

OCTOBER 8, 2015

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, October 8, 2015, 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 and Coppola

ABSENT: Member Brueno

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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 THE PUBLIC**

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

Jim Neidhardt, 3414 Appleton Way, Whippany: I would like to give the Committee a brief update on what is going on at the County level related to the solar project. As you know they had solar one and solar two and starting next year solar two is going to cost the county taxpayers about \$1 million a year the whole project has been a fiasco so far. Of the 30 projects that were supposed to be built out throughout the county 17 were built out and when the companies involved the developer and the construction companies went bankrupt one of the them and they sued the other and we got caught in the middle and now we are on the hook for about 21 million dollars as a county. Currently, the Morris County improvement authority who is charged with overseeing this is doing research and inviting comment from the public whether or not they should continue to build out the additional 13 sites as well as the other two county sites, bringing the total to about 15. There is a feeling among a large number of the

people involved that they should be doing something to recoup some of the money, but where they draw the line on those projects has not been determined but it will be determined probably next month.

Hanover has one of those projects, Hanover Municipal's building, is one of those projects, on the initial presentation of the Morris County Improvement Authority last week, some projects, I believe two of them were judged as highly likely high payback, the majority of them were moderate and I believe although they did not give the names of individual projects just looking at them I think Hanover was one of the moderately profitable ones from their standpoint. Their analysis was incomplete by the estimation of a lot of the members of the public who have researched this and probably know more about this project than the people on the Morris County Improvement Authority. There are lots of problems, in that a lot of that is dependent on the extracts and credits from the government and nobody knows what price they are going to be selling at in the future, yet they are making an estimate of some \$2.15 which might seem good today but they were trading at \$6.00 and then they went down to like \$.60. There are lots and lots of issues and the potential savings of 5.6 million dollars over 15 years or more it doesn't work out to more than \$3 -\$4 per year per tax payer. Given the significant risk a lot of the residents are highly against them doing anything further due to the down side risk being significantly greater than the upside risk. The meetings that are important coming up, there are two County Freeholder meetings this coming month the 14<sup>th</sup> and the 28<sup>th</sup> and in between there on the 21<sup>st</sup> is a Morris County Improvement Authority Meeting; that meeting is at 6:00, the Freeholder Meeting work session and regular 5:30 and 7:30 on the 14<sup>th</sup> & 28<sup>th</sup> of the month. There will be input from the public at the Freeholder Meeting on the 14<sup>th</sup> and most likely they are probably going to make the decision by the end of the month, I just wanted to let you know that the largest number of people maybe 15-20 have been attending regularly from the public around the county and they are leaning very much against it however we don't know what the County is going to do. I just wanted to keep you abreast of what is going on since it affects Hanover since we are one of the projects there. Thank you.

Mayor: Looks like we have a \$21 million exposure what it boils down to. If you walk away from the project. I think the Township Committee has taken an official position on this but it might be well within our responsibility to take a position and submit it to the county as well, I've read several accounts of this through newspaper reports, etc., I think John Quickus is in the forefront on a lot of this as well. I think what we will do is discuss with the Township Committee and frame a letter and submit it to them. Again, I don't at this juncture have a sense of where the Township Committee would be in supporting go ahead or abandon it as so many people are saying, lick your wounds and walk away.

Mr. Neidhardt: (Not speaking in microphone) From the Township stand point it might not be a bad idea, and I'm not 100% certain on this but I don't think the price of the abstracts affects you all that much. I can't guarantee savings until then, some of the problem is that many of the fire departments won't fight fires with solar panels on the roof. The county is training them on how to do that, but many of the fire departments

currently don't know enough and refuse to fight the fire. If that's the case, it will affect your insurance, and also at the end of the life of these solar panels you have the option to buy those or to have them removed. There are some issues.

Mayor: Well one of the lucky things back then we agreed to this not to belabor it is that we talked the Township Committee into making sure this was a ground project, so we did allocate necessary land to it behind me towards 287 and we had that all engineered, surveyed out for that and it was going to be on ground.

Mr. Neidhardt: The Mayor of Randolph was at the last Morris County Freeholder meeting and he made a passionate speech about how ugly the ground level solar panels are and that (Inaudible). Morris County College used to be a beautiful campus with a little (inaudible)

Mayor: It would have to be heavily landscaped again on that matter and it looks to me on whether or not we should go forward or not, the other option is to cover the roofs of this municipal building with these panels and there are other points of view on that. Anyone else?

Mr. Coppola: One thing I would like to add to this, that our Fire Companies are trained and it is an issue, definitely an issue with fire suppression on these solar panels and speaking with Chief Davidson and Cortright they are trained.

Diana Plaza, 2 Briarwood Court, Whippany: I am here today I would like to share with the Township Committee with the Mayor the concerns I have over the safety of North Jefferson Road. There is a lack of sidewalks on North Jefferson Road starting from Parsippany Road all the way to Cedar Knolls Road. As a resident of this community as well as residents on other streets off of North Jefferson Road, we would like to voice our concerns about the safety hazards of not having sidewalks that go from Parsippany Road to Cedar Knolls Road. We have approached many people that live in our neighborhoods and we do have a petition that we have signed and we would like to present it to the Committee. I would just like to read it to you if I may? We the undersigned ask the Mayor and Township Committee to arrange for the installation of continuous sidewalks on at least one side of North Jefferson/South Jefferson Road from Parsippany Road to Cedar Knolls Road, this is necessary to protect people walking, jogging and bicycling on these very dangerous roads as evidence by the two extremely serious car accidents on June 10<sup>th</sup> and June 12<sup>th</sup> both in 2015 on North Jefferson Road and numerous other near misses and as someone who uses that road frequently for jogging and walking I will tell you it is extremely dangerous and I fear for my life when I try to jog down that road, so I just want to share that with the Committee and to invite anyone else from the team that would like to come up and speak of this as well if that is okay.

Mayor: Do you have a petition; does the Administrator have a copy of it?

Ms. Plaza: (Inaudible)

Mayor: Would you like to give it to us? Ok, is this on the matter of sidewalks, this is Nye Avenue, Briarwood, okay. It is customary, not customary it's policy, when we install sidewalks and we have done that on many many streets, as we just did on Reynolds Avenue, the cost of the improvement, the cost of the sidewalk is borne 50% by the Township and 50% by the homeowner whose home it crosses. So the 50% of the homeowner just putting this out there is usually through out there,

Silvio Esposito: 10 years, and interest is charged.

Mayor: They can pay that over 10 years but there is interest on that as well. So but again, the Township pays half and the homeowner pays half and that's sidewalks going past that particular property of that homeowner. Just so we are all aware of that, in investigating the improvement of sidewalks the homeowner would be notified of who the affected homeowners are that would be involved in that cost so.

Ms. Plaza: Inaudible

Mr. Giorgio/Mayor: 50% of the total cost.

Mayor: Hypothetically, if a strip of a sidewalk from the metes and bounds that you are talking about were in the neighborhood from about \$100-\$150,000.00 then it would be divided \$75,000 to the Township and \$75,000 to the homeowners that abut the sidewalk, that have the benefit of the sidewalk, that's the way it's on the books.

Chen Cai, 4 Oakwood Court: We don't know how to separate the costs, who pays the costs of the sidewalk, they want a sidewalk because of it's safety issue. We have high school kids that wait for the bus on Jefferson Road, and there is no sidewalk there, so they wait on grass, but in the winter time it's, there is snow, the road the speed that they go 14 miles or so, that's kind of dangerous for kids.

