

MARCH 26, 2015

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, March 26, 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, Brueno, Coppola

ABSENT: None

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

OPEN TO THE PUBLIC

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

Joe Mihalko, Anna Terrace, Whippany: I will be very brief because I know a number of people are here for 8-15; but I just want to, no pun intended talk about a crossroads that the Township Committee is going to be facing Parsippany Road and Whippany Road. I've noticed that there is definitely progress going along, my question and my opportunity for you gentleman to consider. It is my understanding that MetLife is well on it's way. The proposed driveway is going to accommodate MetLife as well as Bayer, my question to you for foreseeable future, and I'm going to keep this very brief, there are still approximately 3 projects that may ensue on the South Campus, it is possible, because at one meeting we both were at, Bayer was adamant about not opening up to Algonquin. Is there any possibility that in negotiations for the following

MARCH 26, 2015

building that are going up we may be able to insist before anything else happens we have a connection to Algonquin. I leave that with you.

Mayor: The Algonquin for the general public's understanding what Mr. Mihalko is talking about is Bayer Boulevard which is the new road that is presently a driveway which will now become Bayer Boulevard at the traffic light the one traffic light which will be at the corners of Whippany Road and Parsippany Road by the Quick Chek, we are going to abandon that second driveway where the second light is and once we abandon that all that property from that driveway through will become part of what is known as the South Campus. MetLife is taking part of that, we are not pleased with the traffic patterns for MetLife and, we have accepted additional lane widening down through Route 10 on a portion of MetLife and we accepted some other exiting, or should I call it circulation patterns that their engineer showed our engineers and worked out with the County, but in the end what Mr. Mihalko is talking about, what the Township Committee is talking about is even though that intersection is going to be improved with the one traffic light at Bayer Boulevard, imagine Bayer Boulevard going into the Bayer Buildings right, and imagine that road which parallels Route 10 which it does, continuing all the way down toward East Hanover toward behind PC Richards and then bridging crossing over the Whippany River and then connecting to what is known as a paper street right now, because we do not have it on the map, the Algonquin Parkway, presently that is a stub, in there, is a turning circle in there by PC Richards. That would allow traffic from Bayer and from the MetLife people to exit without ever exiting east without ever getting on Route 10 in Hanover and Mayor Pannullo gets all of us, and Ho Rah! At the same time, it would be a great reliever, because we know we are getting all of the traffic from his Novartis, 6700 employees that get on our Route 10 around 5:00 to come this way. So yes we are trying to pursue that it's not a dead issue with Bayer, Joe to bring you up to date, I won't belabor it, Bayer is working with 67 Whippany and working with MetLife and they are packaging this in a way, it's kind of unfair to say to Bayer you are going to take 100% of the cost, and by the way none of this cost is going to be bore by the Township of Hanover, by the taxpayers of this Township. The impact being caused by any of this development is going to be borne by those that create the impact. That would be MetLife, 67 Whippany LLC, and Bayer Corporation. Bayer is willing to build an elevated highway, willing to build the bridge in concert with these other users. Are there issues? Yes. Do we have to cross some sensitive lands? Yes. We are working with the DEP, there will be applications made not only before them but also from the New Jersey Land Trust and it's not a simple process and it is not a short process. If we could facilitate those approvals then I can almost guarantee you Bayer would want to go ahead with the connection. So that is where we are, so everyone understands. But all of that construction that you see out front there right now is to abandon the one driveway to get rid of the one traffic light, have all the traffic controlled by the one light and the one intersection. That is where we are.

Michael Mihalko, 7 Nye Avenue, Whippany: Along the same vein, that intersection they are working on, is there a time frame for that? A resident had asked me. That is would be worked on and/or complete, and their real concern was will it affect the Memorial Day Parade?

MARCH 26, 2015

Mayor: Thank you, um Gerry?

Mr. Maceira: I think the estimated time frame is for a construction completion is about 6 months.

Mayor: They are on a real fast track.

Mr. Mihalko: So it will affect the parade.

Mayor: Yes, it's good news bad news. We are thrilled over the ratable we are thrilled with the quality of ratable that they are, and we certainly want them as a neighbor on that track. I think in the packing order, your Dad said, the next (interrupted)

Mr. Brueno: Is your question, are we going to have a parade?

Mr. Mihalko: Is the intention to still have it.

Mr. Brueno: The intention is to have the parade, to answer your question.

Mr. Mihalko: Will the construction affect it.

Mr. Brueno: It will be open for traffic and we intend to have the parade.

Jim Farr, Monroe Area, Whippany: My subject is the traffic light on Whippany Road and Park Avenue, since I am one of the motorists that uses that. A number of years ago they put in a left hand turn lane for Whippany Road and also designated a left hand lane for Park Avenue, Park Avenue looks like it is working fine, with the delayed lights, green arrow, etc., Whippany Road only has a green light, and they both activate the same time, so if you are out there during regular commuting hours which happens to be at 8:00 a.m. at 5:00 p.m. a motorist cannot make the left turn, because of the amount of traffic.

Mayor: The oncoming traffic, yeah.

Mr. Farr: Yes, so the left lane has no signal to make the left turn, not a delayed green or whatever, so if somebody can look at that and maybe change that maybe it will reduce some of the accidents that occur.

Mr. Ferramosca: You are bringing up a very good point, and part of the approvals of the MetLife is that they need to optimize 11 intersections, that is one of the intersections that they actually have to go through looking at signalization, how it coordinates with the other lights, but I think you are bringing up a very good point of safety.

MARCH 26, 2015

Mr. Farr: I noticed the other day when I tried to make a left turn at 5:00 it was impossible. The light turned green and here I am in the middle of the road.

Mayor: We have to work with the county, that's a county road, Whippany Road.

Mr. Farr: If they do the same thing, I looked at, I thought about, if they do the same thing let's say by Jefferson Road Route 10 the delayed green, we don't necessarily have to have the green light, but both are delayed from one another. It would probably resolve the problem, otherwise the point is why do we have that left turn lane.

Mayor: We don't have to wait on MetLife on that, we can work that out, we can talk to the county immediately; to take a look at that.

Mr. Maceira: Well that is one of the improvements, offsite improvements that MetLife will be doing.

Mayor: That MetLife would enter into.

Mr. Maceira: Yes.

Mr. Farr: thank you.

Mayor: Motion to close this portion of the meeting made by Mr. Brueno and seconded by Member Gallagher and unanimously passed.

Mr. Giorgio: Thank you Mr. Mayor.

DEPARTMENTAL REPORTS:

The following reports were presented and ordered filed as received. Note for the record: that all of the department reports are on file in the Business Administrators Office and available for public inspection at any time during normal business hours.

ORDINANCES FOR PUBLIC HEARING AND CONSIDERATION OF ADOPTION:

ORDINANCE NO. 8-15

AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY CHANGING THE ZONE CLASSIFICATION OF BLOCK 4701, LOT 29 ON THE TAX MAP AND ALSO KNOWN AS 325 WHIPPANY ROAD FROM THE R-15 ZONE DISTRICT TO THE R-10A ZONE DISTRICT AND BY AMENDING THE DEVELOPMENT STANDARDS IN THE R-10A ZONE DISTRICT.

MARCH 26, 2015

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 8-15 and Revised Zoning Map appeared in full in the march 16, 2015 issue of the Daily Record in accordance with the law and we have filed the Ordinance and Notice of Introduction with the Morris County Planning Board in accordance with the Municipal Land Use Law. Pursuant to the Municipal Land Use Law all residents residing within 200 feet within and without the proposed district were notified by regular mail, certified mail. Once again, in accordance with Municipal Land Use Law the Ordinance was referred to the Hanover Township Planning Board for referral and recommendation and it was reviewed by the Planning Board at its March 10th, 2015 meeting. The following letter has been submitted to me from the Vice-Chairman of the Planning Board, J. William Byrne. The letter reads in part as follows:

“Dear Mr. Giorgio, at its March 10, 2015 meeting the Planning Board reviewed and discussed Ordinance 8-2015 which had been referred by the Township Committee as required by the Municipal Land Use Law, at N.J.S.A. 40:55D-26A. Ordinance 8-15 would amend and supplement Chapter 166 of the Code by changing the zone classification of Lot 29 and Block 2701 from its current R15 zone classification to the R10A zone and would modify the regulations for the R10A district. The Planning Board has determined that Ordinance 8-15 is inconsistent with the Master Plan. The Land Use element of the Master Plan recommends the existing R15 zone classification and policies for this property. Generally, this would permit the conventional development of single family detached homes, on 15,000 square foot lots. The Master Plan also recommends that other uses would be permitted. Including but not limited to community residences and shelters, houses of worship, schools, parks and other public uses with appropriate regulations.

Ordinance 8-15 would change the classification of the property to the R10A district, which would permit the development of the multiple single family dwellings on a single parcel and at a higher density and with different standards then recommended in the Master Plan for the R15 zone.”

They then provide a comparison between the R15 zone with is in the Master Plan as opposed to the R10A as proposed by Ordinance 8-15.

“In addition to the above inconsistencies the R10A zone district does not permit institutional uses, as

MARCH 26, 2015

recommended to be permitted in the Master Plan for the R15 Zone district. In reviewing Ordinance 8-15 the Board offers the following comments:

1. The subject property is located in an intersection of two highly traveled road ways. As such Ordinance 8-15 would create opportunities for better control of access and circulation than current regulations;
2. The subject property is triangular in shape, due to this shape a single family subdivision with an internal street system could result in individual lots facing inward with the rear of the dwelling and the rear of the yards of the lots facing Park Avenue and Whippany Road, which would provide a less attractive street scape on these roads that would possible with the coordinated development envisioned by Ordinance 8-15.

Thank you for the opportunity to comment Ordinance 8-15. Very Truly Yours, J. William Byrne, Vice Chairman on behalf of the Planning Board.

And we will also note for the record that on March 23, a protest petition consisting of 24 residences within and without the lot 29 Block 4701 was filed with me as the Business Administrator/Township Clerk.

Mayor: Before we open, I would like to provide an overview and then we will open and hear comments.

Everyone has been brought to this room with an interest in this Ordinance and I want you to thoroughly understand not just the Ordinance but I want you to understand what the Township Committee has been examining regarding this particular piece of property this area, this region, this neighborhood. Reverend Curry who appeared about several meetings ago, Reverend Curry represents the ownership of the present Church property. Reverend Curry commented on this property to not only to us but we have had comments before at Planning Board that he has two contracts, potential contracts of sales for this property. One contract certainly is more advantageous for him than the other and the one contract is for a religious institutional use. The other contract, and we are not going to get into, the market values of what he is trying to do, does not concern us, is for a residential use. He made it abundantly clear at that time, to us, that he is going to accept one or the other of those contracts and what he was trying to do and I will not quote him, but he is on the record as saying that he was hoping to do what he felt was the best for Hanover Township in leaving the area. He felt of the two potential uses that he had or attractive buyers for his property

MARCH 26, 2015

that the residential use was more in favor. Those are his comments, those are not those of the Township Committee etc., but I want to leave you on that. So the reason as to why I am stating that is that I want you to know the options before us, the condition presently on that zone is R15, 15,000 single family homes can remain that way, it will not remain that way. The second option on there is that if it is sold for purposes of residential builder who is building in this particular proposal lot sizes will be under the 10,000 square foot range of size, and finally his other offer was an institutional use which is a cultural center for a large religious order.

Having said all of that, I just want us to know what is before us as we discussed, so we don't have to reiterate it. Secondly, lastly, finally welcome to the floor, I am going to take a play out of Governor's play book, and we had the pleasure of Governor Christie visiting with us in a Town Hall Meeting this past Tuesday and he had a great many people that wanted to speak to him, we are going to employ the same play book. We are going to give each speaker 5 minutes at the podium, you can make statements, comments, etc., where we can answer your questions, we will attempt to answer your questions, 5 minutes after which you will not return to the podium until everyone else has had an opportunity to speak. There are enough people in this room that may want to comment and we want to give everyone the opportunity to comment and that is where we are.

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

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

Lucy Valps, 25 Knollwood, Whippany: I have a question about what was read about the houses in this internal road development. Why can't the front yards face Whippany and Park? The internal road accomplishes that's where the garages will be, the garages will be in the back of the house, so when I think you read, the way you read it, sounded the backyards would be facing Park Avenue and Whippany. Why can't it be turned around so the front yards are facing. And of course I would limit the numbers of houses decently spaced to 20 22.

Mayor: Let me answer this way, there are two ways to approach this one is through the manner in which we regulate the zone through the zone, and secondly is through what we call site plan design. Not to get technical on you, but the Planning Board did look at this and does have a site plan concept approach that would eliminate what is being proposed by the developer as a parallel outside roadway. We don't like it, what we would like to consider is an internal, I mean an access road that comes in from Whippany Road bisects the property and exits Park Avenue. Within that road, a cul-de-sac area might come off from that inside the property; can all the properties face Whippany Road and Park Avenue without having their driveways come out? Yes. Because what we

MARCH 26, 2015

would do in the design is consider all the front yards of these homes facing Whippany Road and those that face Park Avenue but their driveways and their garages will be to the rear of their homes and they would access the internal road ways so there would be no curb cuts as we would call it for those driveways coming out.

