

SEPTEMBER 10, 2015

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, September 10, 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

ABSENT: Member Coppola

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

**MOMENT OF SILENCE IN REMEMBRANCE OF THE 14TH ANNIVERSARY OF
THE SEPTEMBER 11, 2001 TERRORIST ATTACKS ON THE UNITED
STATES OF AMERICA.**

I'm sure that all of us know where we were on that day and how it affected us and that will stay with us.

**ADMINISTRATION OF OATH OF OFFICE TO NEW PATROLMAN MICHAEL
D. BYRNES**

A pleasant duty ahead of us, we are about to issue the Oath of Office to a new Patrolman for our Department, and I say it's a very pleasant duty cause it is an expansion of our Department. This will be our thirtieth officer and it's been a long time coming. We have gone through a great deal of turmoil over years past and, we lost personnel, we have lost officers and, gradually, we are trying to put our Municipal Staff and our Public Safety Department and our officers all back to the status of where they were. So, I'm very, very pleased to have the Administrator shortly offer the Oath of Office to our latest Officer and I'm going to read a little bit of a bio that was given to me.

George Coppola who is our Liaison and Director of Public Safety is not with us tonight and if he were here, he certainly would give this following report:

“Michael Byrnes begins his career as a Patrolman with Hanover Township today, Michael lives in Pompton Plains, not a bad ride, you’re coming East when the traffic is going West, Michael comes to us after years with the Palisade Interstate Parkway, and before he worked with the New Jersey State Parole Board for six years, covering sex offenders management, Michael entered the Cape May County Police Academy. Prior to his law enforcement career Michael served United States Army, where he received an Honorable Discharge and the Rank of Captain, excellent, Michael was an Army Ranger, Platoon Leader, Company Executive Officer, Platoon Leader Support and Heavy Weapons, Infantry Officer, Bradley Infantry, Received a Bronze Star Army Accommodation Medal, Global War on Terrorism Medal in Iraq, Campaign Medal, Michael you have a very, very distinguished background to say the least. Tennessee University graduate with a Bachelor’s Degree in Criminal Justice that’s excellent. You are working the hours of 0800-1600 Monday-Friday the first two weeks going over policies and procedures for the roads, etc.

Michael, you have a very prestigious background, I’m going to ask you to come forward and join the Administrator and be sworn in. We would like your family to join you up there.

Michael, welcome aboard. We are very, very proud; with your background to have you on board I can’t tell you how proud we are. Very distinguished.

OPEN TO THE PUBLIC

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

STARTED 8:42 Jim Neidhardt, 3414 Appleton Way, Whippany: Last night, I attended the Morris County Freeholder Board Meeting and whenever they have something interesting going on there that I think you should know about I like to bring that to your attention. So, I only have one item tonight. I don’t know how familiar you are with it, any of you, but there was an amendment in the NJ State Legislature not too long ago that was approved for bail reform. I don’t know if you remember reading about that or hearing about it. As of January 1, 2017 there will be no more bail within the State of New Jersey. So, whatever bail you are currently processing here at the Municipal level there will be no more bail. The rationale for that was that it discriminates against poor people because virtually everybody that has any means at all can post bonds and they get out. So, they figured that it was unfair to the poor people. Even though January 1, 2017 is the effective date and most counties have a lot of time

Mayor: It’s not the bail we should take offense to Jim its plea bargaining, but go ahead.

Mr. Neidhardt: Even though January 1, 2017 is the effective date, there are three Counties in the State that were approved to be pilot counties and Morris County along with Passaic and Camden where the counties that were chosen so that means effective January 1 of this coming year, there will be no more bail in Morris County. Currently, risk of flight is the only consideration, Judges are not allowed to consider danger to the community in deciding who gets retained and who gets let go. Under the new system danger to the community will be allowed by the Judges for consideration in terms of intention. And, the rationale behind all of this change is that people are presumed to be innocent unless they are a threat to the community or are a danger for flight. Under the new system, Officers will bring suspects to the station and they will do a live scan fingerprint before their discretion to either issue a summons which would involve release, or a complaint which would mean reposed to the county jail. Currently, the officer decided that and if they issue a summons, they let them go. This is my understanding, they will now have to come in and do a live scan, I was talking to the Chief and, he told us that you currently have live scan, made a significant investment about 2 years ago, which is really good, there is a lot of municipalities in the county that have to make that investment before January 1st and that's a \$20,-\$30,000.00 investment. The live scan will access a real-time data base risk assessment tool that was developed by a grant from the Arnold Foundation and, what that is going to do is pull together a lot of criminal activity from a variety data base, the National Crime Information Center, the New Jersey Promise Gravel System, Comprehensive automatize Probation System, which I think you use here at the Municipal Level and the Juvenile Probation System and a few others, so it's going to be really good, right on the spot you will be able to know a person by doing a live fingerprint. You will know exactly what they have in their record, and what is going to happen is it's going to generate an assessment of that individual, that suspect and give then a coding on a grid of green red or yellow. And, the green they are okay to release, the logarithm says not a big risk to the community or flight, the red means they get detained and go automatically to the county jail, and yellow means that if the officer determines that he thinks its pretty significant and wants to detain him they have to submit an Application of Detention and that has to go to a judge and a prosecutor. The big effect will be at the county level, they are going to have to add a very significant amount of resources in terms of personnel to the Prosecutor's Office and also to the Judicial area and some administrative areas to facilitate this because under the new set up every suspect that is detained at the County Jail will have to be processed within 48 hours or released and that includes weekends. So

Mayor: So that determination of red, green, yellow has to make within 48 hours is that what you're saying?

Mr. Neidhardt: No, that gets made right away at the Municipal Level with the officer, but if it's red or yellow and an Application for Detention then that person has to go to the county jail, but within 48 hours they have to be fully processed and charged or not charged, in other words let go. What it is going to do is going to put a significant number of more people out on the street faster that weren't able to get out on the street

right away and those people need to be monitored, a good amount of them, so that could run anywhere from a Probation Officer visit up to an ankle bracelet. The Prosecutor said that he anticipated needing 13-15 more people and in the judicial area about 9 people so they are looking at expensive 25 new heads. I made a plea that they look at all the current systems and kind of ways to find new ways to be efficient especially since you are getting rid of the bail and the processing to try and zero it out, but at any rate a lot of expense there it's going to cost some changes in policies and procedures at the municipal level, the fact that you don't have to buy a live scan that you have it is really good. However, there may be certain minimal standards that have to be looked at to see if our current equipment meets that standard, if there is an Application to Detain and it's submitted, there is a three day expansion. So, instead of 48 hours, they will have up to 5 days to keep them, at any point in time there are 700 individuals on average that are required some sort of monitoring even if someone gets a bracelet you need one physical being to monitor 50 people with bracelets out there, you got 700 people. I just wanted to fill you in on this and that it is happening as of January 1 of this coming year in Morris County as a test during the year of 2016 and it is anticipated that shortly after that the bail reform that the County is also and you are going to deal with speedy trial requirements, most states have a limit on how long you can hold someone before they have a trial and in New Jersey we go by a fore factor test which is started back in 1972 but that most likely will be overridden so there are going to be a lot of changes coming to the Judicial system, and the Administrative Law and Affairs, most of the changes are at the County, but I just want you to know about it cause it is going to affect the way you do things here at the local level. (FINISHED 8:50)

Mayor: Thanks Jim, I'm certain that Judge O'Toole will be fully briefed and advised of this change. Personal comment, I don't speak for every Committeeman up here but I think I represent them in some regard, I think the wrong thing was looked at in that the purpose of bail was to prevent flight. Purpose of bail was to eliminate a lot of what you just described as the new administrative work that is going to have to take place on the Prosecutor's Office etc. All bureaucracy in this regard, if there was any place at all should have been challenged in the courts that looked that I think bail was in place and plea bargaining was really something that should be looked at when we are letting those convicted of crimes of all levels let them plea bargain it down and away, so that they don't fill up our jail population is not the answer. And, I think plea bargaining is something that should have been removed and the courts should have really taken a look at not bail, which has a purpose. I thank you for the briefing. And, the Committee thanks you for the briefing. Again, I'm sure court will be well advised of this at the same time.