Mr. Coppola: What is the destination, what I understood there was an issue, this gentleman over here a destination of the field to Veteran's Field, for somebody traversing onto Jefferson Road, first of all the Chief gave us a report that we might consider it in our budget for next year, that is something we are going to be looking at. However, to get over from Windermere to the field or anywhere near the Township is by going through the ballfield Stoney Brook, to the sidewalk right alongside of public works which takes you into Town Hall. One of the things we are looking at is destination, when we talk about, like as an example Reynolds Avenue, we had 500 kids now at the middle school, who use that sidewalk to go to Quick Chek as a destination. If there is a destination to get to Town Hall there is a way to do it now where we are better able to evaluate it. Now as an example, I asked the Chief to get me 2 years of incidents that have perhaps occurred on Jefferson Road, so there are actually 24 incidents in 2 years, Parsippany Road prior to enter Jefferson Road, 2 incidents. Parsippany someone didn't adhere to a yield sign 1; coming out of the driveway by the Birchwood Manor there were 4 incidents Nye Avenue had 3. Fanok Road had 1 and recreation parking lot had 1 and

Municipal Complex going in and out there were 3 and wells Fargo pulling out onto Jefferson Road. These are the places where some of the sidewalks still do exist. Route 10 jug handle 6 incidents, which were a total of 24 incidents in 2 years, that doesn't mean we aren't concerned with the safety of the kids and we are not going to evaluate what we have to do. The Chief has already made the recommendation to us on certain areas where we can perhaps look at and continue the sidewalk in the interim you can go through the back through Windermere through Stoney Brook right onto the sidewalk safe all the way through.

\_\_\_\_\_ : (Inaudible) Not speaking near microphone

Mayor: What we are going to do, we have done some initial investigation on this and by the way Committeeman Coppola is the Director of Public Safety for the Township, and works with close concert with Chief Gallagher and we have a Traffic Safety involved in this too, Sgt. Loock who we put on investigations of this order. George if you think there is more need for investigation based upon what you have heard.

Mr. Coppola: I don't think so, the only reason why we seem to have the Chief, he did have an evaluation going on from Windermere towards Town Hall, we weren't aware that he was also referring to South Jefferson Road, going to where?

\_\_\_\_\_ : Inaudible (Not speaking near microphone ) I have kids who are high school and middle school age, they can't come home from the High School, and sometimes they are stuck there until 5:30 until I can pick them up, they can't go to the Bee Meadow Pool, I had kids who were life guards at that pool who were 16 and not driving and they couldn't make it to the Bee Meadow Pool, they had to ride their bikes on that North Jefferson Road stretch till they get to Bee Meadow and it's just unsafe. Maybe 24 in two years doesn't seem like a lot but I think it only takes 1 very serious fatality and then 24 in two years is going to seem like a heck of a lot all of a sudden, so I think that we, I don't want to wait until something really serious happens. I jog down that road and I see how dangerous it is, and for me it is scary and for my kids as well.

Mayor: We appreciate it and what we will do is the Director of Public Safety will be back in touch with the Chief, if we have to set up a safety study on the street for a period of time we will do that, and Officer Loock will give us the benefit of his recommendation whether it is speed or sidewalk or any other safety amenity, we are all on the same page when it comes to that, we just went through half a million dollar improvement on Reynolds because we have children walking from that school area there onto Parsippany Road. Money well spent. Just so we all understand how the process works and once we get an evaluation from the Police Department then if that's need the affirmative then Engineering will take a look at it to try and assess costs once that's done then the neighbors would be notified and their input would be taken of the neighbors that would be effected by the cost. So that's the procedure, but we will begin with Sgt. Loock. Will that be sufficient for now?

Mr. Gallagher: I have one question for you, isn't it correct that if we install a sidewalk that the homeowner is responsible to shovel it and salt it and keep it safe during the bad weather?

Mayor: Correct.

Mr. Gallagher: So besides the 50% cash outlay they would also be a maintenance commitment.

Mayor: Whether they do it or they have it done.

Mr. Gallagher: And, if they went to Parsippany Road, that would be by the Birchwood correct?

All Committeemen: Yes

Mr. Gallagher: And then they would be responsible to shovel, salt that sidewalk because that would be theirs.

Mr. Coppola: From Parsippany to their property

Mr. Gallagher: And the other question was when you did the survey did you realize that you would be responsible for 50% of the costs?

Ms. Plaza: No, I didn't know anything about the costs, and I have to take it back to a more philosophical question as to what is the cost for people being safe. That cost is something that you can't put a number on.

Mr. Gallagher: I will answer the fact that I serve on the School and Park Traffic Safety Advisory Committee and we talk about these specific issues all the time, but our focus is narrowed to schools and parks because we have a great police department that deals with the larger scope. But even with Committeeman Coppola question destination being, we spent quite a bit money on Reynolds Avenue because on a daily basis we have 510 people at Memorial Junior School, and on a beautiful day we can have 80-100 walking down to Quick Chek, destination B became Quick Chek. We always had people walking on Reynolds so every complaint, every email and every concern with a child we spent a lot of time on it and we all spoken to Joe many times but we do have budget issues and we do have priorities and we do get our survey results from our Police Department. We do a lot of things and wear a lot of hats but Committeeman Coppola is going to work on it and every child is important and I think since I have been on the Committee joining these guys we demonstrate that through action and we always trying to make families safer. The Chief will get in touch.

Ms. Plaza: We definitely appreciate that and the action here is that we have destinations we have destinations, Bee Meadow Pool, Bee Meadow Parkway, we have destinations to possible Quick Chek on Route 10, if the destination is the piece that is missing then we have that already identified as well, no again at the end of the day it's

really safety of our residents. We deserve to be safe and we deserve, I shovel my sidewalk and I live on a corner so I have a really long piece of property that I have to shovel and I myself pull out the snow plow and shovel, so that's a small price to pay.

Mayor: I think Committeeman Gallagher is just reminding everyone that when you do have a sidewalk there is a responsibility to maintain them. Matter of fact it's one of the subjects that is on our Township Committee agenda discussion tonight as far as how we want to handle this up and coming winter in responsibility for keeping the sidewalks clear so but again Department of Public Safety will look into it and we will keep you advised and we have your petition, I just want to make it abundantly clear and going forward that it for the record, that it is the people that have properties that front on the given sidewalk are the ones that are going to be responsible for the cost factor, so it's not people who use it, that may be on Nye or somewhere else, it's immediate to the properties who have the sidewalk.

Mr. Giorgio: I noticed on your petition that you have only one signature from 60 North Jefferson Road, what about the other homeowners on North Jefferson Road, were they contacted?

Ms. Plaza: Inaudible

Mr. Giorgio: In other words, just as a point of information, since they would be the ones directly responsible for 50% of the cost wouldn't it be fair to approach those people to see if they wanted sidewalks?

Ms. Plaza: (Inaudible) ..... safety, it all comes down to safety.

Mr. Giorgio: No question about it, that is not the issue

Ms. Plaza: (inaudible)

Mr. Giorgio: That's not the issue, the issue is whether or not they as the homeowner who would be responsible for fronting who front on the improvement to pay 50% of the costs, have they been informed?

Ms. Plaza: I don't know about the 50% cost, I didn't know anything about that, and I think we can definitely go back to those residents and let them know, we don't have a dollar amount, but I would say at the end of the day, who is the ultimate decision maker is it the homeowner or the responsibility of the Township to ensure the safety of the residents

Mayor: I think it's both,

Ms. Plaza: I can get rid of my sidewalks and not worry about sidewalks, I ultimately make that decision.

Mr. Brancheau: Perhaps it would be helpful if the Township could provide typical construction costs for sidewalks, so residents responding to a survey or a petition would know what kind of cost they are reacting to. So if they have 100 feet of frontage they know how much it is going to cost.

Mayor: I'm sorry, unless anyone else has anymore comments to make on this, the floor is still open.

