

MAY 14, 2015

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, May 14, 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

There will be deliberations tonight as part of our agenda on the matter of liquor licensing for the Village Market Shop Rite, but from a format standpoint the Administrator will go through the general meeting first, a brief schedule then we will open for deliberations at the end of that portion on the Shop Rite matter, so we are going to open the meeting to the public at this time and I would ask members of the public if you have cell phones to please set them to vibrate, etc., and secondly just as a matter of procedure again, the Township Committee has requested that if you are going to take the podium do so giving us your name and address for the record, but we will have reasonable clock of 4-5 minutes on each person that speaks, so having said that Motion to open the floor: Motion made by Member Brueno and seconded by Member Ferramosca and unanimously passed.

OPEN TO THE PUBLIC:

Mark Shlutzel, Teaneck New Jersey: I just wanted to introduce myself I am a member of Hanover Acquisition Liquors, and we have a matter before you today and I am one of two members of the LLC.

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

APPROVAL OF TOWNSHIP COMMITTEE MINUTES

The Minutes of the Regular Meeting of April 23, 2015 and Bid Meeting Minutes of May 5, 2015 had been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Brueno moved that the Minutes of the Regular Meeting of April 23, 2015 and Bid Meeting Minutes of May 5, 2015 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

COMMUNICATIONS:

Submission of letter of resignation from Donna Scozzari as the Part-Time Registered Environmental Health Specialist effective May 21, 2015.

Motion to accept letter of resignation made by Member Coppola and seconded by Member Brueno and unanimously passed.

Annual request for 2015-2016 tax levy moneys by Hanover Township School District. Total draw down will be \$12,027,382.00 and the second half of the fiscal year between January and June 2016 the drawdown of \$12, 327,387.00. Motion for approval made by Mayor Francioli and seconded by Member Coppola and unanimously passed.

Annual request for 2015-2016 tax levy moneys by Hanover Park Regional High School District.

Each payment will be \$1,006,049.00 for a total of \$12,078,000.00 for the fiscal year. Motion made by Mayor Francioli and unanimously passed to approve.

DEPARTMENTAL REPORTS

The following reports were presented and ordered filed as received:

Property Maintenance	E. Desimoni	Month of 4/2015
Construction Code	S. Donlon	Month of 4/2015
Public Works	B. Foran	Month of 4/2015

REINTRODUCTION OF ORDINANCES

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ORDINANCE NO. 13-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AUTHORIZING THE PURCHASE OF ONE (1) NEW YEAR 2015 CHEVROLET FOUR DOOR, FOUR WHEEL DRIVE EQUINOX SPORT UTILITY VEHICLE FOR THE TOWNSHIP'S BUILDING DEPARTMENT THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL AND APPROPRIATING THE SUM OF \$24,000.00 FROM THE 2015 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS FOR FINANCING THE PURCHASE OF THE SPORT UTILITY VEHICLE

WHEREAS, the Township's Construction Official has advised the governing body that the Building Department's 2008 Dodge Durango has suffered multiple malfunctions including the motor which is beyond repair; and

WHEREAS, because it is cost prohibitive to repair, including a concern for the safe operation of the vehicle by its users, the Township Committee believes that it is in the best interest of the safety and welfare of its employees that the 2008 Dodge Durango be replaced; and

WHEREAS, it is the intention of the governing body to authorize the replacement of the 2008 sport utility vehicle with one (1) new year 2015 Chevrolet Equinox Sport Utility Vehicle which is available through a Morris County Cooperative Pricing Council contract as award by the Township of Randolph.

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:

Section 1. There is hereby authorized the purchase and acquisition of one (1) new, year 2015 Chevrolet, four door, four wheel drive Equinox Sport Utility Vehicle which vehicle shall be assigned to the Township's Building Department. The vehicle shall be purchased through Route 46 Chevrolet located at 412 Route 46 in Budd Lake, New Jersey 07828, all in accordance with the Morris County Cooperative Pricing Council's Contract No. 15-C (Item No. 2) as awarded by the Township Council of the Township of Randolph.

Section 2. There is hereby appropriated from the Capital Improvement Fund of 2015 and all prior years, the sum of \$24,000.00 for the purchase of the new Chevrolet Equinox Sport Utility vehicle described in **Section 1.** of this Ordinance.

Section 3. This Ordinance shall take effect in accordance with law.

The Ordinance will be further considered for Public Hearing and Final Passage at the May 28th, 2015 meeting of the governing body and at time any person wishing to be heard will be given the opportunity to speak. The Ordinance and the Notice of Introduction will be published in full in the May 15th, 2015 issue of the Daily Record.

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

So Introduced.

ORDINANCE NO. 14-15

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 DEVELOPMENT REGULATIONS FOR RETAIL SALES AND SERVICE USES IN THE I-B3 ZONE DISTRICT

WHEREAS, the I-B3 zone district is located along Hanover Avenue, Horsehill Road and Ridgedale Avenue; and

WHEREAS, the I-B3 zone district was formerly an area that was used and zoned primarily for industrial, laboratory, warehouse, office and related uses; and

WHEREAS, after an analysis by the Planning Board, the I-B3 was created in 2010 in order to recognize the decline of industry and office development in the region, the under-utilization of certain properties, and the need for the Township's land use policies to accommodate a broader range of uses in the area of the zone; and

WHEREAS, the I-B3 zone currently permits a range of industrial, laboratory, office, retail sales and service, and other uses; and

WHEREAS, the current standards for retail sales and service uses are intended to ensure large-scale, coordinated development of such uses, and to discourage small, isolated and uncoordinated retail sales and services development; and

WHEREAS, the Planning Board has recently conducted further study and has recommended that the standards for development of retail sales and service uses be amended to permit such development on smaller lots in certain cases; and

WHEREAS, the Planning Board's recommendation is consistent with the I-B3 zone's original goal to encourage large-scale, coordinated retail sales and service use development.

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

Section 1. Subsections A. and B. in Section 166-203.9., *Lot, bulk and intensity of use standards*, in Article XXXVIB, *I-B3 Industrial and Business District*, are hereby amended and supplemented to read as follows:

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A. Minimum lot/tract area.

(1) Retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments and conference centers: 10 acres minimum net developable area, except as provided otherwise herein. Within said tract, developments involving multiple buildings or uses that are part of a single overall development, and which demonstrate a permanent right to shared access, parking, utilities and/or other improvements, as appropriate, may be permitted individual lots for buildings or uses, with no minimum area or width requirement, and said lots shall not be considered "lots" for purposes of administering setbacks, coverage, ratios or other requirements. Notwithstanding the minimum 10 acre lot/tract area requirement above, the minimum lot/tract area shall be 3 acres of net developable area for properties that meet all of the following requirements:

(a) Such properties shall either substantially abut or be located directly across the street from and substantially share the same street frontage with an existing development in the Township containing at least 10 acres net developable area and comprised of retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments and/or conference centers. For the purpose of administering this requirement, the following shall apply:

[1] "Substantially abut" shall mean having a shared contiguous property boundary at least 300 feet in length.

[2] "Located directly across the street from and substantially share the same street frontage" shall mean having a shared contiguous property frontage of at least 300 feet length for each tract and located on opposite sides of the same street in the same location.

(b) Such properties shall have at least 300 feet of contiguous frontage on Hanover Avenue or Ridgedale Avenue.

(c) Such properties shall be located in the I-B3 zone district.

(d) The access driveways for any development on such properties shall be coordinated with the access driveways serving the abutting/opposite 10 acre minimum commercial development, in order to provide improved traffic flow and safety, as determined by the Planning Board at the time of site plan review.

(e) The architectural design of the facades and roofs of buildings for any development on such properties shall be compatible with the facades and roofs of the buildings in the abutting/opposite 10 acre minimum commercial development, as determined by the Planning Board at the time of site plan review. The foregoing shall not be construed to require the same or similar design between the developments, but only to

ensure a coordinated visual appearance of the buildings in the developments.

- (2) Uses other than retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments and conference centers: 60,000 square feet net developable area.
- (3) For purposes of administering the foregoing lot/tract area provisions, "net developable area" shall be construed to the gross lot/tract area, excluding the area of all water bodies, floodways, wetlands, required wetland transition areas and conservation easements.

B. Minimum average lot/tract width. The average lot width shall be measured parallel to the front lot line and within 300 feet of the front lot line. For corner lots, the required width need only be complied with for one street frontage, not both frontages.

- (1) Retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments and conference centers: 600 feet; provided, however that the minimum average lot/tract width shall be 300 feet for properties permitted to contain less than 10 acres of net developable area pursuant to §166-203.9.A.(1) above.
- (2) Other than retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments and conference centers: 200 feet.

Section 2. Subsection N. in Section 166-203.9., *Lot, bulk and intensity of use standards*, in Article XXXVIB, *I-B3 Industrial and Business District*, is hereby amended and supplemented to read as follows:

N. Minimum floor area. The minimum total floor area of all buildings within any development containing retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments and conference centers shall be 75,000 square feet; provided, however that the minimum floor area shall be 15,000 square feet for properties permitted to contain less than 10 acres of net developable area pursuant to §166-203.9.A.(1) above.

Section 3. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 5. This ordinance shall take effect in accordance with the law.