Ms. Valps: But that letter that was written, I forgotten the names, that implied that the back of the houses would be facing the roads. The letter that was read into the record.

Mayor: We are talking about the design, Building would have to consider the design of the houses, where the front of the house, the front door, the main entrance, etc., would not have a driveway coming in that way, and

Ms. Valps: No you wouldn't have a driveway you would walk around and probably like most of those houses people go in the back door. I mean it is just pragmatic but it is attractive and we don't have another black top.

I have one other question, is there any talk about leaving 28,000 square feet so we have a nice vision of Whippany and Hanover Township sign. In other words, it wouldn't come all the way down into the corner, the entire road, is it a possibility? Am I making sense?

Mr. Brancheau: I can only say this, legally the town cannot require a developer to contribute. For public purposes, we can buy it from him, having said that I spoke to the developer myself and asked if he is willingness to set aside some area, I didn't say 25,000, he said he would be willing to do that. But he didn't commit to a certain amount of square feet he said if the Town wanted to have a feature there at the entrance to the Township he would be willing.

Ms. Valps: I see this as practically, possibly pragmatic because I'm sure if I were buying that house, I would want my house at end of that internal cul-de-sac right at the corner of Park Avenue.

Mr. Brancheau: I think he understands that as well, that no one is going to want to put a house right there.

Ms. Valps: I think I've used my five minutes, thank you very much.

Mayor: Thank you.

Joe Mihalko, 12 Anna Terrance, Whippany: I thank you for counting this as number one, because as we were speaking and Mr. Brancheau just mentioned something that triggered, I wasn't even gonna get up, but I don't care, in speaking to the developer he had verbally agreed to do such and such I ask all of you and I know only of one of you that taken a ride up North Jefferson Road,

MARCH 26, 2015

and gone on a new development of R10A and tell me that this is what the builder said, it's not what the builder said, it's not what he verbally agreed to, it's whatever he dam well pleased to put up there, and we have instead of 16 patio homes going up we have 16 two story full basement homes that are going to cause a greater impact than what we were all befuddled with by his verbal agreements. So when we consider what is happening over here I am so pleased that you were able to negotiate away from condos, you know my opinion of condos in this town. I think in your considerations and your abilities to bargain back and forth you went a tad to far with R10A, it's not arduous, it's not the town's lowness to worry about how much money this guy is gonna make. I could have seen R10 he did R10 on Windermere, when he did Windermere on North Jefferson Road, we granted him R10, we got a soccer field for granting him R10. When we allowed Grande to develop with a zone change, we got two baseball fields. We are granting this guy R10A what is he giving us? For the record I'm showing zero. Only aggravation, I think it be hooves the Township Committee to address the letter from the Planning Board, that says this is probably not a good idea, thank you very much.

Mayor: Thank you Joe.

Jim Farr, 2 Mount Vernon Way, Whippany: You mentioned the size of the lots would be approximately 10,000 square feet, so for the education of the audience if they didn't figure it out, that's 100x100 foot lot in square. The property is 6 acres, and there was some time when somebody was saying that we could put 25 or 24 houses on six acres, without counting for the road work that puts 4 houses on an acre, and an acre is approximately 209x209 which falls within your 100x100. As I also related to my wife and I that 14 houses under the R15 is economically feasible for any developer to build. If that's the case, then the question becomes if that is not economical than how come the Gulik property which is 4 ½ acers (interrupted)

Mayor: Just for the record, I don't think we ever commented that it was not economically feasible.

Mr. Farr: No the developer did.

Mayor: Oh, I'm sorry go ahead.

Mr. Farr: You never said that. When you get the adjacent property that is 4 ½ acres and not counting the roadway, that puts it a little over 1 house like one and a quarter house on an acre. Now we have apples and oranges. If we increase it to 25 we really have apples and oranges. And, that apparently is economical, so I just question the economic feasibility aspect of, I can't build 14 but I can do 25, cause the 14 is not economical. If you throw the roadway in, for the 6 acre property, rough estimate, somebody correct me, but just for rough estimate you're probably taking away about 1 ½ acre of that land which brings

MARCH 26, 2015

the 24 houses to be put on 4 ½ acres, where as any other property it is 4 ½ acres for 5 houses. So my point is that we have to high density that may occur on that corner as far as dwellings go.

Mayor: I will give you another minute.

Mr. Farr: The church has been on the property for 45 years, since 1970 they have been a good neighbor, you can't deny that. I think the most of the people that signed the petition, which I was one and my wife was one, we don't object to another church, we don't object to open land, we don't object to the Township taking over that church somehow, if we can, and turning it into either a department that moves out of this building that might be crowded, or using the church as a civic center, using it for a voting place instead of using the schools, which causes problems at the schools during polling. In other words, you have to lock the doors, use it for the rabies clinic, in respect to the Cedar Knolls Fire Company, and for all those things. You can move the health department over there if you wanted to move the library over there, cause it is taken up too much space, you can put them over there. I don't know the inside, I don't know the footage of the building, but all those things are conceivable if you put our minds to it and think outside the box. Inside the box is the only thing we can do. And additional housing with density will put a great strain on your emergency services. They are operating, I believe they are operating on their limit probably now, because they are all volunteer. Otherwise if they weren't Cedar Knolls wouldn't have the big sign up that they need volunteers. The other thing comes up, consider it in the long run, that I know this has nothing to do with the zoning but it does if the housing goes in, there is talk about let's say about moving the center concrete divider down Whippany Road, stop people from making a left hand turn. There is one thing I would like you to consider, if you think about that, how does the emergency service coming up from Whippany Road from Route 10 turn left into that housing development? Time is critical, whether it's medical, fire or police. I don't think you are going to jump the curb with a police car, I don't think we are going to jump the curb with an ambulance but I'm not too sure about the Fire Rigs, but we can't afford to go down to that traffic light, we can't afford to have them drive down the left side of the road, it's a right now, but to be honest right now the traffic on Whippany Road it peaks at 8:00 in the morning and 5:00 p.m..

Mayor: You need to sum up and that's it.

Mr. Farr: Okay, so my summary, let's do something positive for the Township for the families for the neighboring townships Morris Township and it comes out positive and is a beneficial to all.

Mayor: Thank you.

MARCH 26, 2015

Reverend Howard Curry, 120 Park Avenue, Whippany: I've spoken in public I've listened to public discussions for approximately 30 years as a Minister. We meet quarterly, we have meeting speak for and opposed and against many propositions, motions, and I'm disturbed that anyone who stands in front of the podium and slanders somebody's reputation or implies some sort of malicious intent and there is such a thing as public decorum and I would recommend that whoever stands up here and speaks he or she speak to the issue and not in any way employ that somebodies motives are less than admirable. Now Mr. Mayor I know that you are in a public setting and this is not a _____ setting, but I think the rules of decorum should be applied to every meeting that we have, so really, I know that sometimes people get emotional and sometimes people have desires and goals and for all sorts of reasons say things that perhaps under _____ would regret saying, let me encourage everybody who comes speak to an issue for or against or give your arguments but do not imply that someone is coming up with some sort of plan that may be less than honorable, we are gentleman and ladies here, so please act like that.

Mayor: Thank you Reverend, appreciate that. I think emotion does run high, I've experienced it for a lot of years, as many of my friends in here know, it does us no good to go on emotions and certainly addressing the facts and the issues surrounding the zone would be what I hope we would just focus on.

Sean Parker, 7 Terry Drive, Morris Township: As a resident of Morris Township, the emergency service issues and all those other issues that were brought up don't directly impact me, I just have one question, and that really is will the proposed project diminish the value of adjacent or adjoining properties? As much research as I have been able to do since the last meeting, I've found for and against, studies that have been done in New Jersey and as well as New York. But in almost all cases there are some sort of analysis that has been done with comparable properties, comparable zoning changes and comparable impact over time. Has any of that been performed in this case?

Mayor: Have we looked at comparable zoning changes and what their impacts are and property values?

Mr. Parker: Yes.

Mayor: I would tell you that the Planning Board does not look at that, in their consideration of zones, they don't make decisions based upon economic value, to the developer or not to the developer, they are looking at whether or not the zone change is a negative or a positive criteria against the Master Plan for the Township, that sounds pretty complicated but they don't consider the economic. If there's been issues surrounding how the property has been completed that's between the Township and the developer and the Township's responsibilities to see how or why the developer deviated from that, but I don't want to go off on that.

MARCH 26, 2015

Mr. Parker: I understand the compliance issues with the construction side. My question is changing it from 15,000 square foot lots to in the middle of this cluster of all this zoning with 15,000 square foot lots then plunk in the middle of that 10,000 square foot lots, what is going to be the impact on the adjoining R15 zone properties on their property value? My home is my largest asset, okay, it's 70% of what I owe, and I think I have a vested interest in not implying any ill thoughts on the developer, I know he is in it to make a profit, when I was in business I was in business to make a profit. But you can't make profit on 17 homes that would be fit under the R15 zoning then maybe he should be in another business.

Mayor: To the extent that I can answer you and I will try, I am answering this as a Committee Member, not as a member of our Planning Board, that I think that the Township Committee certainly is not going to do something or want to do something that is going to diminish the value of the area, or your property in that zone, not want to. The considerations for the uses for that property A and B as I explained in the beginning in this thing, which one would impact your neighbors and you more? I think we have looked at all of that but thank you.

Mr. Parker: My biggest concern and red flag was it's is inconsistent with the existing Master Plan and that is a red flag for me. Thank you.

Mayor: Thank you sir.

Dick Nixon, 49 McNab, Cedar Knolls: I want to thank Mr. Mihalko for his comment about verbal ideas from the builder, there is no such thing as a verbal promise, just as an example you can't keep your doctor, if you know what I mean. ObamaCare, we have not heard a true statement from a Presidential Politian in a long time, at least 6 years and probably going back a little further, so the high ranking officials that don't have the authority to not only ignore the Constitution or the zoning laws for instance, in this case. So we have to stick a little bit, I think that the comment about small property taking value away from adjacent properties has to be considered. I'm a little bit of a real estate professional, I did that for 12 or 13 years.

Mayor: I remember a joke of some of my clients used to tell me about my business and I would say I know a little bit about brain surgery too, but go ahead. (laughter)

Mr. Nixon: I also know a lot about some other things, I was a director of a large research institute in Colorado, I have a back ground in physics and engineering, I worked for the Federal Government designing high degree and fancy weapon systems many of which have or have not surfaced, all that kind of stuff, so I'm not speaking from complete stupidity. But I know with a pie shaped piece of property it is kind of difficult to divide the property into 100x100 lots so

MARCH 26, 2015

there is going to be a number of odd shaped lots, no matter how you do it. But you made the comment that it is not your responsibility to worry about whether any developer can make money on a property. So if the property sells for \$4 million dollars and I'm just going to make a quick analogy and it goes 1 house and he is going to sell that house for probably \$11 million. Of which he probably couldn't get. But if the properties divided up to a smaller 10,000 square feet now and 2/3 of the property is houses and 1/3 of the property disappears for roads, I don't know what that number is on the ratio I'm just using a dumb example, then on the 10,000 square foot property he could not produce a house that is comparable times the multiple of the number of lots he has, to whatever he could get on a larger piece of property. Now there is a point where it makes sense and where it doesn't make sense, and again, I don't think that is the Town's position but the price of the property is only up to any agreement between the buyer and seller. Seller could sell it for less or more than the property is worth if he finds a buyer willing to pay the price, he can sell it for more. Well the property divided, if it is 15,000 square feet per home roughly, and the property divides to produce 14 or 15 homes.. (Interrupted)

Mayor: Give me a little more, are you trying to make an argument for the values of these homes? I'm a little lost

Mr. Nixon: The Township Committee gets taxes from every homeowner, if the property value goes down on 22, pick a number, 25 homes in the area because of this development that is proposed is producing an inferior quality home than the property value of those homes is going to go down and eventually people are going to complain about how much taxes they are paying and eventually the taxes would have to be adjusted accordingly. So that is a real comment, and that's a real comment that the Committeemen should consider, I don't know how they are going to do it, but I think they should. The only other thing I need to say is Good Luck, you have a tough job. Whether it's a church, because I think the rules say church can put up a building almost anywhere, right? And is hardly an objection, if the property 10A as you proposed you can put restrictions, why can't you put restriction and call it 10A section 2,3,4 item 179 and make it only specific for that piece of property? I would think you would be able to do that. Is that right?

Mayor: Correct.

Mr. Nixon: Well good luck.

Mayor: Makes a potent argument but on the value of these properties, I think in one case and again if I talked to value, then I'm being influenced by that and it's not the way we zone. But I can tell you that, Hanover Ridge? Hanover Ridge, what is the sign from \$500,000 no \$600,000.00 I'm just sharing this with you, so I'm going to presume from a market standpoint, you should know that,

MARCH 26, 2015

that these homes probably would go in the 6's and up on this property, so having said that, Lenny how you doing?