Joseph Kowalski, 24 Nye Avenue: I was approached by some of the people here, my family lives and myself live on Nye Avenue, and our perspective is a little bit different as to what George is speaking about on Windermere. I myself run 5-6 times a week, I'm a distance runner so I go out onto Jefferson. I can only share on my experience so I will do it very briefly, the option to go right when you go out of Nye Avenue going north bond on Jefferson for me is too dangerous because there is in fact no shoulder whatsoever, it's sort of elevated on the right side,

Mayor: That's passed the Marino property?

Mr. Kowalski: That's on the Marino house side, nowhere to run there, the other side is his grass property, it's a really good chance to sprain an ankle and when you actually get passed the actual Birchwood where that vacant lot where there future plans for the town, there is nowhere to run on that at all. It's almost like a death trap, you can really funnel in and it really depends on the driver paying attention which I don't like to let that happen, so what I do I make a left out of my street and I sprint to the sidewalk that starts right before the street before Windermere. I will go down Windermere go back up and then try to go towards the Grande, now at that point the sidewalk stops again, and again I will sprint again at that point because there is no sidewalk for well over 100 yards and that part becomes very dangerous. In regards to the destinations, we built Veteran's Field, it has lights which is a great thing and I think that would allow some people to be able to attend some of those things. I know some of the people on my street have children in those leagues. The thing that I thought was the most important, which is very scary, I went with a group of 10 people on the night of the fireworks and we walked there. It was the biggest turnout event and I think we can all agree on that

Mayor: Very successful

Mr. Kowalski: It was a great event, and I want to thank everyone for what they did on Reynolds Avenue, it's a great improvement. I had a question with regard to the half a million dollars that was spent, will that be split between Billy's Red Room and the 5 residents that are on Reynolds over the 10 year period for half of that the quarter of million dollars? You can answer that later, more importantly my question was in regards to the fireworks, when we left when they were done, there was a mass existence moving towards where people parked from the recycling road the lights basically stopped half way through Halo Pharmaceutical and at point cars were allowed to come in from Parsippany Road & Jefferson and that's where it got scary. People were

walking with carriages, my nephews inside a baby carriage and people were all saying after the fact wow this is really, really dangerous. So when the Chief or whoever does the safety study at this point they have to factor that day in because that's the biggest day in our town and at that point it was very scary. I know my family owns a plot on Jefferson Road right after Mr. Bolcar's house, heading south on North Jefferson and I have also been aware of that, I don't know what square footage is and I definitely think we should approach everyone on North Jefferson there is about 11 different house, I took care of my street. And, I got my perspective, most people's perspective were that they would use it we had a younger generation move in and some of those people use Veteran's Field so it would be nice for them to go there and there are parcels of the road that has sidewalk just for, I can only speak for Nye Avenue, there is no way to travel out of it to get on moving north or south bound. That is my concern, that's all I have to say.

Mayor: It's a genuine concern. I will tell you the policy of the Township overall where sidewalks are concerned or with any developments that are coming into the Township is that sidewalks are part of any improvement. That's a general across the board policy, but what we are talking about now is adding the improvement. When the improvement comes in as a development that is going on it's at the builder's expense 100% pays for it all ~ goes in. But what we are talking about now, there are two aspects of this thing. I don't make any light of the safety aspect of it, but that's going to be taken care of. Police Department will take a look at it, George will get complete report to us and we will make a determination as to whether or not it should be done and what portions has to be done. The second portion of that is because it is not being undertaken, it wasn't undertaken years ago as part of a policy you have to put it in so the current policy is the cost factor, but we will have to notify those homeowners at the appropriate time and whatever those comments are they're comments.

Mr. Kowalski: One more thing quickly, people who use the road as well, it is a bus route, it has two stops on it one right in front of this building and one a little before it. People use that road who come from the UPS stop and walk on it regularly and they have to use that stretch of road by the Birchwood which is very scary. I know a long long time there was a death on Jefferson that had happened by a person hitting a family member so I know that it's possible and with regards to another destination, we put up that road with major concern on Reynolds because people were going to a Quick Chek, in all likely hood a Quick Chek will be going here, which then we will have another destination on the road, I just want people to think about.... Just to keep in thought.

Joe Shatynski, 40 Windermere Court, Whippany: I just wanted to summarize all the petition sheets you have gotten, I think it's worthwhile to take that aggregate perspective. There were 6 individuals who coordinated signatures in their respective neighborhoods, some of them couldn't join us today before conflicts, but they asked us to share the petition with you. There were 121 signatures on the petitions that you received today, there were two questions, 1 asked the number of household members who currently walk, jog or bike on North or South Jefferson Road there were 177 people from their households that say they currently say they do it. We removed duplicates, if there was more than one signature from a house we took out those numbers so we

didn't want to inflight that, so they are actual true numbers. The second question was the number of household members who would walk on North or South Jefferson or bike or jog if there were continuous sidewalks and that number went up to 241. Those numbers are as significant as they are actually understated because what is not included in those numbers are the local residents who we couldn't reach, just because they weren't home, pedestrians from local business who walk, I see them all the time walking during lunch time up Windermere and North Jefferson Road, South Jefferson Road. Pedestrians from New Jersey Transit Buses as Joe mentioned there are a lot of them walking now. Future residents from the 16 new homes from the former slaughter house, I'm looking at who is looking at those houses, a lot of young families, whether they have kids now or most likely going to have kids. There are going to be more people coming that are not reflected in these numbers. Visitors of local residents, I know when we have family over they walk and they all comment how dangerous it is. Residents from the Woodmont Knolls, unfortunately that was going to be the 7<sup>th</sup> person collecting signatures, but they had a series of personal issues that they couldn't get the signatures in time.

Mayor: Woodmont Knolls on Cedar Knolls Road?

Mr. Shatynski: Yep, a lot of those people walk, bike, jog up South Jefferson and North Jefferson to Bee Meadow. Several near accidents in that case, residents from other parts of town there are other people we see from other parts of town who are jogging, biking etc. To answer the destination, I'll talk personally, I take my 7 year old son on a bicycle ride to Morristown, the most dangerous part of that trip is right outside on North & South Jefferson Road. Every other place sidewalks, paths, etc., to Morristown is safe, the most dangerous part is right in our own neighborhood and that is embarrassing for us as a community.

We already talked about Veteran's Park, Bee Meadow, etc., a lot of stories I know when I was collecting the signatures, near misses, people almost hitting mothers with babies in strollers, I remember 15 years ago, and that's why I referenced in my emails this goes back 16 years I remember walking my current 15 year old daughter on the road and the policeman stopped and he asked what happened why you walking on the road, I told him there is no place to walk, he said this is so dangerous, I said we are going to talk to the Township Committee trying to get sidewalks, that was 15 years ago and we are with not much progress. So that is the numbers, the only other thing I want to mention too is the sharing of the cost, I know a resident who lives on Reynolds Avenue who had the sidewalk put in front of them, they are not aware of any sharing of the costs so either it wasn't communicated or they are not being expected.

Mayor: The new Reynolds Avenue sidewalks?

Mr. Shatynski: Yes, the residents said as far as they knew they got a letter they were not asked do they want a sidewalk, all they said that was a sidewalk was going in.

Mayor: I think we are going to have some upset residents then. Some upset residents on Reynolds very shortly.