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The Ordinance will be further considered for Public Hearing and Final Passage at the May 28th, 2015 meeting of the governing body and at time any person wishing to be heard will be given the opportunity to speak. The Ordinance and the Notice of Introduction will be published in full in the May 15, 2015 issue of the Daily Record.

Note for the record, we have provided adequate notice to all of the contiguous municipalities, the Morris County Planning Board and we have also received a letter of recommendation on that Ordinance which we will read into the record at the public hearing.

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

So Introduced.

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 80-2015

A RESOLUTION APPROVING THE APPOINTMENT OF FULL-TIME, SEASONAL PERSONNEL FOR THE BEE MEADOW POOL IN ACCORDANCE WITH SECTION 13., ITEMS 2, 3, 4, 5, 6, 7, 11, 13, 14 AND 15 OF SALARY ORDINANCE NO. 10-2015

WHEREAS, the Board of Recreation Commissioners recommends the employment of the various individuals listed below to work as full-time, seasonal employees assigned to the Recreation and Park Administration Department under the following categories:

Bee Meadow Pool

WHEREAS, it is the recommendation of the Board of Recreation Commissioners that the Township Committee approve the individuals listed below under paragraph one (1), who shall be compensated at the rates set forth in accordance with the salary ranges established in Section 13., Items 2, 3, 4, 5, 6, 7, 11, 13, 14 and 15 of Salary Ordinance No. 10-2015.

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

1. In accordance with Section 11, Items 2, 3, 4, 5, 6,,7, 11, 13, 14 and 15 of Salary Ordinance No. 10-2015, the rates of compensation for the following seasonal employees mentioned below shall be as follows:

PARKS & RECREATION - SUMMER
Bee Meadow Pool:

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<u>Pool Manager:</u>		<u>Start Date</u>
Edward Cashen.....	\$7,163.15/Season	05/15/15

<u>Assistant Pool Manager:</u>		
Amanda Rillo.....	\$6,367.25/Season	05/15/15

<u>Senior Lifeguard - Full Time:</u>		<u>Start Date</u>
Andrew Vogt.....	10.50/hr.	05/15/15

<u>Lifeguard - Full Time:</u>		<u>Start Date</u>
Jessica Grasso.....	10.00/hr.	05/15/15
William Kinzer.....	9.75/hr.	“ “
Lindsay Cashen.....	9.50/hr.	“ “ “
Cristen Mills.....	9.25/hr.	“ “ “
Evan Plaza.....	9.00/hr	“ “ “
Lianna Schuele.....	9.00/hr.	“ “ “
James Kinzer.....	9.00/hr.	“ “ “
Chiara Mennonna.....	9.00/hr.	“ “ “
Michael Colavito.....	9.00/hr.	“ “ “

<u>Permanent Part-Time Lifeguards:</u>		
Matthew Korzen.....	9.25/hr.	“ “ “
Karl Melchior.....	9.25/hr.	“ “ “

<u>Lifeguard - Part Time:</u>		
Rebecca Hoffler.....	9.25/hr.	05/15/15
Brian Stock.....	9.00/hr.	“ “ “
Erika Gripp.....	8.75/hr.	“ “ “
Emily Amaducci.....	9.75/hr.	“ “ “
Mathew Grasso.....	9.00/hr.	“ “ “
Adam Rinaldi.....	10.50/hr.	“ “ “
Elizabeth D’Altrui.....	9.00/hr.	“ “ “
Paul Demetropoulos.....	8.50/hr.	“ “ “
Demi Horn.....	8.50/hr.	“ “ “
Jaimie Mayor.....	8.50/hr.	“ “ “
Christina Demitre.....	8.75/hr.	“ “ “

<u>Full Time Office:</u>		
Debbie Castelluccio.....	\$11.00/hr.	05/15/15

<u>Swim Team Coaches:</u>		
Kathleen Gorman.....	1,170/Season	05/15/15
Elizabeth D’Altrui.....	1,150/Season	“ “ “
Karl Melchior.....	1,150/Season	“ “ “

<u>Summer Plus Staff:</u>		
Jennifer Bramhall.....	23.43/hr.	05/15/15

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Badge Checker:

Antionietta Mellen.....	\$ 9.86/hr.	05/15/15
Connie Pillion.....	9.25/hr.	“ “ “
Christina Pedalino.....	9.00/hr.	“ “ “
Sandra Lorenzana.....	9.00/hr.	“ “ “
Michelle Richardson.....	9.00/hr.	“ “ “

Directors/Assist. Directors:

Kaitlyn Brueno.....	16.00/hr.	05/15/15
Danielle Calabro.....	17.30/hr.	“ “ “

2. Except for disciplinary removal, all appointments (with the exception of the all year round Teen Coordinators) as seasonal employees shall terminate on or before September 7, 2015

3. That a certified copy of this resolution be transmitted to the Superintendent of the Recreation and Park Administration Department and the Township's Chief Municipal Finance Officer for their reference and action.

RESOLUTION NO. 81-2015

A RESOLUTION APPROVING A PERSON-TO-PERSON TRANSFER OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE NUMBER 1412-33-021-002 PRESENTLY HELD BY ROUTE TEN INC. AND TRADING AS BOGEY'S RESTAURANT TO HANOVER ACQUISITION LIQUORS, LLC TO BE HELD AS AN INACTIVE, POCKET LICENSE

WHEREAS, Hanover Acquisition Liquors, LLC, a Limited Liability Company, has applied to the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, for a Person-to-Person transfer of Plenary Retail Consumption License Number 1412-33-021-002 held by Route Ten Inc. trading as Bogey's Restaurant, and currently held by the Township as an inactive, pocket license; and

WHEREAS, the applicant, **Hanover Acquisition Liquors, LLC**, has deposited along with the application, a Person-to-Person transfer fee of \$205.50 payable to the Township of Hanover and a check in the amount of \$200.00 made payable to the New Jersey Division of Alcohol Beverage Control to cover the ABC transfer fee; and

WHEREAS, in accordance with N.J.A.C. 13:2-2.5, **Hanover Acquisition Liquors, LLC** submitted an Affidavit of Publication stating that the notice of the Person-to-Person Transfer application appeared in full in the April 2, 2015 and April 9, 2015 issues of the Daily Record; and

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WHEREAS, a Transfer Clearance Certificate dated March 25, 2015 has been issued by the Division of Taxation in the New Jersey Department of the Treasury; and

WHEREAS, no objections have been filed with the Township Clerk concerning the application of **Hanover Acquisition Liquors, LLC**; and

WHEREAS, N.J.A.C. 13:2-7.7 states in pertinent part that if no written objection is received by the Township, the governing body is not required to hold a public hearing concerning the Person-to-Person Transfer application however, it does not relieve the issuing authority from the responsibility of making a thorough investigation of the application on its own initiative; and

WHEREAS, the Hanover Township Police Department completed the required fingerprinting and background investigations of the principals of **Hanover Acquisition Liquors, LLC** and found that no reason exists to deny their application; and

WHEREAS, the application and all supporting documentation submitted by **Hanover Acquisition Liquors, LLC** has been reviewed and deemed complete by the Business Administrator/Township Clerk and has recommended to the Township Committee that the application of **Hanover Acquisition Liquors, LLC** for a Person-to-Person Transfer and purchase of Plenary Retail Consumption No. 1412-33-021-002 be approved as an inactive, pocket license; and

WHEREAS, the governing body has deemed the application of **Hanover Acquisition Liquors, LLC** to be in order and complete.

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 application of **Hanover Acquisition Liquors, LLC**, a Limited Liability Company for a Person-to-Person transfer of Plenary Retail Consumption License Number 1412-33-021-002 from Route Ten Inc. and trading as Bogey's Restaurant, is hereby approved and shall be held as an Inactive, Pocket License by **Hanover Acquisition Liquors, LLC** effective upon the approval of this resolution.
2. The special condition prohibiting entertainment depicting sexual activity and nudity as imposed by the governing body on all licenses in the Township shall apply to the transfer of this license to **Hanover Acquisition Liquors, LLC**.
3. That a certified copy of this resolution shall be transmitted to the New Jersey Division of Alcoholic Beverage Control, **Hanover Acquisition Liquors, LLC**, Route Ten Inc. and the Hanover Township Police Department for reference and information purposes.

RESOLUTION NO. 82-2015

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A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP ATTORNEY TO FILE A DECLARATORY JUDGMENT ACTION WITH THE SUPERIOR COURT SEEKING JUDICIAL APPROVAL OF THE TOWNSHIP'S COMPLIANCE WITH ITS THIRD ROUND AFFORDABLE HOUSING OBLIGATION IN ACCORDANCE WITH THE NEW JERSEY SUPREME COURT DECISION IN THE MATTER OF THE ADOPTION OF N.J.A.C. 5:96 AND 5:97 BY NJ COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision in the case of In Re Adoption of N.J.A.C. 5:96 and 5:97 by NJ Council on Affordable Housing, holding that enforcement of the Fair Housing Act ("FHA") and the Mount Laurel Doctrine be returned from the NJ Council on Affordable Housing ("COAH") to the New Jersey Superior Courts, due to COAH's failure to adopt Third Round Rules on municipal affordable housing obligations; and

WHEREAS, the NJ Supreme Court ordered in that decision that municipalities which had either received Third Round Substantive Certification or been declared to have "Participating" status by COAH are permitted to file a declaratory judgment action with its County's Superior Court; and

WHEREAS, the purpose of the declaratory judgment action is to seek a judicial declaration that the municipality's affordable housing plan presents a realistic opportunity for the provision of its fair share of present and prospective need for low and moderate income housing, such that the Township may receive from the courts substantive certification and accompanying protection as afforded under the FHA; and

WHEREAS, the Supreme Court ruled that a municipalities' Third Round fair share obligation and housing plan must be evaluated under the prior round methodology; and

WHEREAS, the Township of Hanover was declared to have "participating status"; and

WHEREAS, the Mayor and Township Committee deem it to be in the best interest of the Township and its residents to authorize the Township Attorney to file a declaratory judgment action seeking judicial approval of the Township's compliance with its Third Round affordable housing obligation.

