULEVARD ROAD TO A POINT 625' EAST OF SOUTH JEFFERSON ROAD IN THE CEDAR KNOLLS SECTION OF THE TONWSHIP IN AN AMOUNT NOT TO EXCEED \$38,000.00, 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 AN AGREEMENT WITH FRANK MATARAZZO AND MATARAZZO ENGINEERING

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, the Township Committee needs to retain the services of a professional engineering and land surveying firm as a non-fair and open contract in order to perform professional engineering and surveying services for the resurfacing of a portion of Eden Lane from Boulevard Road to a point 625' east of South Jefferson

Road in the Cedar Knolls Section of the Township which scope of services shall include but not be limited to the performance of a topographic survey of the roadway, roadway design plans, a traffic signal plan for pedestrian signal modifications, a design for additional or improved drainage, construction stakeout and as-built drawings; and

WHEREAS, under cover letter dated October 2, 2014, the Township Engineer sent a Request for Proposal to three (3) professional engineering firms describing the professional engineering and surveying services needed for the resurfacing of a portion of South Jefferson Road; and

WHEREAS, in accordance with the Request for Proposal deadline of October 21, 2014, the Township received three (3) written proposals and quotations as follows:

Matarazzo Engineering	\$ 38,000.00;
Keller & Kirkpatrick, Inc.....	49,300.00;
Matrix New World Engineering, Inc.....	69,000.00; and

WHEREAS, the Township Engineer has carefully reviewed the three (3) submissions in response to the Request for Proposal and recommends that the Township Committee authorize the award of a contract to **Frank Matarazzo, P.E., L.S. and P.P.** and the Firm of **Matarazzo Engineering** which Firm submitted the lowest written quotation and proposal; and

WHEREAS, the **Matarazzo** proposal and quotation dated October 21, 2014 provides the following costs for the scope of services which are divided into three (3) items:

Task I – Preparation of Base Map Cross Sections Plan and Other Services – Lump Sum Amount.....	\$31,000.00
Task II – Construction Stakeout	4,500.00
Task III – As Built Drawings.....	<u>2,500.00</u>
Total.....	\$38,000.00; 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, **Matarazzo Engineering** has completed and submitted a Business Entity Disclosure Certification which certifies that **Matarazzo Engineering** 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 **Matarazzo Engineering** 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, **Matarazzo Engineering** has also filed a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification; and

WHEREAS, it is the intention of the Township Committee to retain the services of **Frank Matarazzo, P.E., L.S. and P.P.** and the firm of **Matarazzo Engineering** for the purpose of performing engineering and surveying services for the resurfacing of a portion of Eden Lane, as described in the October 21, 2014 proposal and quotation submitted by **Frank Matarazzo, Owner**; and

WHEREAS, the total contract amount with **Frank Matarazzo, P.E., L.S. and P.P.** and the firm of **Matarazzo Engineering** shall not exceed \$38,000.00 and said compensation shall be based on the Firm's hourly rate schedule, all in accordance with the October 21, 2014 proposal and quotation, a copy of which is attached hereto and made a part of this resolution as if set forth in full; 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 **Frank Matarazzo, P.E., L.S. and P.P.**, a professional engineer and land surveyor licensed by the State of New Jersey, and the firm of **Matarazzo Engineering** located at 575 Route 46 West in Fairfield, New Jersey 07004 are hereby retained for the purpose of providing the Township with professional engineering and surveying services for the resurfacing of a portion of Boulevard Road to a point of 625' east of South Jefferson Road in Cedar Knolls which services shall include but not be limited to the performance of a topographic survey of the roadway, roadway design plans, a traffic signal plan for pedestrian signal modifications, a design for additional or improved drainage, construction stakeout and as-built drawings, all in accordance with the Township Engineer's October 2, 2014 Request for Proposal.

The scope of services shall be performed in accordance with the October 21, 2014 proposal and quotation submitted by **Matarazzo Engineering**, which proposal and quotation is attached hereto and made a part of this resolution as if set forth in full.

2. Based on the Firm's 2014 schedule of hourly rates and direct expenses, the total contract amount for the engineering and surveying services shall not exceed \$38,000.00.
3. The Mayor and Township Clerk are hereby authorized to execute a professional services agreement with **Frank Matarazzo, P.E., L.S. and P.P.** as the owner of **Matarazzo Engineering.**
4. This appointment is awarded without competitive bidding 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 engineer and land surveyor 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. 211-2014

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING
2014 BUDGETARY APPROPRIATION TRANSFERS IN
ACCORDANCE WITH N.J.S.A. 40A:4-58**

WHEREAS, N.J.S.A. 40A:4-58 sets forth the manner in which appropriation transfers may be made; and

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the appropriation for contingent expenses or deferred charges) to meet the demands thereon for the balance of the 2014 current year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris, that this resolution be adopted (by not less than two-thirds of all the members thereof affirmatively concurring) in accordance with the provision of N.J.S.A. 40A:4-58, part of the surplus in the accounts mentioned below be and the same are hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands of the 2014 operating budget.