Len Fariello, Whippany: As you know, you received a petition from 36 individual property owners within 200 feet of the property, 40 property owners in the neighborhood in the near vicinity of the property, and 5 Hanover Township residents at large. Everyone who signed this petition, is protesting the R10A they are not protesting the development of the property and the R10A and I don't have a prepared statement but I just want to point out a few things. First of all, it's one lot it's not 10,000 square feet, it's not 15,000 but the problem is there is no provision to limit the size of the house, or regulate the road configuration or the parking and my biggest point is there is no provision in the zone to maintain an adequate landscaped area an open space area to the entrance of Hanover Township. I believe that this is really important because as people enter the town you don't want them to see the backyard of someone's property, so you know just squeezed into that point. I believe that's part of what we need in a zone like this and also currently the houses are 2 1/2 stories and 16 feet apart and I don't believe that is acceptable, so I know you have some discretion during Planning Board, but if a developer comes in with homes and he probably can't fit the 25 but they are going to be 16 feet apart and he is going to try to get as many homes in there as possible. So what I recommended before and I'm recommending now is that you defeat the R10A Ordinance or Zone and introduce another zone, and the other zone you can call an R10 Cluster if you want, well first of all, I'd say and most people here believe just leave it the way it is. But if you must

Mayor: Leave it the way it is, R15?

Mr. Fariello: Yes, R15.

Mayor: And accept whatever the outcome.

Mr. Fariello: Accept the outcome.

Mayor: You are saying that?

Mr. Fariello: Yes, it's in the petition and people signed it. Yes, and people also made comments individual comments that I think you got everybody's comments. But what I'm saying is if you must compromise and change the zone do like a cluster zone where you can't require the developer to give up some land but we do it all the time, if you take the amount of homes that could fit in an entire lot and cluster them you can have the open area at the entrance to Hanover Township. But most importantly, I think is 16 feet apart is row housing, that is not going to be desirable, and I didn't think the townhouses were desirable, and this is also not desirable. I think we could come up with a win win situation for everyone and I would hope that you would table this or defeat this Ordinance.

MARCH 26, 2015

We could sit down, a few people spoke from the neighborhood, the developer, the land owner, sit down and come up with something that everybody would be happy with, we can sit with the planner and write a R10 or 15 Cluster zone, and I believe it would satisfy everyone and I just want you to bear in mind that these people signed this and they were not coerced this was just something that we put together and not only did they protest the current zone ordinance but they offered some recommendations and I think they are worth considering. And with that, I will say have a good evening and I wish you luck on your deliberations and your decision.

Mr. Giorgio: Mr. Fariello just for clarification for the record, did I hear you correctly that you said there were 36 protest petitions?

Mr. Fariello: 36 individual signers.

Mr. Giorgio: Because your protest petition, for those within 200 feet for 24 plus 1 late one, so we will say 25,

Mr. Fariello: There are husbands and wives signed them, so I counted 36.

Mr. Giorgio: So it's a total of 31 outside of the 200?

Mr. Fariello: Um, to clarify what I said, some of the petitions were signed by a husband and a wife, double property owner. So I said 36 individual property owners. That is a correct number.

Mr. Giorgio, Mr. Brueno, Mayor: It's not 36 individual properties?

Mr. Fariello: This is irrelevant. 36 individual property owners and however many properties.

Mr. Brueno: Two people in one house, and they both signed the petition that is one property owner, you can't say that is two property owners right? It is one property being represented.

Mr. Fariello: Yes, well (interrupted)

Mr. Brueno: What if there were four people in the house?

Mr. Fariello: This is a foolish argument in my opinion. I'll accept what Joe Giorgio said, there were 24 petitions.

Mr. Giorgio: The total number of properties 24, and 31 outside of the district.

MARCH 26, 2015

Mr. Fariello: And only 7 did not sign, I just meant that some petitions were signed by a husband and a wife.

Mayor: Does the Administrator have your petitions Len?

Mr. Fariello: Oh yes.

Mayor: I hand delivered them.

Mr. Giorgio: I have everything, yes.

Mayor: Do you have the language that the petitioner signed, can I see it?

Mr. Giorgio: We have a question from Mr. Coppola, that he wants me to address to you, and that is, are you in favor of the R15 zone?

Mr. Fariello: Yes, I believe everyone is in favor of the R15 zone.

Mr. Coppola: To stay as it is?

Mr. Fariello: Yes, that's in the petition too, it clearly states, the undersigned supports the current zone or will accept a new zone standard as follows and gave some suggestions. No building or pavement within 50 feet of Whippany Road, no building or pavement within 50 feet of Whippany Road. Front houses facing Whippany Road and Park Avenue. 50 foot setbacks, vehicle access to homes, parking porches, decks and backyard activity face the interior road cul-de-sac. Open common area, minimum of 25,000 square feet, which is one building lot dedicated or deed restricted to provide landscape and adequate visible set back of the corner entrance to Hanover Township. So these are some of the suggestions, and I said to really craft the zone that everybody could live with I think that you should involve the residents.

Mayor: We agree, that we disagree in viscia approach, I think we agree, that we are not in favor of the design that would allow driveways onto Whippany Road, and front yards on the Whippany Road, but we do want houses fronting on Whippany and Park Avenues, we do want an internal system. We directly disagree with a parallel road system in there. Planning Board has gone over it, you sat with me, when we did go over it. So as far any additional areas we also agree, well I do, that it's a sensitive corner for a line of site and that the far corner should be either given up to an area for a landscape, landscape design of some open area for both reasons of beautification and safety, visibility on that site. All of these things, I'm confident in a Planning Board of your own neighbors etc., maybe you're not, but I am, but they can address the design comfortably in site plan, and having said George asked a question you answered it that you would prefer it to remain R15, and in a perfect world, I would agree with you. But, there are offers on the table for institutional use, now people should now, our folks here

MARCH 26, 2015

in this room should know, institutional uses churches, schools, and such are allowed in any zone, we cannot prohibit that kind of use from going into this residential zone and I think you can understand that there are contracts out there right now for this property. Having said that, you still stand on the fact that if the zone remains the way it is, institutional use, you understand what institutional means?

Mr. Fariello: Yes, so does everybody else here I believe. It's part of the petition.

Mayor: And everyone seems to be in favor with that potential use?

Mr. Fariello: There are individual comments in the petition and most of the majority of the people did agree that they wouldn't object to that, it's right in the petition and those that did made comments to that so if you read the petition I even took the time to type up all of the comments.

Mr. Giorgio: You summarized everything, which the members of the Governing Body received.

Mr. Fariello: So I know you have abilities in the planning board, but there is still going to be 16 feet apart, no matter how you look at it, and they are still going to be large house they aren't going to be regulated, and there is no give back, no guarantee give back, and I don't think anybody could guarantee such a thing so. I appreciate it.

Mayor: Thank you. Counsel would like to respond.

Mr. Semrau: For the record, I'm just speaking from a legal perspective and some of the facts that have been out there, just for everyone understanding the Mayor in the beginning of this public hearing just tried to delineate for everybody what the choices are and I just want to make it clear after some of this discussion, you have before you an ordinance that the Governing Body has come up with, it's the 10A. If it is approved tonight, then that's an option for the development for the property. If it is defeated then you are back at the R15 if you are back at the R15 and what's been made clear in all of these discussions is the property based on what the property owner is saying is not marketable for any other use except as indicated an institutional use. Just as it's been pointed out that there may be some concerns that would be raised in a planning board application and things like that, no one knows what the intensity of the use, there is nothing wrong with the use, it's always, the concern is what would the intensity be? Nobody can answer that if it stays at R15 everyone needs to be aware just like there are some concerns if it goes R10A. (PHONE RINGING INTERRUPTION). I think it is important to understand that if the ordinance is defeated and there is a consensus that says we want to say we want to stay with the R15, the same thing goes, there are no guarantees to what the intensity, I'm going to say of the institutional uses. Because you don't know, you don't know

MARCH 26, 2015

the intensity of what is coming in, and in the same token one thing you do know is that the property owner is saying under R15 there is really no suitor for the property to be developed for a residential type use. Because if there were, we wouldn't be, it would have been under contract or developed with the property owner is saying and has said to the Township Committee, look if you want to at least invite options to the property then you are going to go out and you are going to come up with a policy and a zone that would invite alternate uses and some choices, so that's what the governing body did. The first Ordinance talked about age restricted detached housing, and then there was a protest and the governing body and we are going to defeat that. Then come up with another ordinance and another use, and so what I'm saying is if it is defeated this evening and if the consensus is the governing body based on what the R15 understand there isn't a guarantee that the property owner has a suitor there isn't anyone right now, there isn't a guarantee that there be any legislation to change the zone there isn't a guarantee that anyone else would be out there that would be willing to develop the property, so it would be for some type of institutional type use to what extent is unknown because right now from everything that we've seen its certainly would be at a much greater extent than the present use of the property. I think factually it's important to understand that.

Mr. Fariello: Can I address that? I think if it were an institutional use the Township could regulate institutional uses, I know that you are going to have to eventually because I know the trend is more than just a place of worship. So I think that could be addressed through zoning and I think the Township Committee could introduce.

Mr. Semrau: I don't agree with you Mr. Fariello, under one count, the existing use, the existing property has been underutilized, it's going to be a different intensity of use, no matter whether we can regulate it or not it's been underutilized and that intent gives it a comfort zone to everyone in the neighborhood, that will not exist going forward.

Mr. Fariello: We realize that. But if it is not the R15 we could still write a zone that everyone would be happy with, that would address some of the issues like the space between the homes, the size of the homes. I mean four bedroom, four bath homes are like mc-mansions close together like that. That is the kind of things that need to be in the Ordinance that needs to be a provision for the open space, so you can defeat this ordinance and if you feel that you have to reintroduce an ordinance to improve the densities of the property you can do it in such a way that it would be acceptable to the neighbors, that is really what we are asking you to do to consider another ordinance that might be a compromise, that might make it attractive for somebody to develop it. That is really the issue and I just hope that you, the people that signed this petition they were all sincerer and this was the best way to get the message across. The majority of the people over 33% of the land mass surrounding the area do not want this new zone, so I think we are all willing to accept a church if we have to or a compromised

MARCH 26, 2015

ordinance. I'll let other people speak for themselves, but the petition speaks for itself thank you.

Mayor: Thank you Len.

Dr. Bob Weger, 49 Manger Road, Cedar Knolls & 133 Park Ave, Morris Township: Directly across the street, right on the corner of Park and Whippany Road, most directly affected. First of all, the church, I only have three points, first of all, the church is going to sell this property to somebody soon, they have given us an extra month at this point to talk about this, and we keep talking about it, they are going to sell. Whatever comes, comes at that point. Secondly, talking about land values, \$600,000.00 possibly that these homes coming at, my home there on the corner, my neighbor who also did not sign the petition, we are both in favor of this going through, we've talked about it and said our homes are probably in the neighborhood of the low \$500,000.00 at this point, they are split level homes; they are on 5 levels two and half baths, 4 bedrooms in each of these homes that were built there in Morris Township; it should increase our value because you are getting a heck of a home there and if they are selling a smaller home for \$600,000.00 our value should go up, so that's my opinion at this point, that it should increase the value of the homes in that area because you are going to get more land and more house at that point.

As I said we are very much in favor of this going through, and a house like this is very beneficial to, I'm in my 6th decade right now and I sure as heck getting tired of shoveling snow and doing all of this and something with a little less footage there and something a little less to take care of would be very beneficial some older people, I guess I consider myself older people to go in there, so again I'm in favor of this ordinance going through, and I wish you the best of luck tonight.

Mayor: Thank you.

Michael Vogt, 4 Jacque Terrace, Whippany: Last week it took me 30 minutes to drive from my neighborhood to Pine Plaza, a trip less than 3 miles took 30 minutes. Shame on me for not cutting through the neighborhoods traveling back behind the high school and on Eden Lane to get to Whippany Road. I suppose the increase traffic on the side streets is an expected byproduct of current developmental trends in the Township. I am sure we will be seeing more signage prohibiting through traffic in many neighborhoods should the zone change be approved. My daily commute takes me two miles to Route 24 via Park Avenue and Columbia Turnpike, some mornings this trip can take 10 minutes, sometimes longer. I've witnessed many and a near miss as frustrated drivers make illegal u-turns so they can wake access to Route 24 from Whippany Road. In the evenings I'm thankful I turn onto Ford Hill Road to get home, staying on Park Ave heading to Whippany Road only leaves to another joke

MARCH 26, 2015

point. While we sit at the hub of Morris County and at the cross roads of 287 and 24 not far from Route 80 traffic in this community is already beyond capacity.

I do understand the need for development and the many benefits ratable bring to the community, I do appreciate the work that our Township Committee does to keep our tax rate stable and low, the proposed zone change allows for over developing a property that will adversely affect the currently exasperating traffic condition of the adjacent intersection in tertiary roads. There are currently too many cars and not enough roads to support this zone change. As a resident of this community for almost 50 years I grew up on Karla Drive and I have previously resided on Whippany Road currently live on Jacque Terrace, my parents and my in-laws, my brother and brother-in-law all reside in the Township.