Mr. Shatynski: I know one residents in particular I don't know if anyone else knows any residents, but the one I know said all they got was a letter that was saying it was going in and there was no option, they could go to a meeting and voice their opinion that was about it, no mention of costs, so the assumption is the Township or someone else is paying for it. The other thing I would say, I don't live on North Jefferson Road, but I am sensitive to the residents who we are going to be asking potentially to pay for this, I would argue, but to keep point, the Township has capability in terms of the increase and danger of that road we went through spot zone changes on the slaughter house, my street Windermere Court was a zone change, Briarwood I don't know if that was a zone change, but the Township has changed that zoning on the road, so to be honest with you I don't think that is fair to ask those residents on North Jefferson to pay for that improvement, I think the Township created a more dangerous situation so I think it's the Township's responsibility to correct it.

The last point I'll mention is I don't think this is as hard as what it's being portrayed with, we said continuous sidewalks on one side we are fine if we have to cross the sidewalk say at Windermere so if you look at one side on the Knoll property, Halo up to the Ukrainian Church right in front of the old slaughter house, cross it at Windermere and go on Briarwood and that side of the Birchwood Manor there is not that many residents most are commercial property. So I don't think this is difficult as we are pertaining it to be. If we look creatively and do that cross at Windermere and on South Jefferson primarily commercial.

Mayor: thank you.

Mr. Shatynski: I will submit this summary.

Mayor: I'm just confirming that the Reynolds sidewalks would be an assessment and the answer was yes. Having said that the floor is still open if anyone else would like to be heard at this time.

Mr. Kowalski: Could someone just go on the record to say that if people who have that stretch what their responsibility is on the tenure \_\_\_\_\_. (Inaudible)

Mr. Esposito: I don't have the information on the square foot.

Mr. Kowalski: They said it was ½ million dollars.

Mr. Esposito: You would have to go by the frontage of the property. And how much is owned by Township, County, or private.

Ms. Plaza: Will someone do that assessment though?

Mr. Esposito: Yes, we have to back up the cost of the fencing and the digging; it's just the sidewalk itself that gets assessed.

Ms. Plaza: If I get hit by car....

Mayor: I'm not going to have dialogue from the floor, I will give you the courtesy of another minute, I have to cut this off, and we've heard everybody quite at length.

Ms. Plaza: Just to follow through, because if it's the responsibility of the homeowner to pay for that sidewalk without that sidewalk is the homeowner liable for someone who gets hurt in front of their house because there is no sidewalk for example? It's a double edged sword; you either pay for it or pay if someone gets hurt in front of your house because they get hit by the car.

Mr. Semrau: Well the Township has by law various immunities because the Township can't expend funds everywhere to provide for safety, so I would say to you in that example it may fall to the homeowner if something happened in front of their home, but from the Township's perspective I think it's a safety issue but I don't see it as a liability issue, because Town's can't, the law provides immunity so Towns can spend funds due the best they can but they can't be everywhere. I'm not just saying it just to this.

Ms. Plaza: I think that is fair. I think that is something that the homeowners need to be aware of, that without the sidewalk, if someone is running or bicycling in front of your house and gets hurt you can be liable for that because there is no safety. Thank you to the Committee for your attention.

Mr. Gallagher: I just want to make one more comment; I just want to assure you how serious we take this and every complaint. Either with our school and park safety advisory committee we are in touch I think we have 1560 kids in our K-8 and we have 730 in our high school, we are always talking to our schools our transportation departments, we talk to our Recreation Department, and organized sports, we right now work with football, soccer, and baseball so we are always communicating we are always evaluating and when it comes to an honest to God assessment and recommendation like Committeeman Coppola said it comes from our Police Department and we do have our priorities so I want to assure you that every life is important to every one of us we talk all the time about this it does drive us crazy, because we want to be everywhere all the time and we do have some concerns that I won't discuss right now, but I just want you to leave assured that we are not just saying yeah this sounds great and see you later and six months you are going to be back, we really taking this seriously and thank you for being here and we will continue to talk about it and Committeeman Coppola will put together a study with the Police Department.

Mr. Semrau: If I can just add, just from my position as the Township Attorney, this issue has come up so much in the last year or two years about sidewalks and projects, this particular location I've been asked a number of questions, and when I look

at Reynolds Avenue and how much effort went in to get that project done, the cost and the concern by all the Committee Members there were a number of conversations right down to the very construction of the project, I think everyone had been out there during the construction, I know Gerry had a lot of different questions and concerns and we were told in that particular matter that it had to be done, before this year's school year and that included easements that had to be acquired without trying to get into all the legalities of it but it was made a priority, once funding somewhat became available to do it. They are big undertakings but what I think Mr. Gallagher is saying is true, they are all out there as considerations, it is being taken very seriously.

Mayor: Let's get through the traffic safety study first, let's get all the impute from Sgt. Looock and make a determination.

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

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**PUBLIC HEARING AND ADOPTION OF ORDINANCE**

**ORDINANCE NO. 28-15**

**AUTHORIZING THE TOWNSHIP ENGINEER TO RETAIN THE SERVICES OF HATCH MOTT MACDONALD IN PREPARING A REMEDIAL INVESTIGATION REPORT/REMEDIAL ACTION REPORT AND BID SPECIFICATION CONCERNING THE REMOVAL OF CONTAMINATED SOIL AND REMEDIATION ACTIVITIES RELATED TO THE FORMER WASTE OIL UNDERGROUND STORAGE TANK AT THE PUBLIC WORKS GARAGE, AUTHORIZING THE ACTUAL SOIL REMOVAL AND REMEDIATION ACTIVITIES AND FURTHER APPROPRIATING THE SUM OF \$60,000.00 FROM THE CAPITAL IMPROVEMENT FUND OF 2015 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT DESCRIBED HEREIN**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 28-15 appeared in full in the September 17<sup>th</sup>, 2015 issue of the Daily Record in accordance with the law.

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

**(Ms. Plaza ~ Had a question regarding Ordinance No. 29-15)**

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

So Adopted.

**ORDINANCE NO. 29-15**

**AUTHORIZING THE RESURFACING AND/OR RECONSTRUCTION OF VARIOUS TOWNSHIP ROADS AND RELATED INFRASTRUCTURE IMPROVEMENTS AND APPROPRIATING THE SUM OF \$1,000,000.00 FOR SAID RESURFACING AND/OR RECONSTRUCTION PROJECTS FROM THE TOWNSHIP'S 2015 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS.**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 29-15 appeared in full in the September 28, 2015 issue of the Daily Record in accordance with the law.

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

Diana Plaza, 2 Briarwood Court, Whippany: So for me, I just wanted to ask about Ordinance 29-15, a million dollars for resurfacing of the roads is that just an estimate or is that the final contract or is that, well that seems to me very very high.

Mr. Giorgio: Well that is for a numerous amount of streets, it is not just for one street. We still have to go out for competitive bid and once we go out to competitive bid.

Mayor: That is a set aside amount of money before we go out for bid, we have to have the money before we go out, we have the money secured and set aside before we can put a bid together and go out and get numbers. That's the law, so all this is saying that we are setting aside that million dollars for street improvements.

Mr. Giorgio: And we will do as many streets as we can with a million dollars, and all the streets are listed in the ordinance.

Ms. Plaza: It just seems very expensive to me.

Mr. Giorgio: Well it's a lot of streets to be done and it's very expensive to do streets.

Ms. Plaza: It's a resurfacing or is it patch work that was done on North Jefferson Road, actual resurfacing?

Mr. Giorgio: Milling and resurfacing.

Ms. Plaza: It would like to look at the ordinance and see what streets are impacted, the only street that run down that could use some resurfacing is Fanok Road, which looks like a mogul hill for skiers.

Mr. Giorgio: That is not included in this ordinance.

Ms. Plaza: Okay. Thank you.

Mr. Giorgio: You're welcome.

Mr. Giorgio: Anyone wishing to be heard on either ordinance 28-15 or 29-15?