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to make the following transfers:

FROM:			TO:		
<u>ACCOUNT NO</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>	<u>ACCOUNT NO</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>

124-0053	PERS (OE)	\$59,000.00	124-0055	PFRS (OE)	\$ 69,000.00
124-0018	Group Ins (OE)	<u>25,000.00</u>	124-0315	Vehicle Maint. (OE)	<u>15,000.00</u>
		\$ 84,000.00			\$ 84,000.00

RESOLUTION NO. 212-2014

**A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER
TO CANCEL VARIOUS ITEMS**

BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that the amounts listed in the following items be and they are hereby cancelled:

OUTSTANDING CHECKS:

<u>ISSUE DATE:</u>	<u>CHECK #</u>	<u>AMOUNT</u>
<u>Current Account:</u>		
April 16, 2013, 2012	36696	\$ 850.65
October 10, 2013	37883	49.04
October 10, 2013	37906	48.75
February 13, 2014	38805	3,971.95
June 12, 2014	39690	10.00

ORDINANCES:

Capital Account:

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
2014-05	Erskine Snow Blower	\$ 300.00
2010-14	Capital Projects	29,460.36
2008-13	Capital Projects	37,194.42
2013-24	Police Firearms	8,064.00
2012-21	Police Boiler	16,650.00

BE IF FURTHER RESOLVED, that a certified copy of this Resolution be transmitted to the Township's CMFO for his information and action.

RESOLUTION NO. 213-2014

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

WHEREAS, at the Township of Hanover Municipal Tax Sale held on December 3, 2012, a lien was sold on Block 2005, Lot 10, also known as 2 Hanover Avenue, Whippany, New Jersey 07981, for 2011 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 2012-08, was sold to Crestar Capital, LLC for a 18% redemption fee; and,

WHEREAS, Jogre Ramirez, owner has affected redemption of Certificate 2012-08 in the amount of \$1,753.57.

NOW, THEREFORE, BE IT RESOLVED, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$1,753.57, payable to Crestar Capital, LLC, 1415 Route 70 East, Suite 500, Cherry Hill, New Jersey 08034 for the redemption of Tax Sale Certificate 2012-08.

RESOLUTION NO. 214-2014

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:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL. #</u>	<u>NAME</u>	<u>AMOUNT</u>
2403	2		Howard Goldberg Attorney Trust Whippany Office Park 33 Clinton Road West Caldwell, NJ 07006 Location: 80 South Jefferson Rd Reserve for Tax Appeals	\$80,535.00
3105	3		McCarter & English LP Four Gateway Center 100 Mulberry Street PO Box 652 Newark, NJ 07102 Location: 14 Eastmans Road Reserve for Tax Appeals	\$46,565.00
9101	17	C1607	Milind & Rangini Deodhar 162 Gladstone Drive Parsippany, NJ 07054	\$225.07

Motion to approve my Member Coppola and seconded by Member Brueno and unanimously passed as consent agenda.

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of **\$7,066,652.96** 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 Ferramosca and seconded by Member Gallagher 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.

OTHER BUSINESS:

Mayor: Is there any other business from the Township Committee?

Member Ferramosca: On behalf of the Trails Sub Committee Mr. Brueno and I would like to thank the voters of Hanover Township for coming out and voting and supporting the referendum to approve the use of Open Space money for trails. The Hanover Township Sub Committee has been working diligently trying to address a vision that started long ago, probably like 20 years ago, trying to get Patriot’s Path to life and we are making excellent progress on this, most recently the Hanover Open Space Committee has endorsed using a significant sum of money to support that and we are waiting on a cap grant from the State of New Jersey and once those moneys are identified we will look to the Township Committee overall to support issuing a request for a bid so that we can begin the trails in spring of 2015, portion of trails.

Subsequently on that same Sub Committee will be then working with the Engineering Department to petition Morris County to support a greater expansion of the trails.

From an EDAC standpoint, with the Township Committee’s direction is now implementing the term of “Good Things Happen In Hanover” that is the thematic that we are going to be using as a marketing standpoint, it is very appropriate that slogan, think about what just happened tonight. We honored a group which is really helping our children early on in terms of substance awareness, it’s critical. We honored a Statesman who represented the US Marines, on the 239th Anniversary of the Marines, on Monday night Morris County, on Monday of this week, that same individual, Sal Iannaccone, was named Sal Iannaccone Day throughout Morris County.