I have fond memories growing up in the community, an industrious meltdown if you will, it was every bit of what a home town should be. I can remember when Whippany Road was only two lanes and the speed limits were obeyed if not enforced. Our small town has evolved; there are no longer any mills, a silk factory or a cork factory. The Easter Bunny and Santa make more trips by train through Hanover Township these days than any freight traveling by rail. I do love the Quick Chek. It was a long time coming, it's sad that when the owner of that corner wanted a zone change several years back for a similar plan he couldn't get one, so instead a now thriving corner for so many years became overflow parking for the funeral home or a tailgating review area for the Memorial Day Parade.

This evening, I like, (Mayor Interrupted....One Minute), One minute, Lenny got twelve. This evening I like others in attendance will stand at this podium to make an appeal to you our Elected Officials to consider the proposed zone change at the property where Emanuel Presbyterian Church currently sits. There are no great benefits to this Township if the proposed change is approved. I believe that the negative impacts of a cluster housing development on this corner far outweigh any positives. The traffic at this intersection has never been great it is increased expediential since my brother was nearly killed there in 1983 by an inattentive motorist trying to beat the light. Rezoning this property without first studying the impact of increased at this intersection appears to be a decision that hasn't been completely thought through. It seems like a hasty decision, I've heard all about the potential ratable that developing this land could possibly bring to the _____ of our community, if left as currently zoned, and the property remains for the use of the purpose of religious assembly the Township losing nothing. Who is to gain by the zone change? Does anyone other than the developer have anything to gain? The residence neighboring this corner certainly do not, when it is so evident by the numbers either in person can be heard or in writing by petition or via social media that the community at large both in Hanover and in Morris Townships are opposed that a proposed zone change – why is it as elected officials you appear to have made a decision without considering the impact on our community?

MARCH 26, 2015

While I represent no one other than myself here this evening I do believe that there is a majority that shares my opinion, I believe that with the development of the south campus and former Lucent property, to include reconfiguring the intersections of Whippany and Parsippany Roads, the potential development of the farm property, which is known as Richard's Stand, and the potential development of the church property that Whippany Road will ultimately become impassable. I would respectfully ask that you our Elected Committee reconsider the decision to rezone this property and instead leave it as currently zone. I would also ask that you refocus your efforts on other to develop other sites within our Township that could both benefit the community and create greater revenue with less impact, Eden Mill, Berlex Labs, Bear Sterns, all come to mind as parcels beckoning for development.

In closing, I hope that you will decide to leave the property as currently zoned, it should be the owner's responsibility to find suitable buyer willing and capably to use the property as it is currently zoned.

Mayor: Thank you sir.

Robert Steiger, Cedar Knolls: I had a pretty good message tonight, but I had a lengthy talk with the Planning Board Chairman and he gave me a little bit of confidence. My biggest concern is, I'm really not, I was opposed to the apartments, we have been opposed in this Town, we never want an apartment anyplace until COAH came along, now we are getting them all over the place. I'm not concerned with the R10, but my biggest concern is, you are going to trust the Planning Board to come up with a plan that is more accessible, like 20 or 21 units, and honestly Ron I don't have any confidence in the Planning Board when it comes to housing. They were in favor of 34 units at the meat packing plant, thank God they got it down to 16, one of the Planning Board members thought that 340 rental apartments at the Bayer South Campus would be okay; where does that come from? And then over here on this site, they thought 35 condominium units would be fine I don't trust them on this. I did have a talk with Bill and as far as I'm concerned 20 or 21 units on that site that would be about 7 more than you would get with the R15, it would have a chance for the man to sell his property, but I'll be honest with you, I'm going to come to every Planning Board meeting when you are discussing this because I don't know who the builder is, and nobody knows who the builder is, we know who is per curing the property, but we don't know who is building these, because it seems that every time that this man procures a piece of property somebody else does the building on it and that's what I'm afraid is happened with the meat packing plant, and we don't even know who they are. Why don't we know who these builders are before they suddenly come into the town? Every other guy that wants to build a house has to come in and present himself, tell us what he is going to do. The other case I bring up is the fellow on Troy Hills Road, had two beautiful lots, he wanted to build single family houses on them, that's all he wanted to do, they

MARCH 26, 2015

conformed in every way except one house was short on square footage they turned him down. Maybe because they didn't know houses couldn't be connected I don't understand, I'm not sure, but they turned him down. He goes to court and he wins it hands down because the board was so stubborn with it. I'm serious when I say please and I ask you Bill please make sure that this comes up with something decent, if you approve the R10 if you can get it down to 20 or 21 which is what I was told originally it was going to come down to, then I think the people could live with it, but you need an architect, please don't use the picture that was in the weekly news, cause that scared the hell out of anybody. Find somebody that really knows how to draw a plan.

Mayor: Thank you Bob, I think that and by the way the floor is still open but I think when the Planning Board looked at this and we seemed pretty strong about wanting an internal road system and not wanting this parallel road system, I certainly couldn't support it but if it is an internal road system, it struck me and you know I've been involved in Planning quite a while as you have, his need for 23 24 units can't happen, it can't fit. Doesn't work, the configuration doesn't hold it, it may support 21 22 which from the start is what we were talking about getting this down to. But having said that this isn't a planning review, you know that Bob I'm not into that, I can't see, until we see a site plan, until what land we want to give up on the corner for an open space until we see how the driveway system will work in a cul-de-sac, until we see what the front yards look like, this all has to come before the Planning Board and if you are there for those meetings you know they are going to listen, you know they will hear. You might feel negative about that, but they do listen and it is good strong board.

Mr. Steiger: Inaudible

Mayor: By the way, let's a little plug for the meeting schedules are the second, third and fourth Tuesday nights of every month. Here in the Municipal Building, they start at 7:00, the second Tuesday is a concept meeting and the other two are for site plans that come in, and those meetings are open for public comment, you are certainly invited, I truly want you to be here for those meetings. So many times we had a young women, here not too long ago, argue that, well she sees all the meetings and she doesn't like what she sees, so therefore, well are you here to comment, and she said no I watch it on Facebook, well when do we air, I think we air a week from now, it doesn't help me. Like being here tonight, I'm sorry I'm done. The floor is still open, anyone else would like to comment at this time.

Lois DeCaro, 114 Park Avenue, Whippany: I hear what you are saying Lenny, and I actually agree with everything Bob had to say, you know, I'm a little selfish because our property borders the church property by 500 feet, so I was for the townhouses because you would have an HOA that would oversee what is going on with the back of the properties facing my properties, so I was very ok with that, the clustered units, four to a building, green space in between, I was a

MARCH 26, 2015

little worried about these houses because of what Lenny said them being more like row homes. But I have a question, what is the difference between R10 and R10A exactly?

Mr. Brancheau: There are a number of differences, the most critical difference is that in the R10 everybody builds a house on their own lot and the lot has to be 10,000 square feet, 10,500 square feet minimum, 70x150, those are the minimum dimensions for the lot. The R10A is sort of a hybrid between a conventional single family developments like that and a townhouse building, in that they are single family homes, not attached to each other like a townhouse but they are all on one lot, like a townhouse development. So they aren't individual lot lines, individual fences, individual sheds, and accessory structures in the yard, but it's more like a townhouse development where you may own the land that your building is on, and you might own the land that the driveway is on, but the rest of the open space, the common area is owned by an association, like a townhouse development, that is the fundamental development between an R10 and the R10A, there are some other differences obviously because we don't have lot lines, the units are set back a little less in the R10A. There are a few other changes like the R10 has a 40 foot set back from a public street; a R10A is 50 feet, so it's pushed back a little further from the road, there are a number of restrictions in the R10A that don't apply in the R10, for example in a R10 our buddy entitled to build a shed is entitled to have swing sets, entitled to have a pool in the yard and so forth, in an R10A you can't have any. In an R10 everybody would have their own driveway out to the street; in R10A you are not allowed to do that. Those are some of the fundamental differences, there are a lot of similarities and same heights allowed for the buildings and so forth, but those are the key differences. R10A a little denser than the R10 but it is compensated for by not having all those sheds and not having fences and pools and swing sets in everyone's yard and not having individual driveway out to the street.

Ms. DeCaro: So you would have an association making sure the landscaping stays a certain way, and make sure things aren't hung off the decks.

Mr. Brancheau: It is all being maintained uniformly, it's all designed sort of as a whole as opposed to everybody having their own design and it has to be maintained that way as well. So in a way you get a better design, by having a condo arrangement because everybody is agreeing on that design, they are all doing their own thing. So, like I said it's sort of a hybrid between what we would typically think of as single family and what we think of as townhouses. It's a little bit both.

Ms. DeCaro: What is the buffer side and back to..

MARCH 26, 2015

Mr. Brancheau: There is a buffer on your side where you abut; there is a buffer requirement for both the fence and plantings adjacent to single family lots in the R15 zones.

Ms. DeCaro: And what is the buffer with the church? I'm much more worried about the church

Mr. Brancheau: I'll look it up, I think the church is a much more intense development than the R10 or R10A but I'll tell you in a second,

Ms. DeCaro: For us it's a quality of life, if there is an intensive use next door by a big cultural center.

Mayor: You want the yard distances for the church?

Ms. DeCaro: The buffer between us and them.

Mr. Brueno: While Mr. Brancheau is looking this up, does anybody know the score of the basketball games tonight? NCAA Tournament.

Mr. Esposito: Notre Dame and Wisconsin move on.

Mr. Brueno: Thank you.

Ms. DeCaro: One more thing I want to bring up, I think that Gulik property only a couple of acres by the way, not 4. The Gulik was brought up before, where there are going to be 5 homes.

Mr. Brueno: It's adjacent to the church.

Ms. DeCaro: It's behind me.

Mr. Brancheau: The property that got the 5 lot cul-de-sac sub-division, that one went to Board of Adjustment, got a minor density variance.

Ms. DeCaro: To us townies it's the Gulik property.

Mr. Brancheau: I forgot that! I know the developer was 299 Whippany Developer, but. The Church is required to have a buffer I think of 20 feet.

Ms. DeCaro: I guess Blais I'm just wondering if they could be like right up to our property with parking or whatever, I'm worried.

Mr. Brancheau: No, no absolutely not! There is a 20 foot buffer required for a church in which they cannot have any buildings or pavement.

MARCH 26, 2015

Ms. DeCaro: That's it, I support this, R10A I think, I think I have a better idea of what will be next to me with the R10A.

Mayor: Thank you Lois.

Judy Iradi, Whippany: I have some questions about the current R10A and you were saying that you would like the houses to face inwards, or outwards, I'm sorry face the roadway plus no loop road, some other things that you said, like 25 houses in the Ordinance but you would like maybe around 21,

Mayor: Well we didn't think in some early sketching that we did on Planning, at least yours truly, that could support a number of homes that the builder wanted. If you do the internal road system, when you give up that kind of land to the bisecting road and then a cul-de-sac road coming off of that, then you break up your lots, this is gospel appeared to me, that he may 21-23 again, we would have to see his site plan, another considerations have come out here is for him to give up some property at the corner which I think is a safety issue as well. It has to be looked at; and that may be a building lot for all we know, maybe one full building lot that can't be accommodated at the corner, so these are things that planning has to look at in the site plan concept.

Ms. Iradi: But this ordinance, does it have anything in it restricting him from building the houses with separate driveways going out to the road or building the houses with a loop road, or building 25 house, is there anything in the ordinance that restricts him from that?

Mr. Brancheau: Judy I can tell you that it doesn't allow individual driveways out to Whippany or Park.

Ms. Iradi: The ordinance?

Mr. Brancheau: Correct.

Ms. Iradi: Does it allow a loop road?

Mr. Brancheau: It does not specify a loop road or any other internal road, it allows internal roads but the design is something that will be dealt with at site plan. There is nothing in the ordinance that says it can or cannot.

Ms. Iradi: So my question is what reassurances do you have that when the planning board doesn't like something, if he comes up with a plan that has a loop road plus 25 houses and it conforms with everything in the ordinance what leverage does the planning board then have to tell him no he can't do that?

Mayor: The only difference between the Planning Board and the developer when they get into a situation, this is called superior court, but we

MARCH 26, 2015

enter into a developer agreement, you heard some earlier comments early on, by one of our neighbors commenting that this builder might not have built, and again, I'm paraphrasing this builder, but may not be building to specification or to the zone that we approved, but if that's the case that's a whole other matter here that we should be looking at. I will tell you that right now, I've been up on that site as Joe knows, many many many days, I've up on that site. I don't think this board is done with that site yet. But to answer your question, if he gets a resolution of approval for the Planning Board then he gets his developers agreement and he doesn't comply with it for some reason, a) he doesn't get his building permit; b)

Ms. Iradi: Well, that's too far along in the process...I'm talking about if the developer comes before the planning board, the site plan that has a loop road,

Mayor: And we don't approve it?

Ms. Iradi: But it doesn't say anything in the Ordinance that you can't have that loop road and you don't approve it, it's not in the ordinance that he can't have the loop road, it's not in the ordinance that he can't have 25 houses, what leverage do you have to get him to do that? Or can he just say I'm building it, I'm building the loop road, I can't get the maximum number of house, and if you turn me down I'm taking you to court, because that is what the ordinance says I can have?

Mayor: If he wishes to challenge the outcome of a Planning Board decision he goes to court, and whether or not he succeeds in court is a whole other matter, is it worth it? You are in an area, you are in a what if area here and I can't answer you on that. Council, if you had to defend this in Superior Court where would you be?