Motion to close public hearing made by Member Ferramosca and seconded by Member Coppola (?) and roll call to close the public hearing unanimously passed.

So adopted.

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**INTRODUCTION OF ORDINANCE:**

**ORDINANCE NO. 30-15**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING ORDINANCE NO. 14-2014 AND 37-2014 BY APPROPRIATING THE ADDITIONAL SUM OF \$10,000.00 FROM THE SWIMMING POOL ENTERPRISE FUND, CAPITAL ACCOUNT FOR 2015 AND ALL PRIOR YEARS FOR THE FINANCING OF THE EXPANSION OF THE RECREATION AREA AT THE BEE MEADOW SWIMMING POOL TO INCLUDE A HALF-COURT BASKETBALL COURT, THREE (3) FOUR-SQUARE COURTS AND A TETHERBALL COURT**

**WHEREAS**, in accordance with Capital Improvement Fund Ordinance Nos. 14-2014 and 37-2014, the Township Committee appropriated the sum of \$100,000.00 from the Swimming Pool Enterprise Fund's Capital Account to finance the expansion of the recreation area at the Bee Meadow Swimming Pool facility to include multi-court basketball play areas; and

**WHEREAS**, the Finance Department has determined that an additional appropriation of \$10,000.00 will be needed to underwrite the cost of a portion of the improvement that was inadvertently charged to the Swimming Pool Enterprise Fund Current Account instead of the Capital Account.

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

**Section 1.** The appropriation for the Bee Meadow Swimming Pool Multi-Court Play Area Project as set forth as Item 2. Under Section 5 of Ordinance No. 14-2014 and as amended and supplemented by Ordinance No. 37-2014 is hereby amended and supplemented with an additional appropriation of \$10,000.00 from the 2015 Swimming Pool Enterprise Fund's Capital Account.

**Section 2.** This Ordinance shall take effect in accordance with law.

The Ordinance will be further considered for Public Hearing and Final Passage at the October 22<sup>nd</sup> 2015 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 , 2015 issue of the Daily Record.

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

So Introduced.

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**RESOLUTIONS AS A CONSENT AGENDA:**

**RESOLUTION NO. 196-15**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ACCEPTING A GRANT OF EASEMENT FROM WOODMONT REALTY GROUP, CEDAR KNOLLS, L.L.C.**

**WHEREAS, Woodmont Realty Group, Cedar Knolls, L.L.C.** is the owner of property located at 225 Cedar Knolls Road in the Cedar Knolls Section of the Township and designated as Lot 2 in Block 2302 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS, Woodmont Realty Group, Cedar Knolls, L.L.C.,** is the Developer/Owner of 112 market rate rental units and 14 low and moderate income rental units at a new residential apartment development known as Woodmont Knolls at Hanover Township on the property set forth; and

**WHEREAS,** pursuant to a resolution adopted by the Hanover Township Planning Board, **Woodmont Realty Group, Cedar Knolls, L.L.C.** as the Grantor, wishes to grant and convey to the Township of Hanover as the Grantee the following easements:

- A. A 20' wide ambulatory easement for the purpose of accommodating Patriot's Path across the Grantor's property as more particularly described in the metes and bounds description prepared by Omland Engineering Associates, Inc. dated March 3, 2012, a copy of which is attached to the Easement as Schedule "A"; and
- B. A sidewalk easement for the purpose of accommodating the sidewalk along Cedar Knolls Road, as more particularly described in the metes and bounds description prepared by Omland Engineering Associates, Inc. dated March 3, 2012, a copy of which is attached to the Easement as Schedule "B".

**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 hereby approves the acceptance of the "Easement" as described above, a copy of which is attached hereto and made a part of this resolution as if set forth in full.
2. Upon receipt of the signed Easement from **Woodmont Realty Group, Cedar Knolls, L.L.C.** the Township Attorney shall have the Easement recorded in the Morris County Clerk's Office.
3. That certified copies of this resolution shall be transmitted to the Township Attorney, the Township Engineer for reference and information purposes.

**RESOLUTION NO. 197-15**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ACCEPTING A DEED OF DEDICATION FROM WOODMONT REALTY GROUP, CEDAR KNOLLS, L.L.C.**

**WHEREAS, Woodmont Realty Group, Cedar Knolls, L.L.C.** is the owner of property located at 225 Cedar Knolls Road in the Cedar Knolls Section of the Township and designated as Lot 2 in Block 2302 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS, Woodmont Realty Group, Cedar Knolls, L.L.C.,** is the Developer/Owner of 112 market rate rental units and 14 low and moderate income rental units at a new residential apartment development known as Woodmont Knolls at Hanover Township on the property set forth; and

**WHEREAS,** pursuant to a resolution adopted by the Hanover Township Planning Board, **Woodmont Realty Group, Cedar Knolls, L.L.C.** as the Grantor, wishes to grant and convey to the Township of Hanover as the Grantee a portion of Lot 2 in Block 2302, for public roadway purposes with the right of the Township, its agents, representatives or employees to enter upon and depart over and across the property insofar as such right to enter and depart is necessary for official business of the Township of Hanover; and

**WHEREAS,** a description of the Dedication of Land for public roadway purposes as prepared by Omland Engineering Associates, Inc. and dated March 3, 2012 is attached to the Deed of Dedication.

**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 hereby approves the acceptance of the “Deed of Dedication” as described above, a copy of which is attached hereto and made a part of this resolution as if set forth in full.
2. Upon receipt of the signed Deed of Dedication from **Woodmont Realty Group, Cedar Knolls, L.L.C.** the Township Attorney shall have the Deed of Dedication recorded in the Morris County Clerk’s Office.
3. That certified copies of this resolution shall be transmitted to the Township Attorney, the Township Engineer for reference and information purposes.

### **RESOLUTION NO. 198-15**

#### **A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING PARTICIPATION IN THE SECTION “1033 PROGRAM” FOR PROCUREMENT OF FEDERAL SURPLUS PROPERTY FROM THE DEPARTMENT OF DEFENSE AND DELEGATING AUTHORITY TO THE CHIEF OF POLICE IN ADMINISTERING THE PROGRAM ON BEHALF OF THE TOWNSHIP**

**WHEREAS**, federal law permits the Department of Defense to transfer to federal and state agencies personal property of the Department that it determines is suitable for use by agencies in law enforcement activities, including counterdrug and counterterrorism activities and is excess to the needs of the Department; and

**WHEREAS**, this program is generally known as the "1033 program" that allows local law enforcement agencies to obtain, at little or no cost, surplus federal property; and

**WHEREAS**, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L. 2015, c.23), which now establishes, in the absence of federal requirements, a system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 program; and

**WHEREAS**, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 program by a resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator of the program; and

**WHEREAS**, pursuant to N.J.S.A. 40A:5-30.2b, the acquisition of any property by a local law enforcement agency shall be approved by a resolution adopted by a majority of the full membership of the governing body.

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

1. Pursuant to N.J.S.A. 40A:5-30.2a, the governing body hereby authorizes and directs the Chief of Police to act as the local administrator of the "1033 Program" and to designate a qualified individual in the Police Department to file the necessary application materials for participation in the "1033 Program".

2. Pursuant to N.J.S.A. 40A:5-30.2b, the governing body hereby authorizes and directs the Chief of Police to designate a qualified individual to maintain an inventory of surplus property obtained under the 1033, subject to the following conditions:

A. Within thirty (30) days of its acquisition, all property obtained under the program shall be subject to review by the governing body to determine whether any such property obtained should be rejected and removed from the Township's inventory.

B. If after appropriate notice to the governing body, no action to reject the property obtained is taken within thirty (30) days of its acquisition, it shall hereby be deemed accepted by the governing body and put into service or otherwise disposed of as necessary.