In addition, on Wednesday night, The Whippany River was highlighted and showcased at the Frelinghuysen Museum, the documentary the Story of a River, it was an excellent piece that was done in conjunction with the Water Shed. It is a wonderful piece of living history from Hanover Township and it is just a terrific opportunity for us to see the rebirth of that river come alive. We are very pleased that Bayer Corporation stepped up and helped fund that and for those who were in attendance you were able to see some of the stars in that documentary on the Whippany River, none other than our Dr. George Van Orden who early on in his career with Hanover Township took on the zeal the vision and responsibility to clean up the Whippany River, and by God the man should be credited for doing it. He’s done a fabulous job doing it and other people will be staring in at as well that you know and hats off to Robin for her work in terms of co-

producing it and working very closely with Bayer. I know the Township Committee is supporting trying to get additional copies of that, videos so it can be shown at other meetings within Town Hall; we encourage you to participate in it.

Member Brueno: Mr. Ferramosca mentioned just about the County now approving the use of Open Space funds for our trails project that tax money is paid by us as well as all the other residents of Morris County into that Open Space Fund for whatever reason we haven't gotten a whole lot of that money back here in Hanover, and now we have the opportunity to get some of our tax dollars back to support those trails. I am equally happy that the tax payers voted in that regard so that we can get some of that money back here in Hanover.

Additionally, just in terms of our Recreation Department I just want to mention that last week while our kids were off from school for the Teacher's Convention we had two fun nights for the grammar school age kids, we had a movie night attended by about 80 children, then the following night we had a Bingo Night attended by about another 80 kids or so. We try to keep them busy in the evenings when they didn't have school the next day I thought it went well.

Lastly, just to note that the next upcoming event which will be Saturday, December 6 our Christmas Party at the Recreation Center, please put that on your calendar, and Santa is sure to be there to take any and all Christmas wishes.

Mayor: Is Denise back yet?

Mr. Brueno: Not yet.

Mayor: Denise is recovering from surgery, and, we continue to wish her the best. She is doing well.

Member Coppola: First of all, the Veteran's Alliance had their ceremony on Veteran's Day, over at the American Legion which always goes over very well. It was nice to see different facilities honoring the Legion, I know I spoke to many of them over at Applebee's which I thought was really nice that they took the time provided the Veteran's with free meal which was nice. Many Veterans' went there, I saw the Marine Corp, there and some of my friends were there.

Secondly, Committeeman Gallagher had asked about the Marital Arts at the Senior Meeting, to make a presentation we saw the gentleman here this evening, who along with the Chief of Police, did a real nice presentation. Initially when I got in touch with the person in charge of programming for the seniors she was a little concerned but then she called me and actually said they were absolutely thrilled. It did give a good update to the seniors, as to what to watch out for and to be careful of especially moving into the Holiday season. I just want to thank Committeeman Gallagher for getting that moving along as well as Chief of Police, along with the gentleman from the FBI and other groups who helped make the presentation, it was a huge success.

Also, on November 22 the Landmark Commission is going to have a forum to talk about Morris County Iron, briefly, it's hosting this event here over at the Community Center and it's all about iron which really began in Whippany. It will be the first of its kind and it's preempting the bicentennial that we plan to have next year. So if anyone is interested please feel free it's from 9-1:00. So far we have over 100 people signed up and will have different groups coming in and talking about it. We are also going to have a display in our one section of the Community Center. Join us. It is going to be a real nice day, it's very interesting and it talks, there is a lot of history in Hanover and a lot of that history is being brought forth right now with the Landmark Commission, so they asked me to extend to everyone to stop down.

Member Gallagher: I would like to say again how much I appreciate AMA coming in, the one thing that was really good for me to see is that as hard as we work with our kids and educate our kids about what is out there and they are working just as hard for all that time parallel to us so I'm truly proud to say that they are truly part of our Substance Awareness Council our team is getting bigger and stronger and our focus is better than ever.

The segway into our next three events, Friday, November 28th 3rd through 6th grade, we will have Hanover Youth Night at the Florham Park Roller Rink, December 12th Cheer Pride, all the Hanover Cheerleader they go there to work out, they want to be part of our program, we have 5th through 8th grade a night at Cheer Pride and in January with our Council keeping its eye on the prize we are introducing students also into Weight Trim, so one of our members on the Hanover Township Substance Awareness council Vinny LaRocca he owns Florham Park Fitness, we are going to have a night at Florham Park Fitness. That's what coming up.

OPEN TO THE PUBLIC

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

No further comments by the public.