Mr. Semrau: It's up to the jurisdiction of the planning board, and as the Mayor said if somebody opposed that resolution the developer does not like those conditions, they would have to file in Superior Court.

Ms. Iradi: So as two members of the Planning Board, John Ferramosca and Mayor Francioli, you would in your site plan.

Mr. Semrau: See, you have to be careful, you know that if you ask them,

Ms. Iradi: Okay, as the Township Committee, you prefer to see on that site exactly what you said you would like tonight?

Mayor: I stand by that.

MARCH 26, 2015

Mr. Ferramosca: We had a concept presentation come into the Planning Board, and I don't remember how many were in the room were able to be here for that, Planning Board meeting is very clear that an exterior loop road is not going to fly, not going to fly, the Planning Board made it very clear and so they are going back to the drawing board and trying to figure out what they can do, the property is a challenge, and the reason why this property is a challenge, it's not a square, it's not a rectangle, it's a triangle. As a result of it being a triangular shape lot it places huge challenges to it, so I would submit that there is going to be significant benefits in terms of the front of that triangle which goes to the corner of Whippany Road & Park where the Township will have something in which it could be proud of seeing there, and I think the planning board process is such in place to allow us to voice our perspective, but it would be wrong for us to prejudge votes as the house_____; I can share with you though, what took place because that was in a public meeting as to what we said in concept.

Ms. Iradi: Thank you very much.

Mr. Steiger: If the people are concerned about their property values with a R10 if they are built the way Windermere was built, down the street, it's an R10 I never cared for it, it's beautiful the way it is, and they built 7 houses next to it that went for \$700,000.00 and nobody batted an eyelash, so if it's done the way Windermere was done it will be attractive and nobody will complain about it.

The side yards are exactly the same 8 feet.
AUDIENCE CHATTER ~

Mayor: Ladies and Gentlemen, I'm going to take one more speaker and then call for a recess.

Joe Fiche, 18 Knollwood Road, Whippany: Has anybody ever contacted the owner of 299 Whippany Road before he builds homes there and maybe he would be interested in purchasing this property and continue building right across?

Mayor: Well the Township isn't going to market properties so we aren't going to contact them.

Mr. Fiche: I'm just thinking that might be a resolution here, to try to keep it all uniform all nice homes.

Mayor: The only thing I can comment on is that the property's been openly up for sale for some time now, so if he were to come forward, I'm just going to assume he is aware that the property is on the market. That's an assumption.

MARCH 26, 2015

Mr. Ferramosca: I would like to make a motion that we go into executive session

Mr. Semrau: For purposes of attorney client privileges to go over the legal issues.

Motion made by Member Ferramosca to close the public hearing and seconded by Member Coppola and unanimously passed. Time is 10:14

Motion to reconvene the Township Committee meeting made by Member Coppola and seconded by Member Ferramosca and unanimously passed. Time now is 10:29.

Township Committee Meeting of March 26, 2015 is now back in session. Ladies and Gentleman at this time, I am going to read into the record excerpts of a Resolution, the most pertinent portions of the resolution as to reasons why the Township Committee believes it should adopt Ordinance 8-15.

“This Resolution is a resolution of the Township Committee of the Township of Hanover setting forth the reasons why it should adopt Land Use Ordinance 8-15 notwithstanding the Planning Board’s opinion that Ordinance 8-15 is partially inconsistent with the Township’s Master Plan.

RESOLUTION NO. 53-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER SETTING FORTH THE REASONS WHY IT SHOULD ADOPT LAND USE ORDINANCE NO. 8-15 NOTWITHSTANDING THE PLANNING BOARD’S OPINION THAT ORDINANCE NO. 8-15 IS PARTIALLY INCONSISTENT WITH THE TOWNSHIP’S MASTER PLAN

WHEREAS, the Township Committee has introduced Ordinance No. 8-15 entitled, “An Ordinance of the Township Committee of the Township of Hanover Amending and Supplementing chapter 166 of the Code of the Township Entitled Land Use and Development Legislation, By Changing the Zone Classification of Block 4701, Lot 29 On The Tax Map of the Township of Hanover And Also Known As 325 Whippany Road, From The R-15 Zone District To The R-10A Zone District And By Amending The Development Standards in The R-10A Zone District”; and

WHEREAS, Ordinance 8-15 would amend and supplement Chapter 166 of the Township Code by changing the zone classification of Block 4701, Lot 29 on the Tax Map from its current R-15 zone classification to the R-10A zone and would modify the regulations for the R-10A zone district; and

MARCH 26, 2015

WHEREAS, pursuant to N.J.S.A. 40:55D-26a, the ordinance was forwarded by the Township Committee to the Planning Board for a report and recommendation; and

WHEREAS, the Planning Board, pursuant to its letter to the Township Committee dated March 12, 2015, stated that Ordinance 8-15 is inconsistent with the master plan, since the land use element of the master plan recommends the existing R-15 zone classification and policies for this property, which would permit: a) the conventional development of single-family detached homes on 15,000 square foot lots, and b) other uses, including but not limited to community residences and shelters, houses of worship, schools, parks and other public uses, with appropriate regulations. The R-10A district, however would permit the development of multiple single-family dwellings on a single parcel, and at a higher density and with different standards than recommended in the Master Plan for dwellings in the existing R-15 zone; and

WHEREAS, the New Jersey Municipal Land Use Law, at N.J.S.A. 40:55D-62a, provides that the governing body, when adopting a zoning ordinance that is inconsistent with the Master Plan, shall set forth its reasons for so acting in a resolution and that it record such reasons in its minutes.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris, that it gives the following reasons for adopting Ordinance 8-15, notwithstanding the partial inconsistency of the ordinance with the Land Use Element of the Master Plan:

1. The residential development permitted in Ordinance 8-15 would address the needs of households that desire to live in single-family detached housing, but do not want the burdens of owning and maintaining their own lot.
2. Although the density of the R-10A zone is higher than permitted in the existing R-15 zone, such density is considered appropriate for the development scheme permitted. In addition, the zone regulations compensate for the higher density by imposing additional requirements upon development in the R-10A zone that do not apply in the existing R-15 zone. These include:
 - A. a requirement for development as a single lot for the entire development (in order to encourage coordinated building and landscape design, shared use of common areas, and uniform maintenance);
 - B. access restrictions that prohibit individual driveways for each dwelling on Park Avenue and Whippany Road;
 - C. a maximum of four bedrooms per dwelling;
 - D. increased setbacks from Park Avenue and Whippany Road;
 - E. minimum buffer and fencing requirements; and
 - F. a prohibition of pools, detached structures, outdoor play equipment and storage of boats, trailers, campers, etc.

MARCH 26, 2015

3. The residential development permitted in Ordinance 8-15 would promote improved traffic flow and safety, compared to conventional single-family detached housing on individual lots. The property in the district is located at the intersection of Park Avenue and Whippany Road, two highly traveled roadways. The residential development permitted in the R-10A zone would provide coordinated access via one or two shared driveway openings on these streets, unlike conventional single-family detached housing, which would likely have numerous individual driveway openings on these streets and be more disruptive of traffic flow.

BE IT FURTHER RESOLVED, that the Township Committee directs that the minutes of this meeting include the above reasons for proceeding with the adoption of this Ordinance.

NOW, THEREFORE, the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, resolves that Ordinance 8-15, entitled "AN ORDINANCE OF THE TOWNSHIP OF THE COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, BY CHANGING THE ZONE CLASSIFICATION OF BLOCK 4701, LOT 29 ON THE TAX MAP AND ALSO KNOWN AS 325 WHIPPANY ROAD, FROM THE R-15 ZONE DISTRICT TO THE R-10A ZONE DISTRICT AND BY AMENDING THE DEVELOPMENT STANDARDS IN R-10A ZONE DISTRICT" be passed on final reading and that a notice of the final passage be published in the April 2, 2015 issue of the Morris County Daily Record.

Now on Adoption, Be it resolved, that an Ordinance entitled "AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY CHANGING THE ZONE CLASSIFICATION OF BLOCK 4701, LOT 29 ON THE TAX MAP AND ALSO KNOWN AS 325 WHIPPANY ROAD FROM THE R-15 ZONE DISTRICT TO THE R-10A ZONE DISTRICT AND BY AMENDING THE DEVELOPMENT STANDARDS IN THE R-10A ZONE DISTRICT," be read by title on Second Reading and that it be Adopted at this time.

Motion for Adoption by Member Coppola and seconded by Member Gallagher and Mr. Brueno and unanimously passed. Super Majority for approval of this Ordinance.

So Adopted.

Consent Agenda for other Ordinances:

ORDINANCE NO. 9-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 82-3. ENTITLED "HOURS" UNDER CHAPTER 82 OF THE CODE OF THE TOWNSHIP OF HANOVER

MARCH 26, 2015

ENTITLED ALCOHOLIC BEVERAGES WITH THE INCLUSION OF NEW HOURS FOR THE SALE, SERVICE OR DELIVERY OF ANY ALCOHOLIC BEVERAGES ON LICENSED PREMISES BY THE HOLDERS OF PLENARY RETAIL DISTRIBUTION LICENSES PURSUANT TO A NEW SECTION 82.3.B.

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 9-15 appeared in full in the March 19th, 2015 issue of the Daily Record in accordance with the law.

Now on Adoption, Be it resolved, that an Ordinance entitled "AMENDING AND SUPPLEMENTING SECTION 82- 3. ENTITLED "HOURS" UNDER CHAPTER 82 OF THE CODE OF THE TOWNSHIP ENTITLED ALCOHOLIC BEVERAGES WITH THE INCLUSION OF NEW HOURS FOR THE SALE, SERVICE OR DELIVERY OF ANY ALCOHOLIC BEVERAGES ON LICENSE PREMISES BY THE HOLDERS OF PLENARY RETAIL DISTRIBUTION LICENSES PURSUANT A NEW SECTION 82-3.B," be passed on final reading and that a Notice of the final passage of the Ordinance be published in the April 2nd, 2015 issue of the Daily Record.

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

So Adopted.

ORDINANCE NO. 10-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING ORDINANCE NO. 23-2014 AND CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES WHICH CHAPTER ESTABLISHES REGULATIONS AND RATES OF COMPENSATION FOR THE OFFICERS AND FULL-TIME AND PART-TIME CIVILIAN NON-UNION EMPLOYEES OF THE TOWNSHIP OF HANOVER

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 10-15 appeared in full in the, March 19, 2015 issue of the Daily Record in accordance with the law.

Now on Adoption, Be it resolved, that an Ordinance entitled "AMENDING AND SUPPLEMENTING ORDINANCE NO. 23-14 AND CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES WHICH CHAPTER ESTABLISHES REGULATIONS AND RATES OF COMPENSATION FOR THE OFFICERS AND FULL-TIME AND PART-TIME CIVILIAN NON-UNION EMPLOYEES OF THE TOWNSHIP," be passed on final reading and that a Notice of the final passage of the Ordinance be published in the April 2nd, 2015 issue of the Daily Record.

MARCH 26, 2015

ORDINANCE NO. 11-2015

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ESTABLISHING THE SALARIES OF THE FULL-TIME BLUE COLLAR EMPLOYEES OF THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT REPRESENTED BY IBT LOCAL NO. 97 OF NEW JERSEY, IBT, FOR CALENDAR YEAR 2015

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 11-15 appeared in full in the March 19th, 2015 issue of the Daily Record in accordance with the law.

Now on Adoption, Be it resolved, that an Ordinance entitled "ESTABLISHING THE SALARIES OF THE FULLTIME BLUE COLLAR EMPLOYEES OF THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT REPRESENTED BY IBT LOCAL NO. 97 OF NEW JERSEY FOR CALENDAR YEAR 2015," be passed on final reading and that a Notice of the final passage of the Ordinance be published in the April 2nd, 2015 issue of the Daily Record.

Are there any persons in chamber wishing to comment on Ordinances 9-15; 10-15 or 11-15 if so please step forward and give your full name and full address for the record.

Judy Iradi, 43 Locust Drive, Whippany: On the 9-15 I sent an email today, did everybody have a chance to see that? I

Mr. Giorgio: I didn't see that.

Ms. Iradi: There is one thing in the Ordinance about the hours of operation for selling not consuming but selling alcoholic beverages and that would be Saturday evening between the hours of 2:00 and Sunday afternoon to 1:00pm? You will be restricted from selling

Mayor: Let's double check this.

Mr. Giorgio: Saturday night between 10pm – to Sunday at 1:00pm.

Ms. Iradi: So thinking about this now that the Shop Rite does have alcoholic beverages for sale, this is not for consumption but for sale, and if I were to go there in the morning at 9:00 on Sunday morning to do my shopping and I want to buy a bottle of wine for my dinner at 2:00 I would not be able to buy a bottle of wine until after 1:00.

Mr. Giorgio: The reason for the Judy there was a concern by a citizen, we don't know who it is that came forward to another attorney that made representations here at Township Committee meetings here several weeks ago, that there is an allegation that perhaps alcoholic beverages were being sold at time when they should not be sold, and

MARCH 26, 2015

as a result of that the Township Committee felt that it might be better to be more specific about what they call spirituous liquors, wines and beers which are packaged goods. That is why the ordinance is very specific for the times in which alcohol can be sold.