C. That certified copies of this resolution shall be transmitted to the Chief of Police and the Township's Chief Municipal Finance Officer for reference and information purposes.

#### **RESOLUTION NO. 199-15**

### **A RESOLUTION OF THE TOWNSHIP COMMITTEE WAIVING ONE-HALF OF THE \$1,115.00 BUILDING SUBCODE FEE FOR OUR LADY OF MERCY ROMAN CATHOLIC CHURCH AS IT RELATES TO RENOVATIONS TO THE CHURCH LOCATED AT 100 WHIPPANY ROAD AND ALSO KNOWN AS LOT 2.01 IN BLOCK 4301 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS, Our Lady of Mercy Roman Catholic Church (hereinafter referred to as OLM)** located at 100 Whippany Road in the Whippany Section of the Township and also designated as Lot 2.01 in Block 4301 on the Tax Map of the Township of Hanover intends to make renovations to the Church structure; and

**WHEREAS,** in accordance with provisions of New Jersey Uniform Construction Code, **OLM** has submitted a permit application for a building subcode permit, and related administrative application to the Township's Building Department; and

**WHEREAS, OLM** is classified as a not-for-profit 501(c) (3) tax exempt organization; and

**WHEREAS,** in accordance with Township policy, the Township Committee, in recognition of **OLM's** not-for-profit status, and its service to the community, desires to waive one-half of the full amount of the Building SubCode fee totaling \$1,115.00.

**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 the governing body waives one-half of the Building Department's Building SubCode permit fee in connection with renovations to the Church edifice located at 100 Whippany Road in the Whippany Section of the Township, and also known as Lot 2.01 in Block 4301 as set forth on the Tax Map of the Township of Hanover:

<b><u>PERMIT AND OTHER FEES:</u></b>	<b>TOTAL FEES</b>	<b>ONE-HALF OF FEE</b>
Building SubCode Permit Fee.....	\$1,115.00	\$557.50

2. In view of the fact that all of the plans and applications for this project have not been finalized as of the approval of this resolution, the Construction Official recommends that the governing body authorizes the waiver of one-half of any additional Code Enforcement fees. Therefore, the Township Committee concurs with the recommendation of the Construction Official and authorizes the waiver of one-half of the fees of any other Building Department SubCode permits as the need arises.

3. In waiving one-half of the Building SubCode permit fee, in accordance with the Fee Schedule established under Chapter 125 of the Code of the Township of Hanover, that is, Section 125-5. entitled "Building Department Fees", said reduction does not constitute a waiver of any State mandated surcharge fees as required by the New Jersey Uniform Construction Code, or the requirement that **OLM** make application for the required SubCode permit, and any other necessary permit applications.

4. That a certified copy of this resolution shall be transmitted to the Township's Construction Official, the Township Engineer, the Township's CMFO and to the Pastor of **OLM** for information and action purposes.

**RESOLUTION NO. 200-15**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE SPONSORSHIP OF THE 2016 SKI AND SNOWBOARD SEASON PROGRAM BY THE DEPARTMENT OF RECREATION AND PARK ADMINISTRATION FOR THE TOWNSHIP'S MIDDLE SCHOOL STUDENTS AT SHAWNEE MOUNTAIN SKI AREA IN SHAWNEE ON DELAWARE, PENNSYLVANIA BASED ON THE UNIT PRICE RATES AND SKI AREA CONDITIONS**

**WHEREAS**, there exists a need to provide the Township's middle and high school students with a ski and snowboard program that will offer the most advantageous ski and snowboard conditions for the more advanced student and sufficient slope conditions and expert training and supervision by the resort; and

**WHEREAS**, although the Township's attorney has rendered a legal opinion

that while the ski and snowboard program packages may in fact fall within the category of an Extraordinary, Unspecifiable Service, it was also the Township Attorney's opinion that since the funds expended for the payment of the ski and snowboard program trips do not arise from tax dollars or revenues collected by the Township but are funds provided by the youth which pay for the ski/snowboard packages, that the sponsorship and implementation of the program are not controlled under the Local Public Contracts Law; and

**WHEREAS**, although this legal opinion has been rendered, this resolution serves to memorialize the actions of the Township in making every attempt to comply with the requirements of the Local Public Contracts Law in the award of this service contract; and

**WHEREAS**, because of the closure of the Craigmear Ski Lodge, the Board of Recreation Commissioners has carefully reviewed the rates of, and conditions at one (1) ski area and recommends that based on price and ski and snowboard area conditions, the Township continue to conduct its ski and snowboard program for middle school students at the Shawnee Mountain Ski area located at Shawnee on Delaware, Pennsylvania 18356.

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

1. That the Department of Recreation and Park Administration is hereby authorized to utilize the Shawnee Mountain Ski area located at Shawnee on Delaware, Pennsylvania 18356 in the sponsorship of its 2016 ski and snowboard season program for the middle school students based on a per unit price quotation for the following:

Bus.....	\$ 200.00
Ski/Snowboard (Lift Only) .....	130.00
Ski/Snowboard Lift & Rental.....	180.00
Ski/Snowboard, Lift, Rental, Instruction (5 Lessons)	220.00
Ski/Snowboard & Instruction...(5 Lessons).....	175.00
Ski/Snowboard Lift..... (3 Lessons).....	157.00
Ski/Snowboard Lift, Rental ...(3 Lessons).....	207.00
Giro Ski/Snowboard Helmet .....	65.00
Discount Meal Plan – 5 Meal Vouchers.....	40.00
Choice of Cheeseburger, Chicken Sandwich Or Tossed Salad Plus Fries and Medium Fountain Drink	

2. The Friday Night Twilight Program at Shawnee Ski Resort will take place on January 8, 15, 22 and 29 and February 5, 2016 weather permitting.

3. That certified copies of this resolution shall be transmitted to the Superintendent of Recreation and Park Administration and the Township's CMFO for their reference and information.

**RESOLUTION NO. 201-15**

**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>
606	16		James Coriddi 7 Ash Circle Morris Plains, NJ 07950	\$2889.85
1701	6		Estate of Richards c/o Nicosia Emmons Pavez & Henderson 15 Church Street, Suite 3 Vernon, NJ 07462 RE: 14 Highview Ave	\$68.26
2903	21		Moscariello, Edward & Rose J 27 Malapardis Road Whippany, NJ 07981	\$9707.95
4001	12		Michael Schneck Esq Trustee Pine Plaza Associates LLC 301 South Livingston Avenue Suite 105 Livingston, NJ 07039 Location: 801-849 Route 10 Reserve for Tax Appeals	\$22,680.00
4001	25		Lisa Lepore 22 Legion Place Whippany, NJ 07981	\$999.75
4301	14	C0904	Michelle Behrens c/o Lauren A Adessa, Esq PO Box 573 Florham Park, NJ 07932 RE: 904 Evergreen Ct	\$60.49

**POSSIBLE CONSIDERATION OF ADDITIONAL RESOLUTIONS.**

Motions to accept and adopt resolutions as a consent agenda made by Member Coppola and seconded by Member Ferramosca and unanimously passed.

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of **\$\$4,408,775.37** 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 Coppola 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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**RAFFLE APPLICATIONS:**

- RL- 2870 – Morris Catholic High School – Tricky Tray**
- RL- 2871 – Morris Catholic High School – 50/50 on premise**
- RL- 2872 – Foundation for Morristown Medical Center – 50/50 on premise**
- RL- 2873 – Hanover Rotary Club – Tricky Tray**

Motion to approve Raffle Application made by Member Coppola and seconded by Member Ferramosca and unanimously passed.

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**OPEN TO THE PUBLIC:**

Motion to open to the public made by Member Ferramosca and seconded by Member Coppola.