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

1. That the Township Attorney is hereby authorized and directed to file a declaratory judgment action with the Morris County Superior Court to seek judicial approval of the Township's compliance with its Third Round affordable housing obligation and any other actions deemed necessary in

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accordance therewith.

2. That the Mayor and Business Administrator/Township Clerk are hereby authorized to execute any and all documents necessary to implement and effectuate this Resolution.
3. That this Resolution shall take effect immediately.
4. That certified copies of this resolution shall be transmitted to the Township Attorney, the Township's Professional Planner and Township Engineer for reference and information purposes.

RESOLUTION NO. 83-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPROVING A FOUR (4) YEAR COLLECTIVE NEGOTIATIONS AGREEMENT BY AND BETWEEN THE TOWNSHIP OF HANOVER AND THE SUPERIOR OFFICERS ASSOCIATION LOCAL #128A FOR THE PERIOD COMMENCING JANUARY 1, 2014 THROUGH DECEMBER 31, 2017 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE AGREEMENT SUBJECT TO THE APPROVAL AND EXECUTION OF THE AGREEMENT BY SOA LOCAL #128A

WHEREAS, the Township of Hanover and the Superior Officers Association, Local #128A of the New Jersey Police Benevolent Association have reached agreement concerning a new collective negotiations agreement for the period beginning January 1, 2014 and ending on December 31, 2017; and

WHEREAS, the new agreement reflects the terms and conditions of employment including the salaries and wages of the lieutenants and captain as well as all other economic and non-economic provisions; and

WHEREAS, the Township has prepared the new collective negotiations agreement which Agreement incorporates all of the terms and conditions of employment between the Township and SOA Local #128A; and

WHEREAS, the Township Committee desires to approve the new collective negotiations agreement with the adoption of this resolution.

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 approves the attached collective negotiations agreement by and between the Township and the Superior Officers Association Local #128A of the New Jersey Police Benevolent Association for the period commencing January 1, 2014

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and ending December 31, 2017. The agreement sets forth the economic and non-economic terms and conditions of employment for the full-time lieutenants and captain.

2. The Mayor and Township Clerk are hereby authorized and directed to execute the collective negotiations agreement on behalf of the Township following execution of the agreement by the President and Secretary of SOA Local #128A.
3. That certified copies of this resolution along with the signed agreement shall be transmitted to the President of SOA Local #128A, the Township's Personnel and Labor Attorney, the Attorney for SOA Local #128A, the Chief of Police and the Township's Chief Municipal Finance Officer for reference and information purposes.

RESOLUTION NO. 84-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PETITIONING THE NEW JERSEY CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION AMENDING DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REGULATIONS TO PERMIT VETERANS' ORGANIZATIONS SUCH AS THE VFW AND AMERICAN LEGION POSTS TO APPLY FOR AND RECEIVE FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the **Veterans of Foreign Wars (VFW)** and the **American Legion**, through local posts, provide a host of invaluable services to veterans in New Jersey and all across the United States, including benefits assistance, career services, financial assistance, homeless outreach, and comforting and support services; and

WHEREAS, **VFW** and **American Legion** posts also provide several important services for local communities, including various youth, educational, and patriotic programs, as well as scholarships; and

WHEREAS, **VFW** and **American Legion** posts have also served as warming and charging stations for the public during emergencies such as Super Storm Sandy and Tropical Storm Irene, and have provided shelter to people in need; and

WHEREAS, notwithstanding the critical services provided by **VFW** and **American Legion** posts to veterans and the public, some posts may be deemed ineligible for federal Community Development Block Grant (CDBG) funding for public facilities and improvements under current Federal Housing and Urban Development regulations; and

WHEREAS, Assemblyman Anthony M. Bucco has submitted letters to New Jersey's congressional delegation calling for changes to federal law to ensure that

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all **VFW** and **American Legion** posts are eligible for CDBG public facilities and improvements funding, which the Township Committee of the Township of Hanover endorses and supports; and

WHEREAS, given the extraordinary contributions of our veterans, both during and after their military service, it is altogether fitting and proper for the governing body of the Township of Hanover to petition the New Jersey Congressional Delegation in seeking amendments to the federal law and regulations in ensuring that all **VFW** and **American Legion** posts are eligible to apply for and receive CDBG public facilities and improvements funding.

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

The governing body hereby endorses and supports the efforts of Assemblyman Anthony M. Bucco in petitioning the New Jersey Congressional Delegation to introduce legislation in both Houses of Congress to amend the federal law and regulations governing the Community Development Block Grant Program so that all **VFW** and **American Legion** posts are eligible to apply for and receive CDBG public facilities and improvements funding.

2. That certified copies of this resolution shall be forwarded to each member of the New Jersey Congressional Delegation, the Speaker of the House of Representatives, the President of the United States Senate, Assemblyman Anthony M. Bucco and all Morris County municipalities.

RESOLUTION NO. 85-2015

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 (FINAL) TO JC LANDSCAPE CONSTRUCTION & MANAGEMENT COMPANY, INC. CONCERNING STRUCTURAL MODIFICATIONS TO THREE (3) EXISTING OVERHEAD GARAGE DOORS AT THE PUBLIC WORKS DEPARTMENT GARAGE BY INCREASING THE TOTAL DOLLAR AMOUNT OF THE CONTRACT FROM \$65,375.00 TO \$70,355.00 OR A \$4,980.00 INCREASE WHICH REPRESENTS A 7.6% INCREASE OF THE TOTAL CONTRACT DOLLAR AMOUNT

WHEREAS, the Township of Hanover awarded a contract through the competitive bid process to **JC Landscape Construction & Management Company, Inc.**, by resolution dated December 22, 2014 for the structural modifications to three (3) existing overhead garage doors at the Public Works Department Garage; and

WHEREAS, the amount of the competitively bid contract was \$65,375.00; and

WHEREAS, the Township Engineer has submitted Change Order No. 1 (Final) which describes the need for supplemental work; and

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WHEREAS, Change Order No. 1 (Final) describes the supplemental work in the total amount of \$4,980.00 for the removal of all three (3) overhead doors including tracks and hardware and replacing them with new steel insulated doors, thereby resulting in an increase over the original contract amount; and

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

WHEREAS, Change Order No. 1 (Final) represents a \$4,980.00 increase or a 7.6% increase in the total dollar amount of the contract; and

WHEREAS, the Township Engineer has now determined that the supplemental work set forth in Change Order No. 1 (Final) shall increase the total contract amount from \$65,375.00 to \$70,355.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, 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 \$4,980.30 be accepted, and that the final total adjusted contract amount of the contract with **JC Landscape Construction & Management Company, Inc.** be fixed at \$70,355.00.

2. The Assistant Township Engineer is hereby authorized to execute Change Order No. 1 (Final).

3. A certified copy of this resolution be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **JC Landscape Construction & Management Company, Inc.**

POSSIBLE CONSIDERATION OF ADDITIONAL RESOLUTIONS

Motion made to approve Resolutions as a Consent Agenda by Member Coppola and seconded by Member Ferramosca and unanimously passed.

RAFFLE APPLICATIONS:

- RL- 2836 – Elizabeth Ann Seton Council 6904 – 50/50 on premise**
- RL- 2837 – Assumption Home School Assoc. – 50/50 on premise**
- RL- 2838 – Assumption Home School Assoc. – on premise gift auction**
- RL- 2839 - Assumption Home School Assoc. – on premise raffle**
- RL- 2840 – Assumption Home School Assoc. – off premise raffle**

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Motion made to approve the Raffle Applications made by Member Ferramosca and seconded by Member Gallagher and unanimously passed. Member Coppola abstains from RL-2836 because he is a distinguished member of the Knights of Columbus.

PAYMENT OF BILLS

The governing body approved a grand total disbursement of \$6,972,885.87 for the payment of all bills as of this Regular Township Committee Meeting. A copy of the "Bills Payment List – by Vendor" is hereby approved and made a part of this resolution as if set forth in full. Moved by Member Ferramosca and seconded by Mayor Francioli and unanimously passed.