Ms. Iradi: But all the other days of the week I can buy beverages at what time?

Mr. Giorgio: For example on Monday you can't purchase between 10pm the night before until 9:00 am.

Ms. Iradi: So every other day it is 9:00 but Sunday's its 1:00 pm? Is there a reason for that?

Mayor: As soon as you get out of Church you can buy.

Mr. Giorgio: Judy that was always the feelings of the Township

Ms. Iradi: I can see that for consumption of alcohol,

Mayor: Grab a vodka and tonic right after you get out of mass.

Mr. Giorgio: It happens to be true that the Township Committee's philosophy has always been that for the last 30 years, not before church hours.

Ms. Iradi: okay, thank you.

Mr. Giorgio: Any other comments from members of the public?

Motion made by Member Ferramosca to close the public hearing on Ordinance 9, 10 and 11 and seconded by Member Gallagher and unanimously passed.

NOW ON ADOPTION For Ordinances 9-15; 10-15 and 11-15

Unanimously Passed.

So Adopted.

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 54-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE ADOPTION OF NEW SALARIES AND RATES OF COMPENSATION FOR ALL FULL-TIME AND PERMANENT PART-TIME NON-UNION CIVILIAN EMPLOYEES OF THE TOWNSHIP OF HANOVER PURSUANT TO ORDINANCE NO. 10-2015

MARCH 26, 2015

BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that the rates of compensation for all full-time and permanent part-time non-union civilian officers and employees of the Township shall be paid the following rates of pay, all in accordance with the Salary Ordinance No. 10-2015 adopted by the governing body on March 26, 2015 and effective January 1, 2015 as follows:

ADMINISTRATION

Name:	Schedule	Group	Step	Rate
Giorgio, Joseph	Range	N/A	N/A	\$ 150,270 per annum
Dente, Robin	A	IX	5	\$ 84,919 per annum
Dente, Robin	Community Affairs	-	-	\$ 3,500 per annum
Iacouzzi, Catherine	C	IX	-	\$ 81,038 per annum
Luger, Annette	A	VII	5	\$ 72,451 per annum
DiGiorgio, Krista	C	VII	-	\$ 48,899 per annum
Bongiorno, Kimberly	A	VI	5	\$ 68,536 per annum
Schanz, Kelli	C	IV	-	\$ 26.26 per hour
Bozza, Peter	A	VII	5	\$ 39.81 per hour
DeSimoni, Elvira	Asst Prop Maint/Zoning	-	-	\$ 31.21 per hour
Lavitola, Althea	P/T-C	-	-	\$ 15.61 per hour
Johnston, Joan	P/T-C	-	-	\$ 25.51 per hour
LaCapra, Denise	P/T-C	-	-	\$ 17.34 per hour
Esposito, Theresa	P/T-C	-	-	\$ 15.61 per hour
Kraynak, Ann	P/T	-	-	\$ 15.61 per hour
Hertzig, Diane	OPRA Coordinator	-	-	\$ 2,500 per annum

FINANCE

Name:	Schedule	Group	Step	Rate
Esposito, Silvio	Range	N/A	N/A	\$ 128,923 per annum
Shea, Patricia	A	VII	5	\$ 72,451 per annum
Steege, Samantha	A	V	5	\$ 34.99 per hour
Snow, Shelby	C	III	-	\$ 19.66 per hour
Kreitz, James	Assessor	-	-	\$ 46,371 per annum

VIOLATION BUREAU

Name:	Schedule	Group	Step	Rate
O'Toole, Brian	Municipal Judge	-	-	\$ 34,338 per annum
Contaldi, Andrea	C	V	-	\$ 61,807 per annum
Henderson, Sarah	C	IV	-	\$ 55,080 per annum
Dalgauer, Lauren	A	IV	5	\$ 32.30 per hour
Buoye, Denise	A	IV	5	\$ 32.30 per hour

ENGINEERING

Name:	Schedule	Group	Step	Rate
Maceira, Gerardo	A	XIV	5	\$ 124,058 per annum
Leo, David	A	XII	5	\$ 106,737 per annum

MARCH 26, 2015

Brady, Susan	A	V	5	\$ 63,674 per annum
Brady, Susan	Building Facilities Coordinator	-	-	\$ 2,500 per annum
Eannucci, William	A	IX	5	\$ 46.65 per hour

BUILDING & GROUNDS

<u>Name:</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Kasiski, Steven	IBT A1	I	5	\$ 46,930 per annum
McClain, Brian	IBT D1	III	-	\$ 53,422 per annum
Moniz, Luis	A-1	I	3	\$ 20.28 per hour
Michalski, Grzegorz	D	I	-	\$ 17.43 per hour

POLICE

<u>Name:</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Gallagher, Stephen	Chief	N/A	2	\$ 151,296 per annum
Dahl, Dena	C	IV	-	\$ 47,858 per annum
Firetto, Janet	A	III	5	\$ 54,139 per annum
Rudy, Elia	C	II	-	\$ 48,370 per annum
Collora, John	A-1	VI	5	\$ 70,440 per annum
Oddy, Clayton	A-1	VI	5	\$ 70,440 per annum
Janton, Bryan	A-1	VI	5	\$ 70,440 per annum
Kapral, Brian	A-1	VI	5	\$ 70,440 per annum

PER DIEM POLICE DISPATCHERS / MATRONS

<u>Name:</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
DeZao, John	As Needed	-	-	\$ 20.75 per hour
Wallace, Rae Ann	As Needed	-	-	\$ 19.84 per hour
Desimone, Marylou	As Needed	-	-	\$ 19.84 per hour
DeTrollo, Patricia	As Needed	-	-	\$ 19.84 per hour

SCHOOL CROSSING GUARDS

<u>Name:</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Bolcar, Stephen	CG	-	In Charge	\$ 17.67 per hour
Smith, Diane	CG	-	3	\$ 16.82 per hour
Castelluccio, Deborah	CG	-	3	\$ 16.82 per hour
Grill, Ann	CG	-	3	\$ 16.82 per hour
DeTrollo, Patricia	CG	-	3	\$ 16.82 per hour
Carbone, Donna	CG	-	3	\$ 16.82 per hour
Daiuto, Debra	CG	-	3	\$ 16.82 per hour
Mele, John	CG	-	3	\$ 16.82 per hour
Nemec, Mary	CG	-	3	\$ 16.82 per hour
Taylor, Barbara	CG	-	3	\$ 16.82 per hour
Taylor, George	CG	-	3	\$ 16.82 per hour
Vigilante, Dominic	CG	-	3	\$ 16.82 per hour
Ferraouolo, Sharon	CG	-	-	\$ 15.49 per hour
Makowski, Joseph	CG	-	-	\$ 15.49 per hour
Bergman, Maxine	CG	-	-	\$ 14.49 per hour
Ortega, Anamaria	CG	-	-	\$ 14.49 per hour

MARCH 26, 2015

CONSTRUCTION CODE

Name:	Schedule	Group	Step	Rate
Donlon, Sean	Range	N/A	N/A	\$ 94,085 per annum
Donlon, Sean	Chair Site Plan Exemption Committee		-	\$ 2,500 per annum
Calabrese, Patrick	C	IX	-	\$ 66,244 per annum
Soltis, Karen	C	IV	-	\$ 57,084 per annum
Dial, Alida	C	III	-	\$ 45,900 per annum
Macera, Andrew	P/T Electric Sub-Code	-	-	\$ 33.12 per hour
Cappuccino, Joseph	Electric - As Needed	-	-	\$ 31.83 per hour
Laudadio, Robert	Electric - As Needed	-	-	\$ 31.83 per hour
Mannherz, David	P/T Building Inspector	-	-	\$ 31.21 per hour
Peck, David	P/T Building Inspector	-	-	\$ 31.21 per hour
Hopler, Camille	Clerical - As Needed	-	-	\$ 18.27 per hour
Markey, Lisa	-	-	-	\$ 8.83 per hour
Doherty, Kevin	Elevator Sub-Code Official		-	\$ 30,704 per annum
Culver, Timothy	Fire Sub-Code Official		-	\$ 31.83 per hour
Citarella, Anthony	Plumbing Sub-Code Official		-	\$ 33.12 per hour
Simonetti, Salvatore	As – Needed		-	\$ 31.83 per hour

PUBLIC WORKS

Name:	Schedule	Group	Step	Rate
Foran, Brian	Range	N/A	N/A	\$ 110,920 per annum
Bura, Marko	A	IV	5	\$ 58,797 per annum
Apgar, Allen	A-1	IX	5	\$ 87,293 per annum
Spatola, Mark	A-1	VII	5	\$ 74,446 per annum
DiPrimo, Brian	D	VII	-	\$ 64,942 per annum
Giordano, Peter	D	VII	-	\$ 64,942 per annum

PUBLIC WORKS - ROADS

Name:	Schedule	Group	Step	Rate
Williams, Harry	IBT A1	VII	5	\$ 73,726 per annum
Ritz, Edward	IBT A1	VII	5	\$ 73,726 per annum
Hegarty, Stephen	IBT A1	V	5	\$ 64,770 per annum
Sautter, William	IBT A1	V	5	\$ 64,770 per annum
Arpino, Anthony	IBT A1	IV	5	\$ 59,844 per annum
Drake, William	IBT A1	IV	5	\$ 59,844 per annum
Fahy, Edward	IBT A1	IV	5	\$ 59,844 per annum
Pillion, Brian	IBT A1	IV	5	\$ 59,844 per annum
Stumpf, Robert	IBT A1	IV	5	\$ 59,844 per annum
Halko, Leo	IBT A1	III	5	\$ 55,050 per annum
Michetti, Louis	IBT D1	III	-	\$ 45,042 per annum
Falkman, Gary	IBT D1	III	-	\$ 45,042 per annum
Cobane, Thomas	IBT D1	III	-	\$ 43,705 per annum
Strada, Enzo	IBT D1	III	-	\$ 42,840 per annum

PUBLIC WORKS - SANITATION

Name:	Schedule	Group	Step	Rate
Moore, Paul	IBT A1	IV	5	\$ 59,844 per annum

MARCH 26, 2015

Costa, John	IBT A1	IV	5	\$ 59,844 per annum
Keating, Jeffrey	IBT A1	IV	5	\$ 59,844 per annum
Kelly, John	IBT A1	IV	5	\$ 59,844 per annum
DeSimone, John	IBT D1	III	-	\$ 43,705 per annum

PUBLIC WORKS – PARKS MAINTENANCE

Name:	Schedule	Group	Step	Rate
Brittle, William	A-1	IX	5	\$ 87,293 per annum
Caughy, James	IBT A1	VI	5	\$ 69,758 per annum
Korn, Robert	IBT A1	IV	5	\$ 59,844 per annum
Koba, Jack	IBT D1	III	-	\$ 45,041 per annum
Rigas, Nicholas	IBT D1	III	-	\$ 45,041 per annum
Schimminger, Christopher	D	I	-	\$ 15.92 per hour
Scholfield, Gerald	D	I	-	\$ 15.92 per hour

RECREATION

Name:	Schedule	Group	Step	Rate
Brennan, Denise	C	X	-	\$ 89,629 per annum
Colton, Mary Olivia	A	IV	5	\$ 58,797 per annum
Quirk, Thomas	C	IV	-	\$ 35,707 per annum
Schill, Dinah	C	II	-	\$ 15.61 per hour
Cashen, Edward	PT	-	-	\$ 10.61 per hour

DIAL-A-RIDE

Name:	Schedule	Group	Step	Rate
Nemec, Mary	A-1	I	C	\$ 16.52 per hour
Hollingworth, Andrea	D	I	-	\$ 15.30 per hour
Grasso, Jacqueline	D	I	-	\$ 12.75 per hour
Esposito, Theresa	D	I	-	\$ 15.30 per hour
Schofield, Gerald	D	I	-	\$ 12.58 per hour
Barz, Ronald	D	I	-	\$ 13.50 per hour
Vogel, Stephen	D	I	-	\$ 15.00 per hour

COMMUNITY CENTER

Name:	Schedule	Group	Step	Rate
Vigilante, Dominic	PT	-	-	\$ 10.61 per hour
Kretchmer, Daniel	PT	-	-	\$ 10.61 per hour
Moroz, John	PT	-	-	\$ 10.61 per hour
Miller, Thomas	PT	-	-	\$ 10.61 per hour

OTHER

Name:	Schedule	Group	Step	Rate
Brueno, Robert	Township Committee	-	-	\$ 6,367 per annum
Coppola, George	Township Committee	-	-	\$ 6,367 per annum
Ferramosca, John	Township Committee	-	-	\$ 6,367 per annum
Francioli, Ronald	Township Committee	-	-	\$ 6,367 per annum
Gallagher, Thomas	Township Committee	-	-	\$ 6,367 per annum
Quirk, Thomas	Director of OEM	-	-	\$ 6,012 per annum

MARCH 26, 2015

King, Peter	Municipal Prosecutor	-	-	\$	22,832 per annum
Sages, Patrick	Public Defender	-	-	\$	5,882 per annum
Schanz, Kelli	Municipal Housing Liaison	-	-	\$	24.30 per hour
Adkins, Jon	Substance Awareness Coordinator	-	-	\$	11.30 per hour

BE IT FURTHER RESOLVED, BY THE Township Committee that a certified copy of this resolution shall be transmitted to the Chief Municipal Finance Officer for record and action purposes.