(8:52) Barbara Eames, 6 Cove Lane, Whippany: We have been after them for several years about the Hud Grants that were accepted and managed through Rutgers University and they now have come up with this draft 150 page draft plan, I gave you a copy of it last month or so, and I also dropped off with John Ferramosca a DVD that we played last Wednesday at a meeting and I would strongly encourage you to watch it, it's very concise, it's about 40 minutes, it is a very detailed articulated document, very complete as far as explaining to you what that has been going on with this regional

planning, it's happening all over the county it's not just here, and so this Together North Jersey Plan is a result of a \$10 million HUD Grant that was funded \$5 million by the Federal Government and was matched by some private foundations, groups, that frankly stand to benefit from getting the money, they will help facilitate the Plan, so now there is this Plan and the Freeholders did pass a resolution which rejected the Plan cause back in April when I was here, and I said you have a week, well they had a week and so they drafted this letter. I may be repeating what you remember or what I already told you. They had a week like you did to write a letter, they did, they said they would similarly reject all of the recommendations if the period of time is not extended. It wasn't, so on that basis this resolution attempted to just kind of memorialize or formalize that letter of April, and it was amended a little bit from the previous meeting because they took out a part about staff. That original resolution was trying to say that if we are not supporting it why are we, the paid county staff going to work with people to facilitate it, but they didn't want to bind the hands of municipalities who might want to take the money such as Morristown. Boonton is going to do it to do Transit Housing, so at any rate, the thing that I tried to convey to them last night and, I would convey to you, is that the resolution really is pretty much just kind of any resolution that they are just a statement of just what you think and they don't have any teeth. Or, they took that phrase of staff out of not, because Federal Government doesn't really ask the counties they are not really asking you, they gave you what, they noticed it only because we told you about this time, it was even interesting that even Cathy DeFillippo last night, I said well if we are going to still participate in this thing we are going to have a staff, well she said there are no more meetings, well I said this is only the draft. It's not the final version and they took all of that testimony. What if they amend it and now they need to amend it, well that's not going to happen. I think it's going to be the original draft, I said I guess they weren't listening real hard for your comments then, if what the draft was just becomes the formalized plan which we haven't seen yet, so anyway the point is that all comes from all federal funding. None of it goes through the county, I asked last night, cause at the county last night is not agreeing to the plan why should they help facilitate the funding? The point is that it doesn't go through them. It goes right to the municipality, so what their position is now, they don't want to bind municipalities that help from the county so they will facilitate with their staff even though they don't agree with it. They don't need the county to participate, agree or not agree, they really don't need you to agree or disagree, the money comes from the Federal Government, and you are kind of immaterial and that's what we tried to say. It's taking away your authority to govern and if you follow it like I sure you did, the Westchester County? Couple of years ago, where Rob Estuarine had to sue the Federal Government to get their authority to plan and zone back and there was one town that yeah Chappaqua that sued the developer who was trying to put in affordable housing. Who do we know who lives there, so I'm sure this will be equitably enforced across the county, Then the sequel slightly to the HUD regulations that came out this summer, and really Westchester County was a pilot for that. In my opinion, and, I think its pretty much established it was a pilot so now those new HUD regulations will impose upon municipalities across the county diversity ratios and poverty ratios and economic factor across all municipalities and the thing that I want to say to you and it comes from the DVD John Anthony says do not fill out this Assessment of Fair Housing form, something

like that, once you do that, that the form that you have to put all of your data on the form, you send it to the Feds, that triggers the regulations and the requirements which will look regionally, somehow reassess the percentages of how many minority, or poverty or whatever and everybody is going to have to be the same, and somebody said to me that's interesting. I wonder if they are going to move some suburban people into the Urban areas then to improve the racial balance there. I mean I don't know. It was good that they passed it last night, but it's not good what is coming and you really weren't asked and in my opinion don't have any authority to say yes or no, other than you don't have to take the money. In our town, it's like anything else, Congressmen have to bring back the bacon, and if they don't bring back the federal money to their district it's just goes someplace else. So, we are still paying it through our taxes, your federal taxes don't go through the county, they go directly to the federal government who distributes to HUD, EPA and DOT and they do whatever they want with it.

Mayor: I can only give you one more minute.

Ms. Eames: That's okay, I'm done. I gave John the DVD.

Mayor: We did respond to the County,

Ms. Eames: I know you did, thank you very much for that.

Mr. Ferramosca: We thank you for bringing this sort of awareness, Hanover believes in Home Rule; this is a major threat to Home Rule. Hanover has worked very hard for 20+ years providing rational plans to support affordable housing and I don't see the benefit quite frankly of relying on some regional group to determine the means and strategies for affordable housing in a community, because they just don't know it.

Mayor: Once again, it's a process of cloaking their agenda here and not unlike COAH, who recently said to us well Hanover you got x amount of time to get your Housing Plan into us and tell us how many housing areas you've identified that can accept the COAH housing? Well that's saying how guilty am I? That doesn't fly. The same is taking place here with the Fed another layer of beurocracy

Ms. Eames: It's all part of the same plan; I think we understand that. Can I just ask a quick question? How many more units did COAH tell you that we need to build in Hanover Township?

Mr. Ferramosca: Our requirement in terms of the last round, we are down to less than 10 units, 9 units

Ms. Eames: I knew that

Mr. Ferramosca: And through their infinite wisdom, they decided that we should have 1,000.

Ms. Eames: Does that include affordable or is that 1,000 affordable

Mr. Ferramosca: No, no that's the 1,000 affordable, so if you use the classic ratio that would mean that we need to build 5,000 units in Hanover Township.

Mayor: How irate, if it's inclusionary as John said it's absolutely ridiculous 22% or 20% set aside for inclusionary and 1,000 do the math, but I think the only reason I think that every one of the Township's got 1000 because they couldn't give us 2,000. Somebody put a ceiling on this thing, so this is just an arbitrary number. Fred correct me if I'm wrong, I think

Mr. Semrau: It's really what the buildings association is pushing right now, we are fighting that.

Mayor: Hanover has replied I have mixed emotions about that fact that we are compelled to reply because in replying you are actually devolving to the court what you think your Township can accept, and I have a hard time agreeing with it.

Ms. Eames: How guilty... I would suggest that the only thing that is going to make a difference to the Federal Government is if from the ground level communities and elected bodies such as the Township Committee start to get together, out of the League of Municipalities, but they all think this is great stuff, so I don't know if you will get any support there, if they start to band together and say, we aren't doing this, what are they going to do, put 340 municipalities, what are they going to do, if you all stand up and say we are not doing this?

Mayor: This has to be done on a neutralized basis, the League of Municipalities is going to say to you and I understand it, that they represent cities, towns, so not only do they represent us, but they represent the Trenton's, The Dover's, the Camden's and so forth and so on, so they got a tight rope to walk there and I appreciate that. But on the other hand, I think there are enough towns that would be affected even if it the general towns that have been affected by the COAH laws are the ones that should step up to the plate and say enough.