A copy of the bill Payment List – by Vendor has been incorporated in the Supplemental Minute Book – Payment of Bills which is on file in the Township Clerk's

DELIBERATIONS BY TOWNSHIP COMMITTEE ON THE MERITS OF GRANTING OR DENYING THE APPROVAL OF THE FOLLOWING LIQUOR LICENSE APPLICATIONS:

- A. APPLICATION FOR PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE 1412-33-006-004 FROM FENWAY, INC. T/A THE HALF POINT PUB TO VILLAGE SUPERMARKET T/A THE VILLAGE LIQUOR STORE LOCATED AT THE SHOP RITE SUPERMARKET AT 178 EAST HANOVER AVENUE IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP; AND**
- B. APPLICATION FOR A PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 1412-44-009-007 REQUESTING TO DE-LICENSE A PORTION OF THE EXISTING DISTRIBUTION LICENSE AT THE SHOP RITE SUPERMARKET REFERENCED ABOVE ALL IN ACCORDANCE WITH N.J.A.C.13:2-7.2(d).**

Start time: 8:42

Mayor: Gentleman at this juncture, I would like to open this portion of the meeting to the Township Committee for deliberations. Gentleman, as you know we have heard the case of Village Markets, Shop Rite, and their request for an approval of a Person-to-Person Place-To-Place license to serve spirits in the grocery facility at Hanover Avenue and Horsehill Road. And, at this time if there are any other comments if there is any other question that have not been answered in testimony or any other aspects of this application that you would like to discuss or deliberate now is the moment, so Gentleman I will open the floor to us if there are any comments that need to be said?

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Mr. Semrau: If I may, thank you Mayor. As you indicated there has been five meetings, five evening meetings where you have heard testimony regarding the Person-To-Person and the Place-To-Place transfer application. There is over 12 hours of testimony that you have listened to and presentation. We also have a brief submitted by the applicant; the brief is in excess of 65 pages with all of the exhibits and other references. Mr. King submitted a brief as well, without a recommendation but just some of his facts that he believes that he elicited in the course of the testimony. The applicants brief recommend and advocates for the approval of both the Person-To-Person and the Place-To-Place Transfer. And as the Mayor said, I think we are looking to do this evening is to get a consensus as to what the direction the governing body wishes to go in, I did speak to Mr. Scrivo who is here this evening and he requested that although, you would not be bound by it, but that there would be a direction, which I agree, so that I could draft a resolution that you can look over and review as far as the direction you are going to go in, so the deliberation which is done in this aspect portion of the meeting would take place now. First is the Person-To-Person transfer, that is just the actual license transfer from the present owner to the applicant, and it is my understanding and Mr. Giorgio as the ultimate licensing authority as the Municipal Clerk, I believe has recommended that that be approved. He feels that everything is in order and I don't believe there were any concerns or exceptions with respect to the ability and qualifications of the actual Person-To-Person transfer. So with that Mayor, if there aren't any comments then I think it is safe to recommend that we draft a resolution to approve that, if that was the consensus of the governing body, that is just the transfer of the license, not the use, that we are going to talk about in a moment, that being the Place-To-Place transfer. But from the standpoint, if there was a consensus this is not the actual vote, we would have a resolution for the next meeting, but would there be any comments of the governing body or would there be a consensus to in fact approve the Person-To-Person transfer of the license?

Mayor: The Place-To-Place clearly from my Township Committee's benefit if there are any discussion or issue on comment that was just made by counsel that we do not have a particular issue with the transfer of a Place-To-Place,

Mr. Semrau: Person-To-Person

Mayor: Excuse me Person-To-Person.

Mr. Ferramosca: From a Person-To-Person stand point I think that this applicant has tremendous amount of integrity, I see no reason why to deny the Person-To-Person transfer, I think they operate a world class premiere supermarket in Hanover Township, I see no reason to doubt their capability from a Person-To-Person transfer of a license.

Mayor: That would lead us to discussion...interrupted

Mr. Semrau: So would that be the consensus?

Mr. Brueno: I would agree with that, I have no objection to that.

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Mayor: You want to manage this with two resolutions?

Mr. Semrau: Just at least get two separate directions, so that it is clear for the record that we are going in that direction on the Person-To-Person.

Mayor: Well then I'm going to assume that the Township Committee is completely done with that aspect on it.

Mr. Gallagher: I agree with John and Bob.

Mr. Semrau: Then we turn to the Place-To-Place and as indicated that is what the testimony has really been about, and it is hard to break this all down, but if we would kind of go back from it, there is really two things that I think you ought to discuss, first from a legal standpoint, there were issues raised from the standpoint of whether the license itself being one that would be a Plenary Retail Consumption could be utilized at a place where it is a grocery store, because the statute says under N.J.S.A. 33:1-12 that this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises which are grocery, delicatessen, or drug store or any other mercantile businesses carried on, so there is one argument that you can take the position that is explicitly prohibited in the statutes, it says you can't have the sale of this type of consumption, you can't have this type of license it's prohibited, where there is a grocery store, a delicatessen, or drug store, it's just clearly prohibited.

The applicant has raised the issue and case law in the briefs that have been provided to you that essentially says that there is a case and it's a case that has been discussed where the court has said and I'm going to read from the applicants' brief on page 43 that "you need to demonstrate a degree of physical separation of the respective different business, license and unlicensed, it must be such that a patron of one cannot pass directly into the other," so one is the statute just prohibits this too would be well, from the applicants perspective it is prohibited only if you can't prove this separation. If you can prove separation between the two locations that the applicant wishes to conduct the consumption license then in fact you should be entitled to the legal use of this license. So, I think to break this down I think we would look to see your thoughts with respect to the facts here, and whether or not the premises could exist, one being that it would be separate from physical separation from the grocery store and the grocery activities, and that is part of your deliberations.

Mr. Ferramosca: In regards to this whole State Statute, I know there has been a lot of discussion about the definition of a premise a definition of a building, really getting into parsing, but in addition to the State Statute to me based upon your description of what I read seemed to be very clear. Isn't there also a local ordinance which Hanover Township has that weighs on this as well? In addition to the State Statute?

Mr. Semrau: It will, but what I'm trying to do is just try to break this down so I can get some feedback from a stand point of what you observed, we can go back to that, from the pure legal argument one could argue that it's just not permitted per the Statute, it's just clearly expressly prohibited. And, I think what you ought to do is put that aside

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for the moment and say well the applicant is saying that if there is a physical separation of the different businesses that are licensed and unlicensed then in fact this license can exist. So based on the facts that were presented to you in the testimony do you have any thoughts about whether or not you believe that the use of the oyster bar and the outdoor patio would in fact be separate, is there a separation established? In the case that was cited by the applicant they talked about the fact that, well the license was on a different floor you can, that would be separation. In this case the applicant is saying look we have demonstrated that the Oyster Bar is going to be closed out or closed off, that the patio bar is going to be, from the applicants perspective, they are saying it is separate, and based on the testimony that you heard, do you feel in your opinion that it is separate from the grocery store activities?

Mayor: Based upon the testimony that we heard including that of our Planner, the extensive testimony with regard to the site plan and the floor plan, and this has been before the Planning Board as we know for a considerable amount of time and I don't think the Planning Board from the time that they had the site plans took into consideration this kind of a use. Had they, they might have addressed it in a different way, having said that, in this discussion the case that was presented earlier with regard to a department store, I think it was Macy's involved in that particular case, separate that you are talking about was not only by floor but by an escalator to that floor, etc., which separated it from, in the case of the Oyster Bar use that is being requested here it is on the same floor as the grocery use, not only is it on the same floor as the grocery use it is literally surrounded by the market, in other words, you would have to access this area by going through the grocery store etc., so we have established that as well in our discussions from a planning standpoint. We do know that this is a shopping center, and, we do know that aside from the main store, the key anchor store being the Shop Rite, there are other pads on the site which in our opinion could possibly accommodate a liquor service of some sort, be it a restaurant, a tavern of that nature, so we understand that, but beyond that I think we have heard significant amount of testimony from various experts most of which referred to the use of serving spirits in this grocer as being done in other parts of the State. I, for one, am not confident of the testimony that I have heard from those witnesses, I did not find it credible. That is my opinion, but that is not one particular reason for any decision that I would have. Gentleman, do you have any other?

Mr. Semrau: Does the Committee, with respect to the outdoor patio and the Oyster Bar and the degree of separation do you have any thoughts, and it is a very extensive record so I am looking for you to kind of in a general term point to whether or not you have that comfort level and give me direction and I will go back and get more specific points of interest based on what you direct me to do.

Mayor: Well each one of my Committeemen will speak for themselves in discussion, I am not satisfied that the patio, having spoken already to the Oyster Bar I'm not satisfied from a planning stand point that the patio area is secure, I have established the fact that there are no rest room facilities within that patio area. We have established the fact that individuals who are either dinning and taking their spirits on that patio area would have to go back into the grocery portion of the store to use those facilities the

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restrooms, etc., do I find that to be a negative or a positive? I can't say but I do know that in any other bar like tavern like restaurant facility where spirits are sold restrooms are in the same premises.

Mr. Semrau: So that is to the point, I understand what you are saying Mayor, that is not separate from the grocery, cause you have that interaction.

Mayor: Can that be addressed in modifications to reapplication to the Planning Board in a future site plan, sure, I would suppose, but presently what is before me indicates not.

Mr. Semrau: Again, I'm just following what you are saying, you did ask the applicant if they wanted any modifications regarding the access to the patio bar, because there were concerns raised whether patrons can come and go in back into the grocery store.