RESOLUTION NO. 55.15

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING AIMEE E. JONES TO THE POSITION OF PART-TIME VIOLATIONS CLERK FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING MONDAY, APRIL 13, 2015 AND ENDING TUESDAY, OCTOBER 13, 2015 AND ESTABLISHING HER COMPENSATION AT \$17.00 PER HOUR UNDER JOB GROUP II IN ACCORDANCE WITH SALARY RANGE GUIDE "C" OF SALARY ORDINANCE NO. 10-15 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, SPINAL, NEGATIVE DRUG TEST AND NEGATIVE CRIMINAL HISTORY RECORD CHECK)

WHEREAS, in order to assist the Township's Violations Bureau and Shared Municipal Court in the day-to-day operations, the Morris-Sussex Vicinage has directed that the Township employ a Violations Clerk; and

WHEREAS, the position noted above is classified under Job Group II, Schedule "B" and Salary Range Guide "C" in Salary Ordinance No. 10-15; and

WHEREAS, pursuant to the Township's job search process, the Township received three (3) applications by the Department of Administration; and

WHEREAS, all three (3) applicants were initially interviewed by the Human Resource Specialist and Certified Municipal Court Administrator; and

WHEREAS, the applicants were rated on their prior employment experience and expertise and their overall skills and abilities to perform the duties and tasks of the Part-Time Violations Clerk; and

WHEREAS, subsequently, the Business Administrator and Certified Municipal Court Administrator conducted a second interview with the finalist on March 18, 2015 whose background and experience closely matched the job requirements of the position; and

WHEREAS, as a result of the second interview with the candidate, the Business Administrator and Certified Municipal Court Administrator believe that **Aimee E. Jones** residing at 4-A Elm Street in Morristown, New Jersey 07960 has the

MARCH 26, 2015

necessary work experience, job qualifications and administrative skills closely matching the Job Description for Part-Time Violations Clerk; and

WHEREAS, Ms. Jones shall serve as the part-time Violations Clerk for a six (6) month probationary period commencing Monday, April 13 2015 and ending on Tuesday, October 13, 2015 ; and

WHEREAS, in accordance with Schedule Range Guide “C” of Salary Ordinance No. 10-2015, **Ms. Jones** shall be compensated at the hourly rate of \$17.00 per hour under Job Group II which is equivalent to an annual salary of \$24,752.00. Pursuant to Township policy, **Ms. Jones** shall not be entitled to receive any other remuneration such as compensatory time other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee, and subject to receiving a satisfactory Job Performance Evaluation performed by the Business Administrator or his designee; and

WHEREAS, Ms. Jones 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; and

WHEREAS, 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, **Ms. Jones** shall be subject to receiving a satisfactory medical examination, a negative drug test and a negative criminal history record check conducted by the New Jersey Division of State Police.

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 **Aimee E. Jones** residing at 4-A Elm Street in Morristown, New Jersey 07960 is hereby appointed as the part-time Violations Bureau Clerk for a six (6) month probationary period commencing Monday, April 13, 2015 and ending Tuesday, October 13, 2015. As a part-time employee, **Ms. Jones** shall not work more than twenty-eight (28) hours a week.
2. In accordance with Salary Range Guide “C” of Salary Ordinance No. 10-2015, **Ms. Jones** shall be compensated at \$17.00 per hour under Job Group II. The \$17.00 hourly rate is equivalent to \$24,752.00 for a part-time employee working a 28 hour work week. Pursuant to Township Policy, **Ms. Jones** shall not be entitled to receive any other remuneration such as compensatory time other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee, and subject to receiving a satisfactory

MARCH 26, 2015

Job Performance Evaluation performed by the Business Administrator or his designee.

3. **Ms. Jones** 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. In the event that **Ms. Jones** receives an unsatisfactory job performance evaluation during her probationary period, **Ms. Jones** may be terminated at the conclusion of the probationary period or sooner, whichever case is applicable.
4. Pursuant to Township policy, **Ms. Jones** shall not be eligible to receive any prior service credit or receive or accrue any paid vacations, sick leave and health and dental benefits of any kind whatsoever. However, as a permanent part-time employee, **Ms. Jones** shall be eligible to receive holiday pay provided he works a consistent schedule each week in accordance with Ordinance No. 1-13 and Chapter 61 of the Code of the Township.
5. This offer of employment is conditional and subject to **Ms. Jones** 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.
6. That a certified copy of this resolution shall be transmitted to the Chief Municipal Finance Officer and **Ms. Jones** for reference and information purposes.

RESOLUTION NO. 56-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING WILLIAM KUEHNER TO SERVE AS A MEMBER OF THE HANOVER SEWERAGE AUTHORITY BOARD, FOR A TERM OF OFFICE BEGINNING ON FEBRUARY 1, 2015 ENDING ON JANUARY 31, 2020

WHEREAS, the term of office of Robert O'Hare, a member of the Hanover Sewerage Authority expired on January 31, 2015; and

WHEREAS, in a letter dated December 1, 2014, Mr. O'Hare advised the Township Committee of his intentions not to be reappointed to another five (5) year term of office to the Hanover Sewerage Authority; and

MARCH 26, 2015

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

WHEREAS, it is the intention of the Township Committee to appoint **William Kuehner** to serve as a member of the Hanover Sewerage Authority Board effective February 1, 2015; and

WHEREAS, Mr. Kuehner's term of office shall expire on January 31, 2020 or until his successor shall be appointed and qualified.

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

1. The governing body hereby reappoints **William Kuehner** of 26 Hamilton Court, Whippany, New Jersey 07981 to serve as a member of the Hanover Sewerage Authority until January 31, 2020 or until such time as **Mr. Kuehner's** successor shall be appointed and qualified.

2. This appointment shall take effect immediately upon approval of this resolution.

4. That a certified copy of this Resolution shall be transmitted to the Executive Director of the Hanover Sewerage Authority, the New Jersey Department of the Treasury, the Authority's Bond Counsel and **Mr. Kuehner** for reference and information purposes.

RESOLUTION NO. 57-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING CHANGE ORDER NO. 1 (FINAL) TO STANZIALE CONSTRUCTION, LLC FOR THE RESURFACING OF EDEN LANE FROM WHIPPANY ROAD TO ITS EASTERLY TERMINUS IN WHIPPANY AND DECREASING THE TOTAL DOLLAR AMOUNT OF THE CONTRACT FROM \$222,349.50 TO \$207,995.05 OR A \$14,354.45 REDUCTION WHICH REPRESENTS A 6.46% DECREASE OF THE TOTAL CONTRACT DOLLAR AMOUNT

WHEREAS, the Township of Hanover entered into a contract with **Stanziale Construction, LLC** for the resurfacing of Eden Lane from Whippany Road to its easterly terminus in the Whippany Section of Hanover Township; and

WHEREAS, the amount of the competitively bid contract was a unit price bid totaling \$222,349.50; and

MARCH 26, 2015

WHEREAS, the Township Engineer submitted Change Order No. 1 (Final), dated January 13, 2015, which Change Order provides a description of reduced quantity items as well as extra quantity adjustments for hot mix asphalt milling, granite block and concrete curbing and other supplemental items; and

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

WHEREAS, the Township Engineer has now determined that the reduced quantities for items needed in the resurfacing of Eden Lane from Whippany Road to its easterly terminus shall decrease the total contract amount from \$222,349.50 to \$207,995.05 or a 6.46% decrease in the total dollar amount of the adjusted contract.

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

1. The governing body approves the recommendation of the Township Engineer that Change Order No. 1(Final), in the amount of \$14,354.45 be accepted.
2. That the final total adjusted contract amount with **Stanziale Construction, LLC** be fixed at \$207,995.05.
3. The Business Administrator/Township Clerk is hereby authorized to execute the final Change Order, Change Order No. 1.
4. A certified copy of this resolution be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **Stanziale Construction, LLC**.

RESOLUTION NO. 58-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING CHANGE ORDER NO. 1 (FINAL) TO STANZIALE CONSTRUCTION, LLC FOR THE RESURFACING OF THE ENTIRE LENGTH OF DOGWOOD ROAD IN WHIPPANY AND DECREASING THE TOTAL DOLLAR AMOUNT OF THE CONTRACT FROM \$79,295.00 TO \$61,845.29 OR A \$17,449.71 REDUCTION WHICH REPRESENTS A 22.01% DECREASE OF THE TOTAL CONTRACT DOLLAR AMOUNT

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

WHEREAS, the amount of the competitively bid contract was a unit price bid totaling \$79,295.00; and

MARCH 26, 2015

WHEREAS, the Township Engineer submitted Change Order No. 1 (Final), dated January 13, 2015, which Change Order provides a description of reduced quantity adjustments for hot mix asphalt milling, police traffic control directors, granite block curb and other supplemental items; and

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

WHEREAS, the Township Engineer has now determined that the reduced quantities for items needed in the resurfacing of the entire length of Dogwood Road shall decrease the total contract amount from \$79,295.00 to \$61,845.29 or a 22.01% decrease in the total dollar amount of the adjusted contract.

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

1. The governing body approves the recommendation of the Township Engineer that Change Order No. 1(Final), in the amount of \$17,449.71 be accepted.
2. That the final total adjusted contract amount with **Stanziale Construction, LLC** be fixed at \$61,845.29.
3. The Business Administrator/Township Clerk is hereby authorized to execute the final Change Order, Change Order No. 1.
4. A certified copy of this resolution be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **Stanziale Construction, LLC**.

RESOLUTION NO. 59-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING CHANGE ORDER NO. 1 (FINAL) TO STANZIALE CONSTRUCTION, LLC FOR THE RESURFACING OF THE ENTIRE LENGTH OF SMITHFIELD ROAD IN WHIPPANY AND DECREASING THE TOTAL DOLLAR AMOUNT OF THE CONTRACT FROM \$91,244.00 TO \$79,211.23 OR A \$12,032.77 REDUCTION WHICH REPRESENTS A 13.19% DECREASE OF THE TOTAL CONTRACT DOLLAR AMOUNT

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

WHEREAS, the amount of the competitively bid contract was a unit price bid totaling \$91,244.00; and

MARCH 26, 2015

WHEREAS, the Township Engineer submitted Change Order No. 1 (Final), dated January 13, 2015, which Change Order provides a description of reduced quantity items as well as extra quantity adjustments for hot mix asphalt milling, police traffic control directors, granite block and concrete curbing and other supplemental items; and

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

WHEREAS, the Township Engineer has now determined that the reduced quantities for items needed in the resurfacing of the entire length of Smithfield Road shall decrease the total contract amount from \$91,244.00 to \$79,211.23 or a 13.19% decrease in the total dollar amount of the adjusted contract.

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

1. The governing body approves the recommendation of the Township Engineer that Change Order No. 1(Final), in the amount of \$12,032.77 be accepted.

2. That the final total adjusted contract amount with **Stanziale Construction, LLC** be fixed at \$79,211.23.

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

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

RESOLUTION NO. 60-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING CHANGE ORDER NO. 1 (FINAL) TO AJM CONTRACTORS, INC. FOR THE RESURFACING OF THE ENTIRE LENGTH OF MELANIE LANE IN WHIPPANY AND DECREASING THE TOTAL DOLLAR AMOUNT OF THE CONTRACT FROM \$264,100.00 TO \$229,640.43 OR A \$34,459.57 REDUCTION WHICH REPRESENTS A 13.05% DECREASE OF THE TOTAL CONTRACT DOLLAR AMOUNT

WHEREAS, the Township of Hanover entered into a contract with **AJM Contractors, Inc.** for the resurfacing of the entire length of Melanie Lane in the Whippany Section of Hanover Township; and

WHEREAS, the amount of the competitively bid contract was a unit price bid totaling \$264,100.00; and

MARCH 26, 2015

WHEREAS, the Township Engineer submitted Change Order No. 1 (Final), dated December 18, 2014, which Change Order provides a description of reduced quantity adjustments for hot mix asphalt milling, police traffic control directors, and other supplemental items, and extra quantity adjustments for concrete vertical curbing, traffic stripes, East Hanover Township traffic control directors; and

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

WHEREAS, the Township Engineer has now determined that the reduced quantities for items needed in the resurfacing of the entire length of Melanie Lane shall decrease the total contract amount from \$264,100.00 to \$229,640.43 or a 13.05% decrease in the total dollar amount of the adjusted contract.

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

1. The governing body approves the recommendation of the Township Engineer that Change Order No. 1(Final), in the amount of \$34,459.57 be accepted.