Ms. Eames: Is that the sense on part of this Committee that that is what you're going to do with new COAH requirement? How are you going to respond to that?

Mr. Ferramosca: There is a process underway that in which we are following in terms of we will be issuing formal response, and I'm sure our Attorney can speak more definitively about it.

Mr. Semrau: Sure, the governing body has directed me to go ahead and hire an expert in the field that we believe that is going to formulate an opinion that the affordable housing obligation is much less, much less, than that 1,000 unit number that the Mayor has indicated has been already tossed at Hanover and other municipalities, so that's the first step. The second step is the governing body has hired Joseph Burgis,

who is a very well know Planner, to put together a reasonable plan, not one based on a thousand units, that's reasonable for the Township to achieve over ten years and it is going to be, I am sure, based on the direction of the governing body and what we think the law is far less than a 1,000 units. I can't say the number right now, because actually we are under an obligation not to divulge that number, this is the only expert that is working for municipalities, he worked for the Council of Affordable Council, so as he formulates that for each town he doesn't want us at this point to divulge anything, but I can say it's much more favorable and much more realistic and less disruptive to the overall growth and stability of the Township. So we are fighting it.

Ms. Eames: I would encourage you to do that and we would certainly, if you need support from citizens or whatever would be helpful, we would be glad, I mean I think, there is no end to this I think you understand, there is no end to this, they'll do 1,000 and they'll think that's it and they will come back next year, and the goal is to have all the communities across American look exactly like all other communities, racial, economic mix, and their housing, there will no independence there will be no local planning and zoning, that is what the plan is, and if you look at the State Economic Development plan it was talked about several years ago when COAH and this HUD stuff, it's all pieces of the same puzzle, if they don't get you one way, if you can get one way, they are coming at you at another, and another, and another, and that's the goal, so we either are, in my opinion we draw the line in the sand and say, no we are not doing this, we are exerting our local authority and I would argue, we already have plenty of affordable housing, so at some point you have to say enough, not doing it anymore, and that's where the rubber hits the road, so.

Mayor: Thank you Barbara.

Ms. Eames: Thank you for your willingness to do that and to push back, otherwise you just are going to be mowed over, just going to be run over.

Mayor: Right now the fate of Hanover Township where housing is concerned is going to lay with a Superior Court Judge making your zoning decisions for you and that seems to be the direction that we are going in here, I fear that, local Home Rule gets another block chipped out of the bottom of it.

Ms. Eames: It's not only about dissolving the municipal boundaries, this 13 County North Jersey is about dissolving the County barriers and the Central Jersey planning agency, guess what, it goes across into Pennsylvania so that's about dissolving state boundaries, this is all part of the plan, and you would think this is crazy unless you read the stuff yourself and I did give you a copy of it, so I know you looked at it. If you study it and you see the different components that foreclosure act they tried to force down a copy years ago, I think twice, that didn't happen, it's all cut from the same plan. (FINISHED: 9:06:42)

Mayor: Thank you Barbara.

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

COMMUNICATIONS

RESIGNATION OF CHERYL LAMANEC AS A MEMBER OF THE WHIPPANONG GARDEN CLUB.

RESIGNATION OF CHRISTOPHER SCHIMMINGER AS A PART-TIME MEMBER OF THE PUBLIC WORKS DEPARTMENT

Motion to accept resignation made by Member Brueno and seconded by Member Gallagher and unanimously passed.

DEPARTMENTAL REPORTS

The following reports were presented and ordered filed as received:

Construction Code	S. Donlon	Month of August
Property Maintenance	E. DeSimone	Month of August
Parks & DPW	B. Foran	Month of August

All reports are on file in the Business Administrator's Office.

APPROVAL OF TOWNSHIP COMMITTEE MINUTES

The Minutes of the Regular Meeting of August 13, 2015 and the Special Meeting Minutes of August 27, 2015 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Ferramosca moved that the Minutes of the Regular Meeting of August 13, 2015 and the Special Meeting of August 27, 2015 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

PUBLIC HEARING AND ADOPTION OF ORDINANCE

Ordinance 23-15 was tabled and carried to this meeting

LAND USE ORDINANCE NO. 23-15

AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY LIMITING THE LOCATIONS AND CIRCUMSTANCES UNDER WHICH THE SALE OF ALCOHOLIC BEVERAGES MAY BE SOLD FOR ON PREMISES CONSUMPTION. (TABLED AT AUGUST 13, 2015 TOWNSHIP COMMITTEE MEETING WITH PUBLIC HEARING CARRIED TO SEPTEMBER 10, 2015)

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

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 23-15 appeared in full in the July 16, 2015 issue of the Daily Record in accordance with the law.

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

Now on Adoption, Be it resolved, that an Ordinance entitled "**AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY LIMITING THE LOCATIONS AND CIRCUMSTANCES UNDER WHICH THE SALE OF ALCOHOLIC BEVERAGES MAY BE SOLD FOR ON PREMISES CONSUMPTION**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the September 17th, 2015 issue of the Daily Record.

Motion on Adoption made by Member Ferramosca and seconded by Member Brueno and unanimously passed.

So Adopted.

ORDINANCE NO. 24-15

AMENDING AND SUPPLEMENTING SECTION 267-45. SCHEDULE XV: PARKING PROHIBITED CERTAIN HOURS AND SECTION 267-46. SCHEDULE XVI: NO STOPPING OR STANDING CERTAIN HOURS UNDER CHAPTER 267 OF THE CODE OF THE TOWNSHIP ENTITLED VEHICLES IN TRAFFIC

Recommendation that this Ordinance be Defeated at this time as a new Ordinance 27-2015 is recommended for Introduction by the School and Park Traffic Safety Committee. Perhaps Mr. Gallagher would want to make a comment at this time.

Mr. Gallagher: What we are basically what we are going to do, we are going to defeat the Ordinance that we introduced 30 days ago, we did have an opportunity to vet that Ordinance and we spent quite a bit of time on it, we spoke to the k-8 school district and spoke to the High School Board of Education members from both as committeeman

we spent quite a bit of time on it, with the Police Department and Joe Giorgio, we did have a public hearing on it, and the recommendations that we made were to allow parking, stopping and standing on those on the Memorial Junior Side of Highland Avenue we are going to have temporary parking on East Fairchild and we are going to allow parking on one side of Addie Lane. The reason why we looked at Highland Avenue as hard as we did, cause when you have cars parked on either side, at a big event which is 6-8 events a year, when you open the door it's too narrow, emergency vehicles can't get through so we all worked together to make a very fair ordinance to make it safe for our families and safer for the people who are driving by, the High School is a different set of circumstances because we lot 69 spots due to construction so as a Committee we went back in there, we looked at it, and what we were comfortable with, is creating a temporary parking solution, not having that permeant, we are all concerned with having our youngsters driving around our schools and parks, that's why we created this committee. I think this is more fair, more consistent with the safety that we are working on with the Township Committee to make our schools and parks safer, so Joe if I'm correct we are going to defeat what we introduced, and then when we get down to 27-15 we are going to introduce that.

Mayor: Thank you. Remind the Committee that an Affirmative vote is to defeat.

Mr. Giorgio: Note for the record that Ordinance 24-15 did appear in full in the August 20th, 2015 issue of the Daily Record in accordance with the law

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

ORDINANCE 24-15 DEFEATED

ORDINANCE NO. 25-15

AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED "RECREATION DEPARTMENT FEES" UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP FEES WITH THE INCLUSION OF NEW RECREATION AND PARK ADMINISTRATION DEPARTMENT FALL PROGRAM FEES

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 25-15 appeared in full in the August 20th, 2015 issue of the Daily Record in accordance with the law.