Mayor: Correct to the point, gentlemen are there any other comments, questions or concerns?

Mr. Ferramosca: You know, what I recall from the testimony was a statement that since the grand opening of the store one of the commentaries that was coming in about this store, this supermarket, it is a world class supermarket, it's got a lot of innovated things going on there, that people like the amenities', they like the gym, they like the child care, these things were, what I call amenities were interval they are parts of the store, they are not separate entities that exist somewhere else that I take my child to a gym and no this is a part of the experience of the store, so as I reviewed that, this whole concept of it is integrated or it is not integrated, to me it is integrated so the oyster bar serving alcohol at it that is integrated. The bistro area to me is integrated, it's not separated and the basis of my perspective on it is the testimony of the witnesses which are very knowledgeable people in terms of talking about the industry that they like the amenities and the amenities were equal elements of it not separate.

Mr. Semrau: Any other comments regarding separation issue?

Mr. Gallagher: The separation issue is a very big one and it's ironic that where we are right not discussing that word, because in the twelve hours of testimony and twelve hours of our questions, some of our biggest concerns were mingling and public safety and interacting our young families interacting with adults consuming alcohol, and the family friendly safe shopping experience that Shop Rite has created were people like myself bring their children there up until about 5th grade because they don't want to go to the supermarket with their parents anymore, so we assume a certain amount of safety and comfort and a certain atmosphere when we take our children grocery shopping and to sit down and enjoy food in an open floor plan in a comfortable setting, so using the word mingling goes right to separation, and like the Mayor said, I'm not satisfied that this plan has that separation and based on all of the testimony with all of the experts, I would say the safety and welfare of our families and children and putting

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them in a situation of the consumption of alcohol in a grocery store, I have a lot of questions about it and I'm not very comfortable with it.

Mayor: Additional discussion gentleman?

Mr. Coppola: I took the opportunity to spend a little time there, again, this past week and my concern right from the beginning is comingling food shopping with consumption of alcohol really has me quite concerned. I also took a look at the bar area 36 foot long, I have a concern with anywhere you can possibly control that with that area even if it was closed off with people going in and out of that location. The food court area 2748 square feet with a bar at one end as compared to the wide open space that again to me that is a real control issue and also the last thing I guess with the report from the Chief of Police I have a real concern for.

Mayor: Thank you George.

Mr. Brueno: Just a few things just in terms of the legal aspect, we have heard quite a color debate on whether this is or is not legal, a lot of case, not a lot, but at least one case what defines a premises notwithstanding that, I don't know whether this can be overturned somehow whether it is legal or it is not legal, I think our Attorney has given us some pretty good guidance that it is probably not, but it seems like there is still some sort of debate available there, however, having said that, notwithstanding the legal aspect I'll turn to the community sentiment, many of the witnesses who came forth expressed interest in safety, but I think over all part of the issue is that we just didn't hear, I didn't hear, evidence that are stores in place that are doing this that are having a very good positive experience. I think both myself and my fellow Committee members have asked the witnesses, people bringing forth this application for some sort of evidence as to what is transpiring at these other stores, where this is happening and what we heard was there was maybe another location in New Jersey I think it was a Whole Foods down in Millburn, I think from my perspective I would have like to have heard that they never had any issues that the consumers going into that store love it, even if that were the case though it's only one in the entire State. So, perhaps there are other places in Pennsylvania that I think we heard or maybe Connecticut, or Massachusetts, where this goes on, but we didn't get any data and we probably asked more than once and we asked the question in different ways so maybe it's not so safe, I don't know. I don't know whether the request just wasn't heard or whether there is not real good information that this is a positive thing to have. It doesn't mean that we can't be first to do something here in Hanover. Traditionally I don't know if we are trailblazers, but it doesn't mean we couldn't be, and I know there are things that we have done that have been out in front of the pack so to speak. But in this particular instance I just think that the different testimony that we heard both from residents and shoppers is that for now there should still probably be a separation that if you are going to a restaurant and the expectation is that there is going to be alcohol served it's a different type of premise if you are going to a food store the expectation is that it is going to be an environment where you are going to do your grocery shopping and in this case you can buy package goods, but there would not be a consumption of alcohol.

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Mayor: Thank you Bob, I think too in following some of your comments, the Township Committee took into consideration the fact that some of the activity that takes place in this shopping center does not always take place within the metes and bounds of the walls of the grocer area, this shopping center has other shops my understanding is that potentially we will have a bank, there seems to be construction that would support numerous other shops on the site, I think my point there, and something we have to be aware of too and I'm certain that we were, is that this is unique and that shoppers leave the grocer with shopping carts to get to their cars so there is movement in the parking area constant moving in the parking area and I might add, in my own observation of the parking area, a very congested parking area at some points, what does that mean? It means that the additional use of the serving of spirits or alcohol within the grocery area to me presents certain concerns for people leaving that facility and intermixing with patrons who bought their groceries have children with them don't have children with them, you got activity coming out of, I understand 3 or so bays for a bank for drive-thru window areas into the same parking lot, and then you are going to have the activity of parking and traffic movement from the shops below, it presents another environment to me that wasn't really addressed in it's entirety.

Mr. Semrau: The applicant is saying that the standard is whether a patron of one cannot pass into the other, are you saying that may be the case in the parking lot. They are saying inside, they have six foot walls and partitions at the Oyster Bar, they have a patio area that is walled off from the remainder of the store, except for an automatic sliding glass door, and they are saying there is sufficient separation, where essentially the patrons of one do not pass into the other, but you are basically the trier of fact and you need to determine whether you agree with that or not. Do you from that standpoint? From the testimony that you heard.

Mr. Ferramosca: My concern with the, from the testimony that I heard, that I don't know how somebody would get to the Oyster Bar without going through the supermarket. It's like do they come in from the roof with a helicopter; there is no separation to me because it's literally in the center of the store. The other aspect in terms of the separation issue is that I didn't hear anything that would lead me to believe that we could separate alcohol consumers who may be in the bistro from individuals that may be in the supermarket especially with practical things like I got my carriage and I want to go from the supermarket, I paid and I'm leaving the store now, oh but now I want to go and use the restroom facility, what do I do? There is not that separation again, it's not a definitive wall between the supermarket shopper and the individual who is interested in participating with an alcoholic beverage.

Mr. Gallagher: One more thing if I may, Mayor, at one point it was referred to as going to Yankee Stadium, and the fact that alcohol is served at Yankee Stadium, well as a parent and a young man growing up there is a certain expectation of behavior at a sporting event, and there is a point where your children are young it is not appropriate to bring your children at a certain age, because the 7,8,9th inning especially at a night game, the behavior is very different than a Sunday afternoon, so the expectation of bad behavior from alcohol consumption in certain places that a parent usually is aware of and steers away from bringing their children into or introducing their children into that

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environment. What we said several times and I said it several times is at a certain age your kids have their phones they walk freely they get food they enjoy themselves, and you separation again, I don't see the separation, I see people mingling which our Chief of Police used repeatedly, mingling, and I don't expect that type of behavior when I go grocery shopping and all of us here, let me say it's all about the kids, and we all say public safety is our number one and with that criteria again I'm not comfortable.

Mr. Coppola: Can I add another point, I understand that during the planning process with the evaluation of parking and so on, and this issue for the 13 months that this went before the Planning Board, it is my understanding we never discussed the patio bar, the oyster bar, the daycare, cooking classes, yoga classes, which tells me you are a destination area which is now going to circumvent what the original expectation for the parking was supposed to be. Now you have a problem because now you are being very congested and if you have a 2700 foot patio bar and somebody decides to have a party with 100 people or 50 people or 20 people that start to accumulate parking spaces and staying, because we normally shop, you shop for 45 minutes to an hour in and out. It just kind of concerns me. I have a concern about that.

Mayor: There is a point Committeeman Coppola brings it up well, some of it came up in testimony and discussion, there is a point here to how do we look at this use, is this a destination, it can be. Because if we grant the licensing it could not be regulated to say that I can't have a party, or I can't have a family occasion or something there and use the facility in its entirety, that's available to me, so yes that is something that planning did not take into consideration when they looked at these plans and I don't know what affect that would have. The idea of this concept of serving spirits in a grocery is one that Village brings forward and admits in testimony that they give it very careful consideration and I'm sure they understand their market and I think they are trying to do something to provide an amenity of that audience, but at the same time I think they also take into consideration the fact that they are going to isolate a certain portion of the audience at the same token of those who will not go to the Shop Rite based upon the fact that they know there is going to be alcohol service etc., and so forth, but having said all of that, it still doesn't remove the issue before us that this is an additional activity at that facility that hasn't been considered in the planning stage and to meet the criteria that the planning stage would have had for securing those areas. Isolating those areas, I think that is something that we have to be cognizant of.

Mr. Semrau: If we could do two other things, just to get some more thoughts of the Committee, 1) would be just to see if there are any comments or reactions or facts general facts, I can always go back in the record and find specific points and clarify any questions that you may have. There were 5 witnesses, Mr. Pavese, he was the architect who testified to the proposed plans anything in the testimony that is noted that you want noted or further information or stood out to you or didn't stand out to you for each witness, if any members of the governing body have any comments?