Fred Meola, 83 North Belair Avenue, and Cedar Knolls: Just wanted to commend the Committee many of you know I was on the Open Space Committee for 12 years, I was there on the inception and one of our visions from the beginning was to try to create paths connecting all the parks in all the sections in town. I am happy that we are starting to move in that direction that we are getting those trials in, it's been a long time coming and I think it's really going to help the Town. When I was on the Committee last couple of times, we tried making applications to the State to get some of the funds and we got shot down every time.

Secondly, does anyone know where we are at on the Whippany Road improvements, how much longer is it going to be?

Mayor: This is what I can say, Fred is going to correct me, he knows I've been wanting to come out of the shoot on this thing and get this done for how long now. We are down to the last tenant, renter in one of the buildings and that renter will remain in that building until the first of the year, upon that renter vacating that building, those buildings will come down. That means the two particular buildings Dr. Garcia's building and Dr. Guiaquinta's building will be part of the new intersection realignment as you know, and they will be coming down. So I guess your question is how and when you are going to hear a bulldozer going, I would think January 2nd.

Mr. Semrau: I think even before that Mayor, because the other property is ready to go, we worked out an arrangement where Garcia can stay and we are going to work around that as they start to do the work. So I would hope before the end of the year even.

Mayor: I think all the pieces seem to be falling into place, it's been a long long arduous road, but I have to tell you the design for this intersection and future designs for Whippany Road, Bayer finished up a study which I just circulated to the Township Committee not too long ago, gave it to the County as well, shows the hot spots on Whippany Road, that also have to be addressed in order to make the situation better, but we are on our way towards those improvements and by the way, all of those improvements are coming out of private sector money, it's part of the track improvements by Bayer Corporation, etc., no tax payer dollars are going into that street.

Mr. Meola: My office building is there for the past three years I have been the unofficial turn to get onto Parsippany Road, we get them whipping around in my parking lot all the time, because the traffic backs up in that left lane and they know if they get into the right lane they can whip into my parking lot and come out and make the right onto Parsippany Road and I know it's a temporary thing but it's a dangerous condition, we had a couple of people that almost got hurt.

Mayor: These little things and you heard Joe talk to some issues earlier about the Algonquin and additional connections there is a lot of work to be done and it's not helping us and we just got a report from the DOT on the bridge on Route 287 that construction has added to our problem. Traffic comes off there using not only the short cuts through Whippany Road but short cutting through Ridgedale Avenue, it's been horrendous, that's gotta get done, we are still working on the connection now on Bayer Boulevard, the intersection is off our radar screen. Now, we are working on the connection down at Algonquin trying to keep the traffic off of Route 10. And, secondly we are working with East Hanover trying to get together with the County and the

Mayor's down there on the 46-48,00 employees that leave Novartis every day and come on Route 10 to get onto the highway system, it's just too much. These are the things that are in front of us that we are constantly working on.

Mr. Meola: I would hope that we stand firm on the balance of the old Lucent property, can't be developed without another connection. That extra traffic that it will dump onto Whippany Road is going to be a night mare.

Member Ferramosca: We made your commentary abundantly clearly during the concept presentation that we received at our last meeting, which didn't end until like 11:30 p.m.

Mayor: Nothing will happen on that track with our resolutions to the additional traffic impact and the solutions, nothing.

Mr. Meola: Thank you.

Joe Mihalko, 12 Anna Terrace, Whippany: I've sat there so long listening to Freddy that I forgot what the second one was, the rumor mill that I expressed to you before, what is being built in front of Shop Rite.

Mayor: Um, the Shop Rite, the present site the construction up there now, there is some steel work going up, there are two pads that were part of the original site plan approval

Mr. Mihalko: Oh

Mayor: One is for a bank and by the way, public will tell you how much I disagree with this, one is for a bank one is for a restaurant. Something like 5 bays for a drive through in the middle of a grocery shopping store parking lot. Well having said that it's approved.

Mr. Mihalko: Do we have any knowledge of what is happening to Half Point Pub and the Deli never seem to make it Deli there.

Mayor; On Reynolds, there is a process going on right now with the liquor license for the Half Point Pub, is it public knowledge because that hearing is taking place, Half Point Pub is attempting to sell their liquor license to the Shop Rite people.

Mr. Mihalko: I heard that part.

Mayor: That is before the Township Committee and the Public Hearing is on the 11th as to whether or not the Township Committee will accept going forward on that or not.

Mr. Mihalko: Does that license have anything to do with the restaurant?

Mayor: No.

Joe Giorgio: No it does not.

Seeing none, hearing none, motion to adjourn made by Member Ferramosca and seconded by Member Brueno and unanimously passed.

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

Joseph A. Giorgio, Township Clerk