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

Motion to close a public hearing made by Member Francioli and seconded by Member Gallagher and unanimously passed.

Now on Adoption, Be it resolved, that an Ordinance entitled "**AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED "RECREATION DEPARTMENT FEES" UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP FEES WITH THE INCLUSION OF NEW RECREATION AND PARK ADMINISTRATION DEPARTMENT FALL PROGRAM FEES**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the September 17th, 2015 issue of the Daily Record.

Motion on Adoption made by Member Francioli and seconded by Member Brueno and unanimously passed.

So Adopted.

ORDINANCE NO. 26-15

AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE PERMITTED ENCROACHMENTS FOR FRONT, SIDE AND REAR YARDS

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 26-15 appeared in full in the August 20th, 2015 issue of the Daily Record in accordance with the law. Provided notification to all contiguous municipalities and the County of Morris upon Introduction and accordance with the Municipal Land Use Law the Ordinance was submitted to the Planning Board for referral, review and recommendation.

The Planning Board has a meeting next Tuesday night in which time they will discuss Ordinance 26-15. It is my recommendation that the Ordinance be continued for Public Hearing and Final Passage until the September 24, 2015 meeting so that we can await the recommendation of the Planning Board.

Motion to carry to September 24, 2015 meeting made by Member Ferramosca and seconded by Member Brueno and unanimously passed.

ORDINANCES FOR INTRODUCTION:

ORDINANCE 27-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 267-45. SCHEDULE XV: PARKING PROHIBITED CERTAIN HOURS AND SECTION 267-46. SCHEDULE XVI:NO STOPPING OR STANDING CERTAIN HOURS UNDER CHAPTER 267 OF THE CODE OF THE TOWNSHIP ENTITLED VEHICLES AND TRAFFIC

WHEREAS, in the interest of pedestrian and motorist safety, the Township Committee has reviewed the need to amend and supplement Section 267-45. entitled Schedule XV: Parking Prohibited Certain Hours and Section 267-46. Schedule XVI: No Stopping or Standing Certain Hours under Chapter 267 of the Code of the Township entitled Vehicles and Traffic; and

WHEREAS, in accordance with the recommendations of the Chief of Police, the Township Engineer and the Superintendent of Public Works, Buildings and Grounds and Park Maintenance, the governing body approves the amendments set forth below.

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

Section 1. The parking restrictions for Heritage Lane and Independence Drive under Section 267-45. Schedule XV: Parking Prohibited Certain Hours are hereby repealed in their entirety as follows:

NAME OF STREET	SIDE	HOURS/DAYS	LOCATION
Heritage Lane	Both	8:00 a.m. to 4:00 p.m./ School Days	Entire Length
Independence Dr.	Both	8:00 a.m. to 4:00 p.m./ School Days	South from Heritage Lane to End

Section 2. Section 267-45. Schedule XV: Parking Prohibited Certain Hours is hereby amended and supplemented with the inclusion of the following parking restrictions:

NAME OF STREET	SIDE	HOURS/DAYS	LOCATION
East Fairchild Place (Whippany Park High School Drive)	North	8:00 a.m. to 4:00 p.m./ School Days	East from a Point 200' East of Whippany Road to Valley Forge Drive
East Fairchild Place (Whippany Park High School Drive)	South	8:00 a.m. to 4:00 p.m./ School Days	East from a Point 200' East of Whippany Road to Valley Forge Drive

Section 3. Section 267-46. Schedule XVI: No Stopping or Standing Certain Hours is hereby amended and supplemented with the inclusion of the following no stopping or standing restrictions:

NAME OF STREET	SIDE	HOURS/DAYS	LOCATION
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East Fairchild Place*	Both	At all times	East From Whippany Road For 200'
Highland Avenue	North	At all times	From Troy Hills Road to Reynolds Avenue
Addie Lane	West	8:00 a.m. to 4:00 p.m./ School Days	From Sherry Lane to Highland Avenue

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.

The Ordinance will be further considered for Public Hearing and Final Passage at the September 24th, 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 September 17th, 2015 issue of the Daily Record.

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

So Introduced.

ORDINANCE 28-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP ENGINEER TO RETAIN THE SERVICES OF HATCH MOTT MACDONALD IN PREPARING A REMEDIAL INVESTIGATION REPORT/REMEDIAL ACTION REPORT AND BID SPECIFICATION CONCERNING THE REMOVAL OF CONTAMINATED SOIL AND REMEDIATION ACTIVITIES RELATED TO THE FORMER WASTE OIL UNDERGROUND STORAGE TANK AT THE PUBLIC WORKS GARAGE, AUTHORIZING THE ACTUAL SOIL REMOVAL AND REMEDIATION ACTIVITIES AND FURTHER APPROPRIATING THE SUM OF

\$60,000.00 FROM THE CAPITAL IMPROVEMENT FUND OF 2015 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT DESCRIBED HEREIN

WHEREAS, in March, 2015, the Township of Hanover retained the services of **Hatch Mott MacDonald** to perform a site investigation and the preparation of a site investigation report to determine if waste oil contamination related to a former waste oil underground storage tank at the Township's Public Works Department Garage was released into the soil; and

WHEREAS, on June 15, 2015, **Hatch Mott MacDonald** installed borings at the location of the former waste oil underground storage tank to obtain soil samples in delineating contamination in the backfill material; and

WHEREAS, in a letter dated September 3, 2015 to the Township Engineer, **Hatch Mott MacDonald** reported that the soil used to backfill the former waste oil underground storage tank was contaminated and that the soil needs to be removed and remediation activities performed in accordance with N.J.A.C. 7:26E and all pertinent New Jersey Department of Environmental Protection Regulations (NJDEP); and

WHEREAS, it is the intention of the Township Committee to authorize the following actions:

1. To retain the services of **Hatch Mott MacDonald** to prepare a Remedial Investigation Report/ Remedial Action Report and the preparation a bid specification in soliciting either competitive quotations or sealed competitive bids; and
2. To authorize the Township Engineer to obtain competitive quotations or advertise for the receipt of sealed competitive bids for the removal of the contaminated soil and the subsequent remediation and restoration of the area of concern within the Public Works Garage; and
3. To further authorize the necessary funds from the Capital Improvement Fund of 2015 and all prior years for the performance of professional engineering and environmental services and the actual site remediation activities.

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

Section 1. The Township Engineer is hereby authorized and directed to retain the services of **Hatch Mott MacDonald**, a professional engineering and environmental consultant firm, licensed by the State of New Jersey, for the purpose of preparing a Remedial Investigation Report/Remedial Action Report and assisting the Township Engineer in the preparation of a specification in obtaining competitive

quotations or soliciting sealed competitive bids concerning the removal of contaminated soil and the performance of remediation and restoration activities within the area where the former waste oil underground storage tank was located within the Public Works Garage.

Section 2. In accordance with the specification to be prepared by **Hatch Mott MacDonald**, the Township Engineer is further authorized and directed to obtain competitive quotations or advertise for the receipt of sealed competitive bids pursuant to the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq. in obtaining competitive quotations or soliciting sealed competitive bids concerning the removal of contaminated soil and the performance of remediation and restoration activities within the area where the former waste oil underground storage tank was located within the Public Works Garage.

Section 3. For the financing of the engineering and environmental services and the removal of the contaminated soil and performance of remediation and restoration activities described in Sections 1. and 2. above, there is hereby appropriated the sum of \$60,000.00 from the Capital Improvement Fund of 2015 and all prior years.