Mr. Ferramosca: I do have questions in terms of not going to challenge someone's integrity or credibility, however the architect, cause I asked the questions, I was trying to learn from the individual about what is the best practice for managing this

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and the quotes that were coming, and I recall from the individual were based upon stores that unfortunately the individual had never been to or the individual forgot where they were. It left me pretty empty in terms of the planning component of this and it had a big void in terms, you are basing this upon what? Where was the store, was it in Morris County, was it in the State of New Jersey, was it on the East Coast? Where was this store? Now, I'm starting to recall a little bit more about it, and it supposedly was a concept plan, it wasn't a store, after we went through much of this, so that left me pretty empty in terms of that.

Mr. Semrau: His discussion about his experience in designing grocery stores that would suit this purpose, That's what I think you are referring to

Mr. Ferramosca: Exactly.

Mr. Semrau: And, whether or not he had any experience or any other firsthand knowledge of how these operations worked.

Mr. Ferramosca: It didn't appear to be first hand, I even asked for a copy of the plan. Do you have a copy of this plan that you can show us?

Mr. Semrau: A plan for another facility?

Mr. Ferramosca: Yes, that he referenced. Can you show me that and so it was pretty empty to me in terms of the basis.

Mr. Semrau: Any other comments regarding Mr. Pavese, that's the architect?

Mr. Gallagher: Was that point, Fred, because I know his role blurred into other areas, is that, that was just prior to when we began talking about staffing, correct?

Mr. Semrau: Right, we will talk about comments about Mr. Lindenmayor he was going to be the Bistro Manager, he followed the architect, and he was the second witness. Okay, so why don't we go to Mr. Lindenmayor, he was the Bistro Manager, just to refresh your memory he had experience, he had managed a Friday's I think at the airport, he talked about various controls and things of that nature for this facility, questions about his background and we had questions about the application itself and how it would be managed.

Mayor: He also testified that he is trained to know when someone has been served enough alcohol. Just that comment gives me concern, I don't know when he knows you had enough alcohol unless you are reacting to the alcohol, and if you are reacting to the alcohol then I think we got an inebriated person. So I can't ignore that, they did testify that they will have security, and they did testify that there bar serving people are trained in this matter, they did understand that alcohol was not going to leave those enclosures and come into the store, so I would assume they will be serving in an more permanent type of rim not plastic cups or things of that nature that could be

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transferred around the store, all that taken into consideration but no assurances, I don't know, so gentleman any other?

Mr. Coppola: I definitely have a concern when speaking with that gentlemen as far as when I went there myself and sat and looked at one end of that bar and seeing him fixing drinks I can't envision him controlling what is going in and out of those doors, same thing occurs when you are looking at the patio bar, if you sit there with that room filled with people and you are at this end, this 2748 foot patio area, how do you control it? And the analogy to compare it against an airport where I've travelled my whole career and you might go in there and find two or three or maybe a dozen people it's no comparison to the hundreds of people that are traversing through a grocery store with their kids, their family, and that is right in the heart of the whole operation.

Mr. Gallagher: Also to add to Mayor and Member Coppola to add to what they said about staffing and training, I'm sure that many places that serve alcohol have trained staff, also most places have the term called "bouncers" besides security they have people who take care of business if there is unruly behavior. When I asked a couple of times if people believe people behave differently after a couple of drinks, the Chief of Police gave us a very good answer on that, he said "absolutely" and gave us some examples. We also referred quite a bit also to our children and we also have to think about our seniors. Not to also mention ourselves. We are cutting through there, we have to get some groceries and somebody had a couple of drinks and that person is going to act differently then he would if he hasn't. You don't expect that behavior in a grocery store and I'm not comfortable either with somebody being that trained where they can identify somebody had enough drinks and could ask them to leave because typically in most of our settings although they are trained they still have bouncers, guys who are 6'5 that will walk you out the door and make sure you don't come back in. It is great security for what they have now and I'm very comfortable in there, but add this I'm not very comfortable.

Mr. Ferramosca: I think one of the issues that struck me with the discussions was it's supervisory plan, the safety component, if I look at this room, I can guesstimate that this room is less than 1400 square feet, the patio bar was projected to be 2800 square feet, so if I said I'm a bartender in a room twice the size of this and there is just one me, I can't image how I would be able to manage and the component of alcohol with that many people in a room twice the size of this room, it's just, to me it's just not realistic.

Mr. Gallagher: One more point on what John just said, if I may, in the school system, when they have chaperones for events the ratio is 10:1 like John just said if you have one bartender and that room is packed I'm not comfortable, the staffing could be adjusted to assure the security of all those patrons in that area, never mind the people in the grocery store, again security control, and the type of usage.

Mr. Semrau: Then Mr. Sumas testified, just some background information about the plan of the store and that the current trend was one stop shopping selling packaged goods and providing bakery and pharmacy and a gym were part of that process and the

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plan to acquire a consumption license became more concrete following the opening of the store and what was going on in the industry, that may be just more background information, but if any comments there?

Mr. Coppola: I do, I got one; when he was challenged about that, he said he had a hair-brained idea that just stuck with me. I don't think he gave much thought into it.

Mr. Semrau: Anybody else?

Mr. Ferramosca: I do recall there was a statement that the Oyster Bar would serve as a bridge between packaged goods and food. So to me again, it's integrated, it is not separated.

Mayor: Gentleman I think we brought up a lot of interesting points here, some of which are correctable in the fact that if we want to go forward and some are not. The idea of security can be remedied, ideas of the physical plan self can be remedied, etc., but the basic concerns that I have is for, in this particular use, and Hanover being targeted for this particular use, bad choice of words, not targeted but being the home plate for this originating this kind of use, which is carrying spirits in the grocer right, and of course the testimony at the last meeting I asked a question if you went into Bogey's or went into Half Point Pub which was, and if you went into any one of the bars etc. in our Town could I buy my groceries, but I bring the same to this matter, I'm going, I see this as a premiere grocery store, I see this as a place of some of my Committeemen for families to assemble in etc., etc., and I'm just having issues with the basic premise of the service of spirits within this vein, this grocery period.

If Shop Rite wants to use their license, or Village wants to use the license in one of the other pads on the site and it's secure in a legitimate way, if it's a Bennigan's or a Friday's a Shop Rite food emporium and they want to serve there spirits under those conditions I think, or a far better feeling of security about it then I do in this venue, that's what I'm saying.

Any other discussions gentleman?

Mr. Ferramosca: The Mayor's commentary, this is a shopping center, you have a super market you are going to have 6 other stores there, we asked the Chief of Police, when he was here, about his perspective of if he would have similar concerns about alcohol being served in a supermarket verses if alcohol was served in another entity in one of those six stores, and he said it would be different, if would be different. So I think there is, there is an opportunity if one was trying to serve alcohol in that shopping center to do it. Outside, separate and apart from the supermarket.

Mr. Semrau: Also, we heard from Blais Brancheau, the Planner of the Township, his testimony regarding the fact that it was unique, it's not something that he seen before, and I think it was consistent type planning but also indicated that the recent amendment to the Ordinance would make this application if approved a violation of the Township Code, and the Ordinance itself is being challenged in Superior Court, but for

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right now, that Ordinance is what's on the books for the Township, any comments or thoughts regarding Mr. Brancheau's testimony?

Mayor: I don't know if we have?

Mr. Gallagher: The Mayor used the word "unique" quite a few times, and the Chief was asked and Blais was asked why they handled this different than other transfer applications, and we came to the conclusion that night from the guys that they handled it differently because it's a very different case and the fact that like Mr. Brueno said we are not sure that it's been done in New Jersey yet, the information we have that it may be done in Millburn currently,

Mr. Semrau: I think it's Union that they mentioned. I understand what you're saying

Mr. Gallagher: And if it is, it was handled differently across the board because it is unique and of course it's going to be handled differently, so I think from planning if they knew this was coming and they dealt with it back in planning we would be having a very different conversation right now. And like George said to conclude it seems like it was a last minute idea, the quote of the gentleman that was the witness was a "hair brained idea."

Mr. Ferramosca: I would also Mr. Semrau I would like you to look at, my notes are not exactly as they should be, but there was a Judge's decision cited I think July 11th and there was a reference in that decision as to what Mr. Pavese said regard to serving alcohol at the Bistro?

Mr. Semrau: Yes, that was an exhibit from Judge Weisenbeck's decision, litigation separate from this matter, but involved the Villages and I believe the testimony was, well the statement or the findings of the court were cited, I can bring that back but that was along the lines of the fact that there were no intentions to serve.

Mr. Ferramosca: That's what I recall, that Mr. Pavese said that alcohol would not be served in the bistro area as I recall.

Mr. Semrau: Then there was the testimony of the Chief and the Chief submitted a report, this is Chief Gallagher, and he also then testified to what was in the report there was pretty extensive cross examination where the applicant challenged, or tried to address the concerns of Mr. Gallagher's report, whether or not he had any data to support the conclusion that the service of alcohol would transform the location into a destination, being such as the Half Point Pub, which is the current operator of the license, is located within 500 feet of the Junior Middle School and you heard the rest of the testimony, I'm just trying to refresh your memory and to go through your notes, but your thought regarding the Chief's testimony and how it falls into this application after the cross examination.