Joseph Kowalski, 24 Nye Avenue, Whippany: I just wanted a status update, the Resolution A & B it concerns Woodmont Reality, which is on Cedar Knolls Road, if I’m correct? I attended multiple meetings and it concerned Patriot’s Path and the connectivity plan that the Town has, there was a section 1A and jump in and correct me if I’m wrong with anything, we had a quarter of a million dollar budget for phase 1A that we initially set out? And we put about \$38,000 for a professional to give insight into it.

Mayor: Gerry is that your remedial work on the Patriot’s Path?

Mr. Maceira: He is talking about the Connectivity Project.

Mr. Kowalski: Correct, The thing that just went out to bid.

Mayor: The connectivity trails, Patriot’s Path.

Mr. Kowalski: I was not able to attend and for some of the people that do not know, I just wanted to know what happened in regards to, I know they said that we put out bids at last meeting. They were all denied.

Mayor: We didn't accept any of them.

Mr. Kowalski: We didn't accept any of them, because they

Mr. Giorgio: They were too high.

Mr. Kowalski: They were too high

Mayor: In our opinion, yes.

Mr. Kowalski: My question is so when we spoke about it originally Silvio said it was not coming at any cost to the Town, for the money that we had put forth.

Mayor: That was a statement made by Mr. Mihalko, I believe. If you want to follow through with that go ahead.

Mr. Kowalski: Yes, Mr. Mihalko was the person who initiated it and then Silvio gave testimony, but we don't need to go into that, I'm just trying to figure out, the money that we have through our funding, where does that go now and does it have a time limit on for what we can do with it?

Mr. Giorgio: No, the Ordinance was adopted to appropriate money from the Township's Open Space Trust Fund and the Township's Capital account, and then when you set aside what happens now because we had to reject the 3 or 4 bids because they were excessive and above the appropriation Gerry and the Engineering Department have to now rebid and go out a second time.

Mr. Kowalski: Do we have a time, like is that something that needs to have a time limit too?

Mr. Giorgio: No time limit.

Mr. Kowalski: Okay, it was confusing for me because Mr. Mihalko said that he was complaining about the person who had done the work the \$37,000 and then Silvio gave some testimony in regards to the money wasn't coming out of cost because it was coming from open funds and then I was trying to figure out the process of where does the open fund money come from. Which comes from our tax money, is that correct?

Mayor: You pay an open space tax, used to be \$.02 it's now down to \$.005 and that goes into an Open Space Fund that we use, I think we have a balance in there about \$600,000.00, so some of this money will come out of that portion of the fund

some of this money will come out of the tree fund which is paid for by developers who take trees down, as you know, and have to pay for the replacement of trees.

Mr. Giorgio: Not correct no tree fund. For the record, Open Space and Capital Improvement.

Mayor: Oh there is no tree fund, excuse me, I stand corrected.

Mr. Kowalski: Just to clarify the \$.02, is it per person who is paying taxes or is based on the dollar of your taxes?

Mr. Giorgio: It's a ½ cent

Mr. Kowalski: It's a ½ cent per every dollar you pay.

Mr. Brancheau: Isn't it for per 100 per you pay?

Mr. Esposito: In audible

Mr. Kowalski: Okay, and then there are figures to show how much we collected since we ventured into Open Space?

Mr. Giorgio: Yes.

Mr. Kowalski: Thank you so much.

Mayor: Just to correct the record on that, Joe, that 2 cents is now ½ cent.

Jim Neidhardt, 3414 Appleton Way, Whippany: I know a number of people spoke about the sidewalks, Hanover Township was a very rural community and some of the roads unfortunately that we have now were built a very long time ago such as Parsippany Road and Jefferson Road both North and South and I think when they were built nobody anticipated the need for roads as wide as they need to be or sidewalks, so as a Town we are in a little bit of a dilemma those probably aren't the only areas that could have sidewalks if we wanted them. Quite frankly when I first heard the topic come up, I'm saying why would anybody want to run or bicycle on those roads but as I thought about it where I live there are many times that I don't ride my bike or roller blading because it's hard to get there, so I do have some appreciation for that. I just want to add one little story which kind of supports what some of what the people here have said, the other last weekend I had the opportunity to attend the Ukrainian Festival which they have the first week of every October, and it ran about till 7:00pm, we got there about 3:00 and there was a shuttle bus because they don't have enough parking so we parked here at the Municipal lot here and took my limo shuttle which was very nice, however, after the event ended at 7:00 we got to the road about 7:15 and there were no more shuttles for whatever reasons, so in the dark, my girlfriend and I had to walk from the Ukrainian Center back to the municipal lot and it was dark and there were cars whizzing

by and it was one of the scariest experiences in our life, we had to keep jumping into the woods to get away for fear that a car was going to hit us. So I do have a bit of sensitivity based on recent personal experience. As we talk about destinations, the Quick Chek is a very good example of the destination zone, and I think the residents were very correct in saying that we now have created some additional destinations such as Vet's Field and if the Quick Chek goes there, we didn't anticipate the foot traffic that would go to the first Quick Chek there will most likely be a fair amount of foot traffic that will go this Quick Chek even crossing Route 10 which is dangerous thought in of itself. So would ask you to really look at that seriously. The Ukrainian Center has a lot of events and sometimes they let us use their parking and we let them use our parking and there are some walking going on when there are events like that and to the extent that there at night and people are trying to travers that area at night it's a very scary thing. No comment needed I just want to add that.

Mr. Ferramosca: Jim regarding Route 10 and Jefferson Road, Chief Gallagher and Sgt. Loock have been in communication with myself as well as most as Mr. Coppola regarding safety issues, if you go from the Livingston Circle to probably out to Roxbury there aren't many safe pedestrian crossings on State Highway 10. With that said though we are concerned about it and we are looking at our experts to provide us with advice as to what can be done to improve some degree of safety in that area. I just want to alert you that we are already on it because as what Mr. Gallagher said earlier, safety is a very important issue to us and addressing safety is job number one.

Mr. Neidhardt: If the Quick Chek does decide to come, if we approve it and they do it with regardless of what the hours are ultimately end up being, because Quick Chek is creating a destination they should be responsible for contributing to the improvement and the safety in that area.

Mr. Ferramosca: Planning has gone through a rigorous process already, with this and I can tell you that they will be significantly contributing to the improvement of that section if it were to happen.

Mr. Neidhardt: I attend a lot of meeting, but haven't been to the Planning Board meetings.

Mayor: That probably, I would venture to say, should the Quick Chek project ever go through, that would probably turn this highway intersection here into one of the safest ones we have on Route 10. They have plans for pedestrian crossings with timed lights, they have plans for specifically designated crossings of cobblestones, they have plans to moving the lights to digitized signals and they are planning on moving the telephone poles, plans for making 50 foot radius for the trucks they have plans for extra lanes on Route 10 and Jefferson Road and taking the jag out of that road. So having said that, I think that would be probably ultimately would have been one of the safest corners for the kids, in any event, we will have our Police Department looking at it.

Joe Shatynski, 40 Windermere Court, Whippany: I would like to offer something for the Township Committee for consideration. As I was listening to the story about Reynolds Ave, and as I mentioned before, one of the residents that I know has no knowledge in fact he firmly believes that they are not going to be assessed in fact in the conversations it's not even clear as to what they would be assessed after the fact so those residents.....

Mayor: I'm being corrected on this; and we will have a discussion with the Township Committee in a little while, our policy has been on sidewalk installations that the Township pays 50% and the homeowner pays 50%, but I'm being told that since this was in a school zone, that we paid the entire half million dollars which gave you the benefit of that.