Section 4. This Ordinance shall take effect in accordance with law.

The Ordinance will be further considered for Public Hearing and Final Passage at the October 8th, 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 September 17th, 2015 issue of the Daily Record.

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

So Introduced.

RESOLUTIONS AS A CONSENT AGENDA

RESOLUTION NO. 177-2015

A PROCLAMATION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PROCLAIMING THE WEEK OF SEPTEMBER 17 THROUGH 23, 2015 AS CONSTITUTION WEEK IN THE TOWNSHIP

WHEREAS, September 17, 2013, marks the two hundred twenty-eight anniversary (228th) of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through the 23rd as Constitution Week.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey by virtue of the authority vested in the governing body of the Township of Hanover does hereby proclaim the week of September 17th through the 23rd as Constitution Week in Hanover Township.

BE IT FURTHER RESOLVED, the Township Committee asks our residents to reaffirm the ideals held dearly by the Framers of the Constitution in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

RESOLUTION NO. 178-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING NICHOLAS DIDOW AS A REPLACEMENT PART-TIME PARK MAINTENANCE WORKER ASSIGNED TO THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT EFFECTIVE MONDAY, SEPTEMBER 14, 2015 AND ESTABLISHING HIS COMPENSATION AT \$15.61 PER HOUR UNDER JOB GROUP I, SCHEDULE "B" AND SALARY RANGE GUIDE "D" AS SET FORTH IN SALARY ORDINANCE NO. 10-2015 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, NEGATIVE DRUG TEST AND CRIMINAL HISTORY BACKGROUND CHECK)

WHEREAS, with the resignation of Christopher J. Schimmenger as a part-time Park Maintenance Worker effective September 2, 2015, a need exists to fill the vacant position in order to assist the Public Works, Buildings and Grounds and Park Maintenance Department during the summer and early fall seasons; and

WHEREAS, it is the recommendation of the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department that **Nicholas Didow** who has worked for the Township as a temporary, seasonal employee in the past, be hired to fill the vacant position and work a maximum of twenty-eight (28) hours per week; and

WHEREAS, subject to the Township's Policies and Procedures, **Mr. Didow** will be required to receive a satisfactory medical examination, negative drug test and criminal history background check as a conditional offer of employment.

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 **Nicholas Didow** residing at 18 Legion Place in Whippany, New Jersey 07981 is hereby appointed to serve as a replacement Park Maintenance Worker assigned to the Public Works, Buildings and Grounds and Park Maintenance Department effective Monday, September 14, 2015.
2. **Mr. Didow** shall work a maximum of twenty-eight (28) hours per week and be compensated at the rate of \$15.61 per hour under Job Group I, Schedule "B" and Salary Range Guide "D" as set forth in Salary Ordinance No. 10-2015.
3. In accordance with the requirements of the Township's Employee Job Performance Evaluation System, as described in full under Section 61-18 of Chapter 61 of the Code of the Township entitled Salaries and Compensation, **Mr. Didow** shall serve a six (6) month probationary period commencing September 14, 2015 and ending on March 14, 2016. The Superintendent of Public Works, Buildings and Ground and Park Maintenance shall submit an Employee Job Performance Evaluation at least twenty (20) working days prior to the expiration of the six (6) month probationary period. In the event that **Mr. Didow** receives an unsatisfactory job performance evaluation during his probationary period, **Mr. Didow** may be terminated at the conclusion of the probationary period or sooner, whichever case is applicable.
4. This offer of employment is conditional and subject to **Mr. Didow** receiving a satisfactory medical examination, negative drug test and negative criminal history record information check, all in accordance with the Township's hiring practices as set forth in the Township's Personnel Policies and Procedures Manual and Section 61-29.N(1) through (4) entitled "Alcohol and Drug Testing Policy for Civilian Employees."
5. Pursuant to Township policy as it pertains to part-time employees, **Mr. Didow** shall not be eligible to receive any prior service credit or receive and accrue any paid vacations, sick leave, medical and dental insurance health benefits coverage of any kind whatsoever.
6. That certified copies of this resolution shall be transmitted to the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department, the Township's Chief Municipal Finance Officer and **Mr. Didow** for reference and information purposes.

RESOLUTION NO. 179-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE RETAINING THE SERVICES OF ATTORNEY C. WILLIAM BOWKLEY, JR., AT THE RATE OF \$150.00 PER HOUR FOR THE PURPOSE OF SERVING AS HEARING OFFICER REGARDING THE FILING OF DISCIPLINARY CHARGES BY THE CHIEF OF POLICE AGAINST A HANOVER TOWNSHIP PATROLMAN ASSIGNED TO THE DETECTIVE BUREAU, AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE EMPLOYMENT AND INDEMNIFICATION AGREEMENTS WITH MR. BOWKLEY

WHEREAS, the Chief of Police has filed disciplinary charges against a Police Department Patrolman assigned to the Detective Bureau; and

WHEREAS, on August 25, 2015, the Patrolman was served with a Notice of Charge and Hearing from Chief Stephen Gallagher; and

WHEREAS, the "Notice of Charge and Hearing" alleges unacceptable conduct for a police officer contrary to the Police Department's Rules and Regulations, related State Statutes, Chapter 53 of the Code of the Township entitled Police Department and the Attorney General's Internal Affairs Guidelines; and

WHEREAS, based on the alleged acts of unprofessional conduct, the Chief of Police seeks to impose disciplinary action which action may result in termination; and

WHEREAS, pursuant to the Rules and Regulations of the Police Department, promulgated under Section C. entitled "Departmental Disciplinary Hearings" under Article XII, entitled Disciplinary Code, and as recited in the specification of charges, the police officer has the right to a hearing before the Township Committee; and

WHEREAS, the Township Committee has determined that it would be in the best interest of the Patrolman and the Township to retain the services of an independent and impartial, third party professional to conduct the hearing; and

WHEREAS, the Township's Business Administrator has reviewed the credentials and professional work experience of **C. William Bowkley, Jr., Esq.**, an attorney-at-law, and believe him to be well qualified to serve as the hearing officer in this case; and

WHEREAS, in accordance with the recommendation of the Business Administrator, it is the desire of the Township Committee to retain the services of **C. William Bowkley, Jr., Esq.**

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 retains the services of **C. William Bowkley, Jr., L.L.C.**, located at 711 Route 10 East in Randolph, New Jersey 07869 for the purpose of serving as an independent and impartial third party hearing officer as it pertains to the issuance of disciplinary charges by the Chief of Police against a Patrolman.

2. In consideration of the services to be rendered by **Mr. Bowkley** as hearing officer, **Mr. Bowkley** shall be compensated at the rate of \$150.00 per hour, which amount shall include the hearing time, the preparation of a report and other reasonable hearing officer expenses. The Township's Employment and Indemnity Agreements are attached hereto and made a part of this resolution as if set forth in full.

3. The Mayor and Township Clerk are hereby authorized to execute the Employment and Indemnity Agreements with **Mr. Bowkley**.

4. A certified copy of this resolution shall be transmitted to **Mr. Bowkley**, the Township's Labor Attorney, the Chief of Police and the Chief Municipal Finance Officer along with a copy of the executed Agreements for reference and information purposes.