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Mr. Ferramosca: I think the Chief expressed concern about the co-mingling, I think the Chief brought up the issue with regards to the distance of the Half Point Pub and the Middle School, there is also an issue of the YMCA here and the YMCA Summer Camp and the Shop Rite even closer than the distance to what Half Point Pub was to the Middle School, so I think the Chief also talked about how people get signs of what people manifest after they have been drinking, often they get nosier or louder, is that a good situation comingling mom and her kids shopping and picking up their groceries? I don't think so.

Mr. Semrau: There were some questions regarding where the Chief received some of his information and data but it appeared to me that it was just based upon his experience as the Police Chief for the Township, but he did not have any so to speak "raw data."

Mr. Brueno: The line of questioning also that was directed at the Chief seemed to indicate that there might be some sort of prejudice on his behalf and it eluded, not eluded it was mentioned, that he had never been asked to conduct an investigation of this type when doing a transfer of a liquor license and I think that the point that was not mentioned that we never transferred a liquor license into a grocery store. So it almost seemed like there was some sort of conspiracy as to why he was asked to do this thorough investigation when in reality well why wouldn't he have to do a thorough investigation we never had an application like this before, so I think his testimony was very direct and he did use one or more times a term that this whole thing seems crazy.

Mr. Semrau: So did you find his testimony to be credible then not withstanding that line of questioning?

Mr. Brueno: Extremely credible, because he has been the Chief for so long, he's been in Town for so long, and I think his point was of course I would question why we are transferring a license to a grocery store.

Mr. Gallagher: I thought the reference to Memorial Junior School and the Half Point was interesting for a few reasons, it may be 500 feet away, but the students get out at 3:00 the Half Point probably had a decent lunch crowd, the bar patrons probably come in after work when the children were already out of school for 2-3 hours. I think it would be more likely for a child to interact with somebody consuming alcohol in a grocery store than somebody leaving a restaurant that serves spirting and going over to an empty school at 10:30 at night, I don't think the danger for our children and the mingling is there at all other than the buildings are in a close proximity.

Mr. Semrau: Right, and I think to that point, I think half of the argument is very relevant to the fact, what happens in the proposed use, where it comes from at this point is really another moment to you as the board as to what you are trying to hear, it's what's before you, what's before you is you said, what is going on in the supermarket, where it comes from, for your purposes it really doesn't matter as much, it matters about the use, that is what you are being asked about.

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Mayor: That has always been my focus and testimony that I have heard and what I've tried to sort out from the testimony that I've heard. From a marketing standpoint, I completely appreciate what Village is trying to do; and being "unique" and if this was a movie theater section of the grocery facility, I might feel a lot differently about it than one serving alcohol and spirits to an audience that is more family oriented than not and I think that's been the focus of my concern, and I think the focus of much of the concern that we have heard from the public that's come before us and given comment as well is there, we've heard from both sides of that pro and con and we understand but I think the main stay concern again is that this is a premier grocer and if that is what you are you planning to shop is the service of alcohol in that atmosphere prevent you from going there or not prevent you, I think Shop Rite's position is it is not going to prevent you from going there and they see that as an enticement, on the other hand we see certain public welfare issues that present itself with that.

Mr. Semrau: To that end Mayor I think the last part that I would look for some feedback is those standards that were brought up the applicant and my myself the standard of review, the fitness of the applicant, I don't think, I think based on what the comments that's not an issue.

Mr. Ferramosca: No question.

Mr. Semrau: The community sentiment is the second problem, review. Whether or not there is a wide spread community sentiment for this license application based on the testimony that you have heard. It can't really be the testimony or anything you hear outside of here, it has to be what you heard on the record. Any thoughts about that?

Mr. Ferramosca: I didn't hear overwhelming community sentiment from people that got up at that podium cheering the serving of alcohol at the store, I do recall that there was some commentary some individuals saying that look this was never hinting in the whole planning process, a Planning Board member that alcohol would be served here, there was also other members who said I'd like to go to a grocery store that sells groceries, I didn't recall any overwhelming majority of the sentiment "Yippee" they're going to sell alcohol at my local grocer. Didn't happen.

Mr. Gallagher: I also heard that the people that supported talked about what a good family and a good business this was, not that the idea serving alcohol was good. And we all say that they are a fantastic business and fantastic family and we are happy they are here, we go there all the time. But the people that spoke against serving alcohol from what I saw and we have the numbers, John and I were making little checks here, it outnumbered the people that were supportive of it and they had real reasons as why we should not have grocery store that serves alcohol.

Mr. Semrau: To that end Mr. Gallagher, I know the ones that you mentioned who were in favor about the family and business; many of them were affiliated with some degree with the applicant.

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Mr. Ferramosca: I do recall we asked, we asked the motivation as to how did you learn about this and it seemed like the majority of those who were in support of this where those who learned about it through some direct affiliation with the entity.

Mr. Semrau: Anybody else about community sentiment?

Mayor: Any other questions? Any other discussion by the Committee at this time?

Mr. Semrau: The next standard is whether there is any violation of any other municipal ordinances, I think this was discussed in Mr. Brancheau's testimony and also the point was raised that the ordinance is being challenged. But the case law notes that a municipality cannot grant a transfer of a license if it would violate a local ordinance, and the same would go if it's violating a State statute as well, it would have to go hand and hand.

And then the impact on public health and welfare, the Township's responsibility to protect the public health and welfare with respect to the transfer, any point that you want to make based on the application in that standard?

Mr. Ferramosca: The concern, the ultimate evaluation I would make is upside vs. downside. What is the benefit and does the benefit outweigh the risk? And I see the risks to this and the risk of mixing children with adults who have been drinking. Mixing teenagers with adults who might be drinking. State law, if I'm correct, in New Jersey you need to be 21 years of age to drink, you know is it wise to have teenagers interacting with people who have been drinking, it's a concern. It's also the possible way, what I call across from this location there is a pretty active soccer and rugby program and that is a good thing, people are out there on weekends playing soccer and rugby, pretty convenient to walk across the street and sit at the bar and enjoy yourself a bit and I think that further brings us to the issue of the risk of comingling.

I think the Mayor talked about earlier that you know this is a successful supermarket and we are very happy it is successful. But with that success comes a high degree of congestion in a parking lot, how will this parking lot be impacted when we have individuals coming out of the facility that have had X many drinks. I don't know how that would be impacted but my guess would be looking at positive vs. negative from conjecture standpoint it would be negative.

Mayor: I think that Village in this facility here in Hanover demonstrated it's really wanting to go beyond in providing the community with services, they have nutrition clinics I understand, they do have facilities for health care, they do have a pharmacy, they do have all in my opinion those amenities that really attract their audience to that facility. When I use that word "grocer" through this entire case and I think that Shop Rite is like many in this competitive business, is demonstrating they are far beyond that of a grocer, so I fully appreciate their wanting to extend into this new venue of serving spirits as another amenity for their customer base. Brings with it the evaluation of what the positives are against the negatives of allowing it to happen and what it could do.

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Mr. Semrau: Well it's the impact on public health and welfare.

Mr. Ferramosca: I think we asked the Chief the question of again, if a restaurant bar were located in one of the new stores that are going to be at that shopping center, and in your opinion what would that, would that be easier to manage the protection and the public safety and the health and welfare than if alcohol was being served inside the supermarket and I do recall he said yes, he believed that to be the case.

Mr. Gallagher: Fred real quick, what John and the Mayor said and I've talked about this all night so I won't give you a big recap, just expectation of behavior, mingling, family safe friendly environment where you go and truthfully you go with your children up to 5th grade after 5th grade they don't want to go to the supermarket.

Mr. Semrau: Just for the record, they are not just your personal statements this is based on the testimony.

Mr. Gallagher: This is based on the testimony that I heard for twelve hours and based on all the questions from the Committee and based on the testimony from the Chief of our Police Department and based on answers of behavior and behavior in exposing our residents to that don't expect to be exposed to this when they go grocery shopping.

Mayor: I must admit along the course of this thing that it did beg the question to me and Shop Rite entering in whatever contractual arrangement they have with the seller of this license that since that this is so unique why they didn't enter into discussions with the Township early on prior to even into commitments of this nature, and to take the temperature of the Town governing body on how this would go.

Mr. Ferramosca: Well Mayor, piggy backing on that, you know we did ask the Chief the question of "Chief, do you review plans of applicants that are presented to the Planning Board?" He said "yes, matter of fact on a regular basis." And we asked him "Chief, did you review," when he was sitting right there, the original plans for the Shop Rite Shopping Center, he said "yes," and then we asked of "if you saw on those plans that there was a bar where alcohol being served, would you have made comment to the planning board expressing your thoughts?" That question was asked, but there was none, as we were aware when that process was going on, piggy backing to what the Mayor just said.

Mr. Gallagher: The one thing too, Fred about mingling and families is like the Mayor said you don't go to a liquor store to buy groceries

Mayor: Although that might be a concept

Mr. Gallagher: But, also Shop Rite

Mr. Semrau: You're not allowed because of that statue.

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Mr. Gallagher: Shop Rite has quite a bit of an assortment of toys, which are not too far away from one of the areas where they are proposing to serve alcohol.