Mr. Shatynski: So can I offer a point of consideration, I can understand the Township Committee not wanting to pay for sidewalks throughout the Township's side roads, etc., when it's a major road whether it's Reynolds Avenue or North or South Jefferson Road, I as a tax payer would have been happy to pay for that sidewalk on Reynolds Avenue, I don't live there but my kids or other kids may walk, so out the communal good for this Township, I would be happy to have part of my tax dollars pay for that, just like on North & South Jefferson Road, those residents did not ask for all of those zone changes, the high density, they don't bear responsibility for that,

Mayor: Tax dollars is all of our money ~

Mr. Shatynski: Shared across the Township as opposed to just the individual homeowner, I would just offer for consideration if you can create criteria to say that certain roads, whether by a school or high volume or by a park that the Township takes responsibility for finishing those sidewalks different than a side road, so if I'm on Windermere Court and if I didn't have sidewalks I wouldn't expect for you to pay for it, but if the Township is creating zone changing which is impacting the neighborhoods and busy roads I would offer that the Township should pay for that, not the residents.

Mayor: It is something that the Township has a prerogative to look at, we have Capital Improvement Funds for road improvements as you just heard \$1 million dollars going into road resurfacing and curbing and where some sidewalks are concerned that we are taking into consideration that installation, but I think some of these aspects of this evenings subject have to be discussed with the Township. We can't be selective in who has to pay for the sidewalks and who doesn't, because some people are paying 50% of the value of that sidewalk for the next amount of years and certain cases what we are suggesting is that the tax payers pay for installations on other areas where you don't and you have to be fair and equitable and I think we would but we will have to discuss it.

Mr. Shatynski: The last point is those of us that walk, jog we know these roads please reach out to us, I have offered before with that connectivity study and nobody reached out to me, again, I don't think this is that difficult if we cross this at Windemere

there is not that many residents impacted, businesses yes, but not that many residences. So I would be happy to provide input and the other folks that jog, bike or walk use us, we understand the fiscal responsibility of the Township but it has to be balanced against the safety especially of our children and elderly, most especially. Thank you.

Mr. Gallagher: Joe, one last point and we talked about this quite a bit just Tuesday night, courtesy busing for the K-8, the high school doesn't have courtesy busing so if you go to Whippany Park High School and I believe we have 730 children, if you live within 2 miles of the school you are not eligible to be a busser you have to walk or be driven by your parent. So with all due respect for priorities what we have to look at and what we have to look at with our police department is right there destination we have 730 children a good portion of them live within 2 miles of that school including my son they have to walk, so what we did too was that we evaluated their safe passage from their house to school, I'm just giving some of the things we have to consider also and you hit a good one before, a lot of our neighborhoods in the K-8 we have a big budget for courtesy busing, which is that they pick up children that are very close to the school because there aren't sidewalks walking to the school and they aren't bringing them to a main road way with sidewalks and we can't endanger our children so again, big picture we are looking at the safety for as many people as we can working with our school system, so the courtesy school busing actually costs quite a bit because we don't have safe passage for the real little ones. So I just want you to know there are a lot of moving parts, I personally appreciate you making the case and I know we are going to talk about it quite a bit and we have Joe and thank you.

Mr. Coppola: Let's talk about the fireworks, just so we understand, after we had the fireworks we did have a complete evaluation, there were a number of issues we have to deal with. Number one people crossing the highway when we didn't want them to, and there were a number of issues that we looked at because it was a very successful event and we want to continue with it next year, but we will address those issues as far as our concern for the people anyway we can avoid anyone getting hurt.

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

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**OTHER BUSINESS**

Mr. Gallagher: This Saturday, we have a One Day One School beautification and safety initiative in Morris Plains and I want to say how much I appreciate everyone in Hanover Township working with us, I would like to say especially but we have a big team but every one of my fellow Committeemen spear headed by our Mayor and we have been there many many times for months. We have a team joining us from East Hanover and today was confirmed that we have a team coming from Florham Park. And a dear friend of Ron's, Frank, and he is becoming a better better friend of ours it's Mayor Dreuzler he's a great guy, we are going to have a great event. Our DPW and Brian and some of the guys have taken a serious leadership role in this and one nice

beautification that they did here lately was Robin Dente, Brian Foran and the men from DPW and Bayer planted quite a bit of trees and shrubs in our municipal complex and the same guys including Chief Gallagher grilled lunch for everybody. They had a great day, they did a beautification project right here and I just want to say thank you very much to the Committee and many many people of Hanover Township and the DPW.

Mr. Coppola: First of all the November 12<sup>th</sup> meeting which is one day after Veteran's Day we are going to be honoring our Vets. We are honoring the three service organizations, the American Legion, VFW and Marine Corp League. We are going to have them present the colors and then we are going to give them some sign of award for what they do to recognize the veteran's within our town.

Also at the Landmark Commission Meeting they are having a forum in November. At that forum they are also recognizing the Vets. We also have Home Depot recognizing them to do some work to some Vets' house or for one of the Service Organizations. On October 28<sup>th</sup> the Hanover Wind Symphony in conjunction with the Landmark Commission they are having a concert at MJS it's free at 7:00. If anybody wants to come we will have this information put on the website so we can see when this is all taken place but we wanted to do whatever we can to support the Veteran's for all they have done for us.

John Ferramosca: We are all aware that there is major work going on with Whippany Road and Parsippany Road at the moment, we thank everyone for their patience especially this week dealing with some of the northbound delays. The good news is that the northbound delays should be completed by the end of this week, however I just want to bring to everyone's attention that there is more work to do at this intersection so we all understand we are normalizing that intersection to be perpendicular so that it will be through traffic from Whippany as well Bayer Boulevard and Parsippany direct connection eliminating a light saving us all time. But in the short run there is going to be some pain, so work on the west side of the Whippany Road, that means south bound traffic in front of Quick Chek and the Bank that is underway as we speak that will be completed in approximately in two to three weeks. The work involves reconfiguration of the roadway, installation of sidewalks for the realignment of Bayer Boulevard as well as curbing. Utility work on east side that will be done, the work hours are between 7:00am and 4:00 pm this schedule was worked upon based on how quickly can you get it done how safe can you get this done? It was coordinated with the County, this is county roads with our Police Department. This is well underway and hopefully the pain that you are experiencing today and the next couple of weeks will be over soon and we will have an intersection that will facilitate the flow of traffic.

In addition to that intersection I do want to keep us updated on the fact that Great Things Are Happening In Hanover. Hanover was voted number 13 Best Town in New Jersey. That's significant. Hanover was voted number 9 Best Town for seniors to live in the State, and most recently from an economic development standpoint Hanover was voted number 3 in the State of New Jersey. That is something we should be very proud

of and attracting the best quality ratable to our municipalities. Mayor that concludes my report.

Mayor: I think the fix was in I think we should be Number One. George is reminding me to make a comment, a lot of our neighbors have seen on Whippany Road, two sets of telephone poles, one set of poles and a new set of poles on the outside of the lane. There will be an extra lane from Eden Lane all the way down to the bridge that is being installed those telephone poles, the wires are being changed over there are three utilities that have to get involved in changing wires, so it's not just one guy that climbs the pole and changes them all, so we are dealing with the cable company, the first energy and Verizon those poles, you see the tops of the old ones have been cut off those poles are going to be removed today, they are gone, and now they are starting to work on the Quick Chek side of the road for widening so you will see Barr & Barr start to increase the speed in which that improvement takes place and start to see it come together. Again I use my disgusting analogy about how to describe this, it's like open heart surgery it's really terrible while it's going on but you are going to like the result when it's done. That's where we are.

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**ADJOURNMENT**

Motion to adjourn made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

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

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Joseph A. Giorgio, Township Clerk