RESOLUTION NO. 180-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER RETAINING THE SERVICES OF US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, TO CONDUCT VIA THE INTERNET THE PUBLIC SALE OF TOWNSHIP PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE AND THE SALE OF TANGIBLE PERSONAL PROPERTY FOUND OR RECOVERED BY THE POLICE DEPARTMENT ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-36 AND 40A:14-157. OF THE LOCAL PUBLIC CONTRACTS LAW AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ON-LINE AUCTION CONTRACT

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-36. entitled "Sale or Other Disposition of Personal Property." provides that any contracting unit by resolution of its governing body may authorize, by sealed bid or public auction, the sale of its personal property not needed for public use and, in accordance with N.J.S.A. 40A:-14-157, the public sale of tangible personal property found or recovered by the Police Department; and

WHEREAS, the State of New Jersey recommends that municipalities sell personal property through an approved on-line auction system to broaden the market area for increased revenue; and

WHEREAS, although the Township has been successful in selling its personal property through the conventional method of advertising through the local official newspapers and on the Township's web site, the Township desires to expand its method of sale by utilizing an approved on-line auction vendor; and

WHEREAS, US GovBid, a Division of **Auction Liquidation Services**, with its principal place of business located at 1 Industrial Way, Building "A" in Eatontown, New Jersey 07724 will conduct the on-line public sale of Township personal property no longer needed for personal use and, tangible personal property found or recovered by the Police Department; and

WHEREAS, it is the intention of the Township Committee to retain the services of **US GovBid** to conduct the auction of Township personal property and tangible personal property via the internet.

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 **US GovBid**, a Division of **Auction Liquidation Services**, with its principal place of business at 1 Industrial Way, Building "A" in , Eatontown, New Jersey 00724 is hereby authorized to conduct the public sale of Township personal property no longer needed for public use all in accordance with N.J.S.A. 40A:11-36 and the sale of tangible personal property found or recovered by the Police Department pursuant to N.J.S.A. 40A:14-157 by auction via the internet.
2. The Mayor and Township Clerk are hereby authorized and directed to execute **US GovBid's** "Contract for On-Line Auction", a copy of which is attached hereto and made a part of this resolution as if set forth in full.
3. That a certified copy of this resolution shall be transmitted to **US GovBid**, the Township's Chief Municipal Finance Officer and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department for reference and information purposes.

RESOLUTION NO. 181-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING US GOVBID TO CONDUCT AN ON-LINE PUBLIC SALE AUCTION VIA THE INTERNET OF TOWNSHIP PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE AND THE PUBLIC SALE OF TANGIBLE PERSONAL PROPERTY FOUND OR RECOVERED BY THE POLICE DEPARTMENT

COMMENCING ON SATURDAY, OCTOBER 3, 2015 AND ENDING ON WEDNESDAY, OCTOBER 7, 2015, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-36 AND N.J.S.A. 40A:14-157

WHEREAS, in accordance with N.J.S.A. 40A:11-36., it is the desire of the governing body to authorize the public sale of Township personal property no longer needed for public use and the public sale of tangible personal property found or recovered by the Police Department in accordance with N.J.S.A. 40A:14-157; and

WHEREAS, in order to broaden the market area for the disposition of the Township's personal property and the tangible personal property found or recovered by the Police Department, it is the intention of the Township to conduct a public sale by auction over the internet; and

WHEREAS, the Township has selected **US GovBid**, a Division of Auction Liquidation Services to conduct the on-line auction of the vehicles, equipment and other property listed below; and

WHEREAS, since the estimated fair market value of the property to be sold exceeds the threshold of \$2,500.00 in any one sale as stipulated in N.J.S.A. 40A:11-36.(1) and N.J.S.A. 40A:14-157, it is the desire of the Township Committee to offer the Township personal property described below to the highest bidders by public auction via the Internet; and

WHEREAS, the Township Committee has retained the services of **US GovBid** located at 1 Industrial Way, Building "A" in Eatontown, New Jersey 07724 to conduct the on-line public auction of the Township's personal property and tangible personal property found or recovered by the Police Department; and

WHEREAS, the on-line public auction via the Internet will commence on Saturday, October 3, 2015 and end on Wednesday, October 7, 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 N.J.S.A.40A:11-36 and N.J.S.A. 40A:14-157, **US GovBid**, a Division of Auction Liquidation Services, is hereby authorized and directed to sell to the highest bidders the following Township personal property no longer needed for public use and tangible personal property found or recovered by the Police Department through an on-line public auction via the Internet:

TOWNSHIP PERSONAL PROPERTY AS FOLLOWS

DESCRIPTION OF VEHICLES:

CONDITION:

- | | |
|---|--------------|
| 1. 1996 Dodge 12 passenger van, Mileage: 49,952
VIN: 2B7KB31Z2K105000, | Fair |
| 2. 1993 ODB Leaf Picker,
VIN: 7931464 | Poor |
| 3. 2008 Dodge Durango, Mileage: 49,908
VIN: 108HB38N28F156193, | Needs Engine |
| 4. 1991 GMC Top Kick, Mileage: 41,908
VIN: 1GDP7H154MJ504482, | Fair |
| 5. 2000 Ford Taurus Wagon, Mileage: 133,629
VIN: 1FAFP5821Y6273787, | Fair |

EQUIPMENT:

CONDITION:

- | | |
|---|-----------|
| 6. Brother Intellifax 2820 – Needs drum and cartridge | Good |
| 7. Fireguard Safe by Schwab Model No. 2532CTS
Serial No. T086780 – 885 lbs, capacity 4.8 cubic feet
Dimensions 41” x 30.8” x 31.8” | Good |
| 8. LaMotte Jt-1 Code 1077 calibrated line unit Water
Samplers A one-liter sampler of clear acrylic furnished
with a 20 meter calibrated line and a lead collar which
assures rapid descent and minimal drift. No Box | Good |
| 9. H Nu Meter Photo Ionizer Model HW-101 and Calibration
kit 100PPM tso-C4H8/AIR. No Box | Good |
| 10. Tru-Chek Rain gauge Pat No.2381602 with original
Paperwork – 2 Items; One in Excellent Condition and
The second is Good - No Box | |
| 11. Nextel Motorola i670 cellular phone -has wall charger
and book in original packaging | Excellent |
| 12. Nextel Blackberry 7520 cellular phone-has, wall
charger and book in original packaging | Excellent |
| 13. Kodak Carousel 750 H projector and 2 additional
Carousels | Fair |
| 14. Hobart Fat Percentage Indicator for Ground Beef F-101
Used | Good |
| 15. Ekman Bottom Grabs Dredging Kit with clean Ben
Meadows Company cloth in package in sturdy
carrying case – Used | Good |
| 16. Dell Latitude laptop XP with Docking Station missing
wire but has extra battery and floppy/CD Exchanger | Fair |
| 17. Olympus D-580 Zoom Digital Camera, missing
battery but does have Memory card | Fair |
| 18. Nikon 4000S, 35 Millimeter Camera with zoom lens
and 5 rolls of film in camera case | Excellent |
| 19. Manta Sonar gun FR100 (for ice fishing) No Case | Good |
| 20. Orion Portable Waterproof pH meters (QTY. 2) | |

with probes and data connect equipment	Good
21. Cole-Parmer portable Magnetic Stirrer Model 4804-00	Good
22. YSI Oxygen Meter Model 51B and Battery Pack Model 5492A	Fair
23. Ectaco-itravl Language Translator with Multi Language SD card- Chinese, French, German, Italian, Polish, Portuguese, Russian, Spanish – New	Excellent

BICYCLES FOUND OR RECOVERED BY POLICE DEPARTMENT:

	<u>DESCRIPTION:</u>	<u>CONDITION:</u>
Bicycle #1	Black/Gray Diamondback -	Good
Bicycle #2	Silver Mountain Bike -	Fair
Bicycle #3	Red Huffy Multi Gear -	Good
Bicycle #4	Woman's Style DBX -	Good
Bicycle #5	Blue GT Mountain Bike -	Good
Bicycle #6	Silver Rock Hopper -	Good
Bicycle #7	Silver/Orange Next -	Fair
Bicycle #8	Black Mongoose -	Fair
Bicycle #9	Columbia Northway -	Good
Bicycle #10	"Magna" Great Divide Multi Gear -	Fair
Bicycle #11	Blue/Silver Mongoose -	Fair
Bicycle #12	Purple/Green "Magna" Multi Speed -	Fair

2. The on-line public auction via the Internet will open on Saturday, October 3, 2015 at 9:00 a.m. and will close on Wednesday, October 7, 2015 at 7:00 p.m. on the web site www.usgovbid.com
3. Any person wishing to inspect the items listed in paragraph 1 above may do so on Monday, October 5, 2015 and Tuesday, October 6, 2015 from 10:00 a.m. to 3:00 p.m. These will be the only dates and times that the items listed above may be inspected. The vehicles and bicycles are located at the Township's DPW Garage located at 25 North Jefferson Road in Whippany. The equipment is located in the storage room at the Township's Municipal Building located at 1000 Route 10 in Whippany.
4. The 2015 Contract for On-Line Auction by and between the Township and **US GovBid** is on file in the Business Administrator/Township Clerk's office and available for public inspection on any weekday between the hours of 9:00 a.m. and 4:00 p.m., Mondays through Fridays except legal holidays.
5. That a notice of the date, time and place of the public sale by auction via the internet together with a description of the items to

be sold and the conditions of sale shall be published in the Daily Record on Thursday, September 24, 2015 all in accordance with N.J.S.A. 40A:11-36(3).

6. That certified copies of this resolution and the Contract shall be transmitted to **US GovBid** and filed with the Business Administrator/Township Clerk, the Chief Municipal Finance Officer and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department for reference and information purposes.

RESOLUTION NO. 182-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-33-015-008 FOR ACNTP, LLC T/A TOSCANA TRATTORIA FOR THE LICENSE TERM COMMENCING JULY 1, 2015 THROUGH JUNE 30, 2016

WHEREAS, the New Jersey Division of Alcoholic Beverage Control has implemented a new paperless electronic liquor license renewal system known as POSSE ABC beginning with the 2015-2016 license term; and

WHEREAS, pursuant to the new guidelines established by the Division of Alcoholic Beverage Control, the following named licensee has submitted its renewal application through POSSE and paid the applicable fees to the Division of Alcoholic Beverage Control and the Township of Hanover; and

WHEREAS, the Tax Clearance Certificate for renewal purposes has been received from the New Jersey Division of Taxation for the licensee referenced below and is on file in the office of the Business Administrator/Township Clerk; and

WHEREAS, in accordance with the Township's renewal process, no municipal department or agency has filed an objection concerning the renewal of the license.

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 renewal of Plenary Retail Consumption License No. 1412-33-015-008 held by **ACNTP, LLC, t/a as Toscana Trattoria** located at 554 Route 10 West, Whippany, New Jersey 07981 for the 2015-2016 license term beginning July 1, 2015 through June 30, 2016. The licensee has paid the Township's \$2,058.00 license renewal fee for the 2015-2016 license term.

2. That certified copies of this resolution shall be transmitted to the New Jersey Division of Alcoholic Beverage Control and the Hanover Township Police Department for reference and information purposes.

RESOLUTION NO. 183-2015

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPROVING THE RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 1412-44-009-008 FOR VILLAGE SUPERMARKET OF NEW JERSEY, L.P. T/A THE VILLAGE LIQUOR STORE FOR THE LICENSE TERM COMMENCING JULY 1, 2015 THROUGH JUNE 30, 2016

WHEREAS, the New Jersey Division of Alcoholic Beverage Control has implemented a new paperless electronic liquor license renewal system known as POSSE ABC beginning with the 2015-2016 license term; and

WHEREAS, pursuant to the new guidelines established by the Division of Alcoholic Beverage Control, the following named licensee has submitted its renewal application through POSSE and paid the applicable fees to the Division of Alcoholic Beverage Control and the Township of Hanover; and

WHEREAS, the Tax Clearance Certificate for renewal purposes has been received from the New Jersey Division of Taxation for the licensee referenced below and is on file in the office of the Business Administrator/Township Clerk; and

WHEREAS, in accordance with the Township's renewal process, no municipal department or agency has filed an objection concerning the renewal of the license.

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 renewal of Plenary Retail Consumption License No. 1412-44-009-008 held by **Village Supermarket of New Jersey, L.P. t/a The Village Liquor Store** located at 178 East Hanover Avenue, Cedar Knolls, New Jersey 07927 for the 2015-2016 license term beginning July 1, 2015 through June 30, 2016. The licensee has paid the Township's \$1,385.00 license renewal fee for the 2015-2016 license term.
2. That certified copies of this resolution shall be transmitted to the New Jersey Division of Alcoholic Beverage Control and the Hanover Township Police Department for reference and information purposes.

RESOLUTION NO. 184-2015

A RESOLUTION OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY ADOPTING THE MORRIS COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN UPDATE, AS SUBMITTED TO THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN JULY, 2015 BY THE MORRIS COUNTY OFFICE OF EMERGENCY MANAGEMENT AS AN OFFICIAL PLAN OF THE TOWNSHIP OF HANOVER

WHEREAS, the Township of Hanover, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS, a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS, the *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, dated July 2015, includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law.

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 *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency in July, 2015 by the Morris County Office of Emergency Management is hereby adopted as an official plan of the Township of Hanover; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.

2. The Township of Hanover departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Township Committee, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Morris County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

RESOLUTION NO. 185-2015

A RESOLUTION APPROVING THE REFUND OF TAX OVERPAYMENTS

BE IT RESOLVED, by the Township Committee, of the Township of Hanover, County of Morris and State of New Jersey, that the following tax overpayments, as certified by Silvio Esposito, Collector of Taxes, be and are hereby refunded:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL. #</u>	<u>NAME</u>	<u>AMOUNT</u>
7601	40.04		CitiMortgage, Inc PO Box 23689 Rochester, NY 14692 RE:16 Behrens Drive	\$2814.82

Motion to approve consent agenda of the resolutions made by Member Brueno and seconded by Member Ferramosca and unanimously passed.

RAFFLE APPLICATIONS:

- RL-2858 – Whippany Fire Company – 50/50 on premise**
- RL-2859 - Whippanong American Legion Post 155 – Pull Tab Instant Raffle**

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

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of \$4,954,421.11 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 Brueno and seconded by Member Gallagher and unanimously passed.

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

OPEN TO PUBLIC

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

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

OTHER BUSINESS

Mr. Ferramosca: I have a couple, from a Planning standpoint, we are seeing progress on Whippany Road, it’s not moving along as fast as we would like it to be but the third lane is being developed, and if those who are aware exactly the point which they are at, they are moving the utility poles and the utility pole movement further towards the right to create the space for this third lane. The pole by JCP&L which is the Trigger Group that’s been moved, so JCP&L is done the next two utilities to operate in terms of relocation of lines would be Cablevision as well as Verizon. Our Engineering Department is being proactive working with these utilities trying to motivate them to accomplish this quickly as possible so they can get on to the next stage in terms of the paving process, cause we want to see Whippany Road completed as soon as possible.