Mayor: Counselor do you have sufficient sense of the Township Committee's feelings?

Mr. Semrau: I do, I think the only other issue I would just raise is from our perspective is this is one license and they are saying that they are on separate premises, that's the positioning based on the direction that I'm hearing I would have to point out that from a legal perspective I'm concerned that it's one license what they are calling two different premises, the Oyster Bar is separate and the outside Patio Bar is separate, so that's two premises with one license if it is really, truly separate, and that, there is not two licenses here and that in itself is also a concern from a legal perspective, I don't think that should be your overriding reason but I think certainly based on the direction that you're going in it should be pointed out to the applicant if that's the direction I think I'm hearing, so what I'm hearing is well I'll ask for some type of consensus before I iconize what I'm hearing, is there a direction that ultimately you want me to go in to draft a resolution.

Mayor: Prepare a resolution for our review?

Motion to draft a resolution on this issue made by Member Ferramosca and seconded by Member Gallagher.

Mr. Semrau: In the direction of?

Mr. Ferramosca: It would be one of denial.

Mr. Semrau: Denial with respect to the Place-To-Place

Mr. Ferramosca: If we can separate the Person-to-Person from the Place-to-Place?

Mr. Semrau: Which we are doing for tonight's discussion?

Mr. Ferramosca: Person-to-Person 100% yes, integrity of the organization is there, Place-To-Place the motion would be different, the motion would be one of denial based upon the discussion that we've had expressing our thoughts, our concerns based upon the testimony that we heard.

Mr. Semrau: You are not bound by this but the motion would be to direct me to draft a resolution after you review it based on the discussion you had to deny the Place-To-Place transfer?

Mayor: That is correct.

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Mr. Semrau: Is there a second for that?

Mr. Gallagher: Seconded

Mayor: Is that the sentiment of the Committee?

Mr. Coppola: Yes

Mr. Gallagher: Yes.

Mr. Brueno: Yes

Mr. Giorgio: We had a motion and a second on roll call

Mr. Gallagher: I

Mr. Ferramosca: I

Mr. Brueno: I

Mr. Coppola: I

Mr. Francioli: I

Mr. Semrau: Just so I'm clear and anybody can jump in and you're not bound by this, but we are saying that the State Statute does not permit the license on the premises where groceries are sold, it's a case law with respect to separation, it's in your opinion that it is not separate and when you evaluate the criteria you do not believe that the application satisfies the criteria for such an approval and then I also, so overall that's the public interest issue, and you also have the issue regarding one license for two different premises. Is that generally what I'm hearing?

Mr. Brueno: That's a very accurate summary.

Mr. Ferramosca: One additional question, counselor given this applicant is well qualified and the whole community has expressed this to the Person-To-Person what if this Place-To-Place transfer could be positioned to different location separate and apart from the supermarket to another building within that shopping center?

Mr. Semrau: Although you are not bound by this, if that was to be the case it seems to me that this governing body well you have the ability to approve that and it sounds as though based on the deliberations tonight that something that you distinguish from what you have here in a favorable way although it's not the plan, we have that option to send that message.

Mayor: The applicant has that option, but that's not what they are asking.

Mr. Ferramosca: Making it a positive criteria, weighing negative positive and all that has been discussed tonight,

Mr. Semrau: You are saying hypothetically,

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Mr. Ferramosca: Hypothetically yes.

Mr. Semrau: That you are much more comfortable with?

Mr. Ferramosca: Yes.

Mr. Semrau: Thank you.

Mayor: Gentleman at this time I'm going to move to other business and is there any other business of the Township Committee at this time?

OTHER BUSINESS

Mr. Coppola: The Veteran's Alliance, as a matter of fact we are meeting tonight and the Memorial Day Parade is set and the breakfast over at the Community Center from 7-8:15 and 8:30 is serves 9:30 the parade will begin.

Landmark had a dedication this month at the Burial Yard, with a huge success, lots of folks attended and a lot of dignitaries and former members and everybody did enjoy the day.

Cultural Arts had their Wind Symphony at Memorial Junior School and 95% of it was filled with us seniors they really really enjoyed it.

I also would like to extend congratulations to our new Cedar Knolls Fire Chief Chad DiGiorgio.

Mr. Ferramosca: I want to congratulate the Green Team for another successful paper shred day, first Saturday of the month of May, the Green Team assembled in conjunction with Employment Horizons over 60 residents came out that morning and came with ¾ of a ton of paper that they wanted properly shredded in an environmental safe manner, so congratulations to them. I think it's quite a feat that given the fact that this has gone on now for more than 4 previous times. The Green Team was led by Ed Shultz and Phil Glawe. Unfortunately, Mr. Schultz will be moving away from Hanover, he has done a great job with the Green Team and a great job as well leading the Environmental Commission for over 25 years and we thank him for that. FYI the Green Team is open up to anyone in Hanover Township who wants to participate, it meets the first Monday of the month here at 7:00 p.m. you are welcome to join us.

Second point is Whippany Road, MetLife, lots of activity going on right now, major construction zone we want to thank people for their patience during the time of this activity. We also want to let everyone know that when it's done it will be a beautiful suburban campus something that we can be proud of, it will be heavily treed it will be properly landscaped it will look great. In addition to the landscaping that will go on that organization is supporting the Township's Connectivity Trail and is going to put an 8 foot

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wide trail along the side walk area of Whippany Road that will allow for pedestrians and bicycling. So I think they are going to take us from a point of where we are today in terms of pain of construction to a very very nice corporate setting in a premier part of our Township.

Mr. Brueno: The pool opens Friday May 22, 2015 Memorial Day is early this year there is a new diving board there is a new playground in place, I want to encourage all residents if you haven't done so already please join Bee Meadow Pool.

Golf Outing June 1st if you have any questions please call the Recreation Center.

Senior Golf Outing which is back after a five year hiatus, June 1st.

Trip to PaperMill June 10th.

Summer Camp opens June 29th, the concert and fireworks Wednesday, July 1st right across the street at Veteran's Field.

Our New Traveling Teens Camp for those in the Middle School grades we now have a program specifically for them, that will begin Monday July 6th and our summer concerts are back and better than ever beginning Monday, July 6th.

Mr. Gallagher: I would like to thank Mr. Brueno, because although my family spent quite a bit of money in the last 7 years creating a backyard that we can all enjoy and swim in all of the time and the heating bill is quiet high because we keep my pool at 86 degrees my 10 year said we absolutely have to join the pool this year, the pool is the place to be.

Mayor: You should hand out soap when using your pool!

Mr. Gallagher: Now you will see the Gallagher Family there with their number 50 sunscreen on hiding under an umbrella at the Bee Meadow Pool, well thanks Bob, great job over there.

Brian Foran did call me today and gave me a run down on everything that is done and ready to go, they are just ready to open up the gates.

Mr. Brueno: It's going to be a big season.

Mr. Gallagher: I just want to say the DPW has been very busy fixing our potholes fixing our streets and they are going above and beyond. I said it more than once and I'm in 5 or 6 towns a day and although it seems like our streets are terrible they are much much better than surrounding communities and I tip my hat to the DPW they are nonstop they are always out there working on our roads, always working on our buildings and they are always working on our grounds but they are also working on to is they are always on our fields, the more of us go to the fields they are beautiful facilities, so I just want to say that these guys are doing a fantastic job they are always busy and

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we are aware of the problems with the roads, we talk about it as a Committee quite a bit, we are going to talk about it later on tonight, but I want to thank the DPW for hitting it as hard as they have been since the last two bad winters.

Last Saturday night we had a big Hanover Youth Night at Whippany Park High School, it was a great success, we were all there except for Committeeman Brueno cause his brother had a birthday party, I won't say how old or how young he is, but he had a birthday party, we all had a great time we interacted with a lot of good groups in town, a lot of good businesses and it was a good safe night out, again it was for us and for all of our parents and coaches to introduce our children into fun and let them know they can have a great time without using drugs or alcohol.

Mr. Ferramosca: George how many hot dogs were served?

Mr. Coppola: over 300!

Mayor: We would not be doing our job unless we recognized somebody else in this Community, and that we did receive formal notice that Superintendent of Schools in our Elementary and Middle School level, Scott Pepper will be leaving us and retiring from that position at the end of this school year in June so we definitely wish Scott all the best, I had breakfast with him this morning at Rotary and we talked a lot, I know Scott's a young man and he will take his career even further, there is no doubt about that, but he served Hanover beautifully over the years, those of you George and Ace had an opportunity to serve with him and I'm sure you enjoyed the direction that he gave to that board over those years, he's been a great help to our school system, and as such he has been a great help to Hanover because with a wonderful blue ribbon school system like we have it only adds to the value of all of us here in Town in our real estate that's for sure. So we wish him all the very best, Scott whatever your decisions are in the future we wish you the best of luck all of us here.

Any other business? Motion to adjourn.

ADJOURNMENT

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

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

Joseph A. Giorgio, Township Clerk

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*End Note: The Township Committee has modified the format for our meetings, we used to opened the sessions twice, we are required to open the session once, we open them in the beginning of the meeting and open again at the end of the meeting, we will be using the format in the future of opening the session in the beginning of the meeting for any comments in order that the Township Committee can move it's business more efficiently, so thank you all.