2. That the final total adjusted contract amount with **AJM Contractors, Inc.** be fixed at \$229,640.43.

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

4. A certified copy of this resolution be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **AJM Contractors, Inc.**

RESOLUTION NO. 61-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING BOND REDUCTION NO. 1 TO CARLEID, LLC, THE APPLICANT/DEVELOPER BY REDUCING THE PERFORMANCE BOND FROM \$73,031.00 TO \$21,909.00 AND THE \$8,115.00 CASH BOND TO \$2,434.00, PLUS A PORTION OF THE INTEREST IN ACCORDANCE WITH P.L. 1985,c.31, AS A RESULT OF COMPLETING 70% OF THE ON-SITE IMPROVEMENTS RELATED TO THE CREATION OF FIVE (5) LOTS FOR THE CONSTRUCTION OF SINGLE FAMILY HOMES AND THE EXTENSION OF THE SANITARY SEWER MAIN IN EAST FAIRCHILD PLACE AND OTHER IMPROVEMENTS AT 183 AND 185 WHIPPANY ROAD AND ALSO DESIGNATED AS LOTS 16 AND 17 IN BLOCK 5601 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER

WHEREAS, on December 14, 2010, **Carleid, LLC**, as applicant/developer received preliminary and final major sub-division approval in connection with the

MARCH 26, 2015

creation of five (5) lots for the construction of single family homes, the extension of the sanitary sewer main in East Fairchild Place and other improvements located at 183 and 185 Whippany Road in the Whippany Section of the Township and also designated as Lot 16 and 17 in Block 5601; and

WHEREAS, pursuant to the Planning Board approval and the subsequent Developer's Agreement dated September 9, 2011, the applicant/developer was required to install certain improvements for the project; and

WHEREAS, in a letter January 16, 2015, the applicant/developer, **Carleid, LLC**, requested a release of a portion of the cash performance bond and 10% cash bond as a result of completing most of the on-site improvements; and

WHEREAS, in a letter dated March 18, 2015 to the Mayor and Township Committee, the Township Engineer has advised the governing body that 70% of the on-site improvements have been satisfactorily installed and that a portion of the performance bond and cash performance bond may be released.

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 cash performance bond in the amount of \$73,031.00 is hereby reduced to \$21,909.00 and the 10% cash bond is reduced from \$8,115.00 to \$2,434.00 which funds for both the performance bond and the cash bond are on deposit in a TD Bank Escrow Account, Account No. 00007760845120. The Township's Chief Municipal Finance Officer is hereby authorized and directed to release the combined performance guarantee in the amount of \$56,803.00 plus a portion of the interest in accordance with P.L. 1985, c.31 to **Carleid, LLC**.
2. The balance of the cash performance bond and the 10% cash bond will be held in escrow in the TD Bank Account set forth above pending the recommendation of the Township Engineer to release the remaining funds.
3. That certified copies of this resolution shall be transmitted to **Carleid, LLC**, the Township Engineer and the Township's Chief Municipal Finance Officer for reference and action purposes.

RESOLUTION NO. 62-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER CERTIFYING THE PAYMENT OF \$14,796.92 TO THE STATE OF NEW JERSEY FOR 4,915.64 TONS OF SOLID WASTE MATERIALS DELIVERED TO THE

MARCH 26, 2015

**MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE PERIOD
COMMENCING JANUARY 1, 2014 THROUGH DECEMBER 31, 2014**

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

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

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

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

1. The governing body hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2013 in the amount of \$14,746.92.
2. Documentation supporting this submission is available at the Municipal Building, 1000 Route 10 in Whippany, New Jersey, and shall be maintained for no less than five years from this date.

RESOLUTION NO. 63-15

**RESOLUTION OF THE TOWNSHIP COMMITTEE APPLYING FOR A YEAR 2014
RECYCLING TONNAGE GRANT THROUGH THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION AND AUTHORIZING THE TOWNSHIP'S
RECYCLING COORDINATOR TO SUBMIT THE APPLICATION**

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

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

MARCH 26, 2015

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

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

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

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

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

1. We hereby endorse the submission of the Year 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection.
2. Mr. Marko Bura, the Township's Recycling Coordinator is hereby designated and authorized to ensure that the tonnage grant application is properly filed with the New Jersey Department of Environmental Protection.
3. The moneys to be received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund to be used solely by the Township for the purposes of recycling.
4. A certified copy of this resolution shall be transmitted to the New Jersey Department of Environmental Protection along with the Year 2014 recycling tonnage application and to the Morris County Municipal Utilities Authority District Recycling Coordinator.

RESOLUTION NO. 64-15

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A LIMITED SITE IMPROVEMENT CONSTRUCTION AGREEMENT BY AND BETWEEN 67 WHIPPANY INVESTORS, LLC AND THE TOWNSHIP REGARDING EXCAVATION AND GRADING, THE INSTALLATION OF ALL BUILDINGS, FOOTINGS AND FOUNDATION, INSTALLATION OF ALL UNDERGROUND UTILITIES AND GRADING OF THE PROPERTY LOCATED AT 67 WHIPPANY ROAD, IN WHIPPANY

MARCH 26, 2015

AND DESIGNATED AS LOTS 1.02 AND 1.03 IN BLOCK 5801, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER WHICH EXECUTION OF THE AGREEMENT IS SUBJECT TO THE RECEIPT OF THE CASH AND SURETY PERFORMANCE BONDS, AND ANY OTHER INSTRUMENTS AS DESCRIBED IN THE AGREEMENT

WHEREAS, the Planning Board of the Township of Hanover by resolution adopted on February 24, 2015, granted preliminary and final site plan, minor subdivision, variance and exception approvals to **67 Whippany Investors, LLC** as Property Owner/Developer, for the construction of an approximately 185,000 square foot office building, surface parking areas, parking deck, storm water management facilities, utilities, signage, landscaping and other related improvements on property located on at 67 Whippany Road in the Whippany Section of the Township and designated as Lots 1.02, and 1.03 in Block 5801 as set forth on the Tax Map of the Township of Hanover in the OB-RL3 Zone District; and

WHEREAS, the Township and the Developer have agreed to execute a Limited Site Improvement Construction Agreement that will permit the Developer to perform certain site work as described Schedule "A" of the Limited Site Improvement Construction Agreement; and

WHEREAS, pursuant to the terms of the Limited Site Improvement Construction Agreement, the Developer will perform excavation and grading of the property, install all building footings and foundations, install underground utilities and clear and grade the property; and

WHEREAS, prior to the commencement of the proposed construction of the office building and related site improvements, the Developer shall execute a separate Developer's Agreement; and

WHEREAS, under State law, Township Ordinances, and Planning Board rules, regulations and requirements, the granting of final approval is contingent upon the Developer having completed all such improvements within and without the Property, in accordance with the terms of the aforesaid approvals or furnishing performance guarantees in lieu thereof to be approved by the Township and conditioned upon satisfactory completion by the Developer of all such improvements as provided in N.J.S.A. 40:55D-53.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute a limited Site Improvement Construction Agreement by and between the Township of Hanover and **67 Whippany Investors, LLC**, the Developer, regarding certain aspects of site work which include the excavation and grading of the property, the installation of all building footings and foundations, installation of all underground utilities and clearing and grading of the property located at 67 Whippany Road in the

MARCH 26, 2015

Whippany Section of the Township and also designated as Lots 1.02 and 1.03 in Block 5801 as set forth on the Tax Map of the Township of Hanover. However, the Mayor and Township Clerk shall not execute the Limited Site Improvement Construction Agreement until the following instruments and guarantees are first submitted to the Township, and only after the Township Engineer has reviewed and accepted all of the pertinent documents and plans required for approval before construction activities commence, including but not limited to any other State or County approvals that may be required. In addition, where an approval of a site plan or a variance is subject to certain stated conditions, or where the approval was made subject to the approval of other governmental units, N.J.A.C. 5:23-2.15(a)(5) requires that the applicant for a building permit must furnish a "statement that all required State, County and local prior approvals have been given."

A. The Developer shall be responsible in submitting a total performance guarantee of \$348,996.00 which includes submission to the Township Clerk of a certified check or cash in the amount of \$34,899.60 representing the cash performance guarantee as required pursuant to the Township's Ordinance and paragraph 3(a) of the Limited Site Improvement Construction Agreement. And, submission to the Township Clerk of a Performance Bond or an Irrevocable Standby Letter of Credit in the amount of \$314,096.40 as a performance guarantee for completion of the improvements provided for in Schedule "A" attached to the limited Site Improvement Construction Agreement, and all in accordance with paragraph 3(a) of said Agreement.

B. In accordance with paragraph 3(a) of the Limited Site Improvement Construction Agreement, and the Township Engineer's Schedule "A", the Developer shall pay to the Township all costs related to Township engineering review, inspection and supervision of all the improvements as required to be installed by the Developer and all inspection costs performed by the Hanover Sewerage Authority.

C. Submission of a Certificate of Insurance to the Township Clerk naming the Township of Hanover as "an additional insured", all in accordance with Paragraph 10 of the Limited Site Improvement Construction Agreement.

D. Furthermore, the Developer shall comply with all the requirements and conditions more specifically outlined in full in the attached Limited Site Improvement Construction Agreement and Schedule "A".

E. The Limited Site Improvement Construction Agreement shall not be signed by the Mayor and Township Clerk until the Township Engineer has received all of the cash and surety performance bonds, any other fees as required at the time of signing, and, if applicable, the conveyance of any deeds of dedication, conservation easements or any other pertinent documents, drawings and plans needed for approval prior to the commencement of any preliminary soil movement and grading activities.

2. That a certified copy of this resolution shall be transmitted to the Township Engineer, the Construction Official, the Township's Chief Municipal Finance

MARCH 26, 2015

Officer and **67 Whippany Investors, LLC** for reference and action purposes.

RESOLUTION NO. 65-15

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

WHEREAS, at the Township of Hanover Municipal Tax Sale held on December 1, 2011, a lien was sold on Block 2901, Lot 9, also known as 20 Malapardis Road, Whippany, New Jersey 07981, for 2010 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 2011-11, was sold to Virgo Municipal Fund LP for a 0% redemption fee and a \$400.00 premium paid; and,

WHEREAS, Jennifer Kortman, owner has affected redemption of Certificate 2011-11 in the amount of \$5,780.67.

NOW, THEREFORE, BE IT RESOLVED, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$5,780.67, payable to Virgo Municipal Finance Fund, c/o Blue Virgo Capital Management, LLC, 1441 Broadway, Suite 5010, New York, New York. 10018 for the redemption of Tax Sale Certificate 2011-11.

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

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

RAFFLE APPLICATIONS:

- RL-2829 – Shriner’s – off premise raffle
- RL-2830-
- RL-2831-

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

OPEN TO THE PUBLIC

Mr. Brueno: The calendar says spring but the weather certainly doesn’t however opening day for little league is scheduled for April 18th at Veteran’s Field. June 1st the Senior Golf Outing is being resurrected, 5 year absence we are really happy to have that back, the Golf course is in Newton, I can’t recall the name, I’ll have that for the next

MARCH 26, 2015

meeting, but please see Tom Quirk and the Recreation Department if you are interested in registrations. We will be having a bus trip to Yankee Stadium on June 20th, it's old timers day, they are doing it a little differently this year, it's a Saturday, so it will be a full day of Yankee Baseball, sounds like Derek Jeter might be making his first appearance as an Old Timer. So the tickets will probably go quickly again June 20th and the bus will leave at 3:00.

Mr. Coppola: Want to see 900 hot dogs go, in five minutes stop down.

Mr. Ferramosca: From a Planning standpoint the planning board will be tackling Route 10 corridor, so that will begin in April when we will be evaluating each block each lot and come up with an overall vision and the future development of Route 10.

Mayor: I would like to thank the Governor's Office and the Governor for a wonderful opportunity for Hanover this past Tuesday, when Governor Chris Christie joined us for his Town Hall Meeting and I want to thank our staff. I have to tell you something I think, this was probably a premier session over 350 seats, we had to borrow seating from both the fire companies we had standing room only, many were there and did a great job, but more so, our department of public works, our administration our Fire Companies our Police Department, American Legion all of the organization and all of our departments came together and made it a successful day for this meeting and it went off very well. I want to thank them; it was a good day for Hanover Township.

Mr. Gallagher: I also want to thank Joe Giorgio, Krista and Mayor Francioli for all the work they did to put together Chris Christie's Town Hall Meeting together. I didn't want to leave you out of it.

Mr. Ferramosca: I want to acknowledge Brian Foran and Tom Gallagher for the wonderful work that is going right now in terms of potholes, in order to appreciate what is going on in terms of pot whole repair leave this area of Hanover Township, drive around a little bit. I was across over that river in New York and was on one of the major highways and the traffic was snarled due to pot whole, pot hole traffic jams. It was incredible on the Grand Central Parkway going to LaGuardia Airport and I could really appreciate the work that is being done here as a result of it, and I know there are issues with some spots in the roads but they are really doing a fine job.

Mayor: I think it is important that our neighbors are patient with us they know we are trying to get everything done, we got numerous streets, we know them, some of the pot holes we can repair others are going to require major street work, we are going to open up some areas I know, and have to have outside contractors repair. It's been a terrible winter and the frost is doing it's damage, so just be vigilant and be careful when you're driving, we are trying to get them all, but if you know of one, don't call me call Tom and let him know where they are.

MARCH 26, 2015

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

Hearing None, Seeing None.

Motion to close 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