Second issue is one of a Planning issue we touched base on this in our August meeting we are waiting on Planning now to come back with it’s commentary on it, but it’s still a simplification of the front yard porch component and what specifically this will do is if there is a homeowner who wants to beautify or improve their home they will be able to put up a covering above their steps and that covering above the steps will also be able to be accompanied with columns, so this is an important thing for our home owners and by doing this, by modifying the ordinance we will be able to save them time and money, in simplifying the approval process internally, we will have to wait until our September 24th meeting to see that completed.

Mr. Mayor the third item I would like to speak about is the Green Team, Hanover has a very vibrant environmental commission of which Mr. Gallagher is the liaison to the commission, in addition to that being in the commission there is a subgroup and it’s

called the Green Team, and Mr. Gallagher and myself are members of what's called this "Green Team." This Green Team, is one in which we take on many initiatives of the Environmental Commission, the Green Team has been very successful in achieving recognition in the State of New Jersey for Bronze Level Status, which is quite a feat when you look at 500 municipalities, we are like one of five or 20% of those who get that designation. The Green Team is a group of doers I'm making an appeal on behalf of us, for some doers, we need some people, who will get involved and complement the Green Team efforts. The Green Team right now is trying to schedule it's second free paper shred day for 2015, we need people, so if you can spare a couple of hours, on a Saturday morning probably in October or November please come to our meetings, our meetings are held the first Monday of each Month and our next meeting will be held in the Library at 7:00, so I encourage if you want to get involved if you want to make a difference please join our Green Team.

Mayor: Thank you.

Bob Brueno: Big Announcement of course is that Hanover Township Day is upon us this Saturday, 1-4 Malapardis Park, keep your fingers crossed for good weather, we are going to have all kinds of food and activities, one disappointing note because of the drought that we've had we will not have the paddle boats available, although ironically we are getting all kinds of rain, but there just isn't going to be enough depth to support the paddle boats, the pond is virtually dry believe it or not, but having said that we are hoping for good weather Saturday, if it does in fact rain we will make a decision by about 9:00 am and it will be moved to Sunday, so please come out for Hanover Township Day on Saturday, we also have tickets available for the Jets and Eagles game on Sunday, September 27th, contact the recreation department if you are interested in going, bus ride and ticket, should be a great game.

Also as of September 1st we are accepting credit cards for payment in the recreation department, just to make it easier for our residents to sign up and pay for activities; and last but not least we in working with the High School, or accommodating High School football games because of the construction at Whippany Park the fields are not available and we are going to make the Brick Yard Field available for High School Football, so if you are planning on going to a game at Whippany Park on September 26, October 10, or October 17th Don't Go To The High School....but rather go to the Brick Yard Field and the High School will be taking place, so we will be working with our counter parts and our regional school district for traffic, getting in and out of the Brick Yard area, but sure it will all go very smoothly.

Mr. Gallagher: I'll make it quick tonight, but I want to say that School Is Open! We are very excited about the 15-16 school year, and I want to thank the Township Committee and many of the groups for working together with the School and Park Traffic Safety Advisory Committee to make the areas in and around our schools and parks much safer. The Groups that have worked in the last three or four months together it's a pretty long list, Hanover Township PD, and it's in no specific order, Hanover Township School District, Hanover Township DPW, Engineering Department,

Trans Options, Hanover Tiger's Football, Hanover Soccer, Hanover Rotary, many many residents and last again and certainly not least the Township Committee who took a lot of time talking about this and we actually drive each other crazy with very small but specific ideas that have to be done and our deadline was for when school opens.

Lastly I want to say and I'm very proud that it's finished is the Reynolds Avenue sidewalk, the 6 foot safety fence is up the sidewalk is complete we have been going back and forth with the State to put the safety fence that goes over Route 10, it's taken a little longer than what we would have liked but it should be up shortly, John maybe a week or two..

Mr. Ferramosca: It's well underway.

Mr. Gallagher: It's well underway, the men have been working, so we have been doing quiet a bit to get ready for the opening of school and I just want to say, that I never speak for the Township Committee, but I would like to say on behalf of us we hope all the kids have a great year and I just happy we got everything done by the beginning of school, so thank you everybody and I hope all the kids have a great school year.

Mayor: Just a few quick ones, congratulations to the Administrator, congratulations to the Municipal Staff, congratulations to the Committeeman that sit here, congratulations to Hanover out of 500 Communities New Jersey Monthly Magazine said we are 15! Why we didn't make 1 I don't know, but 15 we will take out of 500! It's wonderful ~ it's speaks volumes about our community and we are very very pleased to hear that and finally some other items and another comments of mine, New Jersey Biz has us as number 3 I think the criteria is different for New Jersey business, but our EDAC did it, great as number 3 we are moving in the right direction and that is fine.

For those who would like to learn more about your town and stay abreast on current activities before the Township Committee I invite you to go onto our website: HanoverTownship.com and there you will find a midyear report that the Township Committee has prepared and it covers a great many topics and it brings you up to date to our activities both in Planning, Recreation and every department involved in the Township is addressed in there that has some activities going on, Health, Administration, etc. and I invite you to take a look at that.

Lastly, this always gets our Attorney upset when I said lastly because he knows I'm going onto a comment...Fred you can't keep me under the table, I can't tell you how terribly upset I am and I'm sure my colleagues are for the issues that Hanover Township is being put through by Village Markets. We have been very low profile on what has been going on over the last several years with Village Markets and Shop Rite and the litigations that they have pending, I can't talk about litigation, Fred I understand, so we won't go into litigation, but we will make an opinion comment as follows:

“This has been going on for several years and it is very apparent to most to who are aware that this is an effort on apart of Village Markets to stop their competition from coming into Hanover, Wegman’s Supermarkets. They have sued us at the State level and they have gone after us and have been objectors at the DOT to block Wegman’s from coming in, they are currently in another litigation with us over matters of Wetland Eluviation, defining that, etc., these objections have been answered time and time again, year by year, but the use of the court systems as is allowed by our process due process let’s Shop Rite continue to do this. It costs you and I my fellow resident’s money to defend against these suits. Currently, the Administrator and his office and this Town Hall are indicated with OPRA requests, this is a new devise that legal people use now to prolong and create additional problems before the Township. I can’t tell you how much longer this will go one, probably until the day Wegman’s cuts their ribbon and on that note, we anticipate that that date will be early February 2016, until then I can just tell you that the meter keeps running on the legal fees over this grocery wars shenanigans that keeps going on and Hanover is going to become more and more vocal on this and taking a harder line position on this in the future.”

Fred do you have any comments on this?

Mr. Semrau: Two things, one your statements are a matter of opinion and impressions it could be otherwise but still that is based on your opinions and impressions are and your experience in serving the Township and dealing with the issues and litigation is in fact existing and the second thing I would like to add is you state so well that a concern is that you don’t want to be caught in the middle of these wars and fair to say you said the same thing in defense in one point in time when you felt that someone was doing that to Shop Rite, you took a very hard line that you didn’t want us to be caught in the middle of that, so it’s just that Hanover does not want to be in the middle of these type of battles and it’s not in favor in any one particular business it’s in favor of you want the best for the residents of the Township and you want businesses to come into Hanover Township, so at one point in time, you said the same thing when you felt that another organization was attacking Shop Rite coming in.

Mayor: It’s an ongoing process of using the courts and using the legal system to delay and fort competition totally unfair in a world of where competition generates the best, but in any event this is something we have to tolerate, it can’t be legislated away unfortunately it’s got to go through the courts and I think the court probably are attended to it and doing their best to be thorough and expeditious and sorting out whether or not these complaints have basis or not. So on that note gentleman is there anything else from the Township Committee?

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

ADJOURNMENT

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

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

Joseph A. Giorgio, Township Clerk