

August 11, 2016

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, August 11, 2016, at 8:50 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Mayor Ronald Francioli, Deputy Mayor Ferramosca, Members Coppola, Brueno and Gallagher

ABSENT:

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**STATEMENT BY PRESIDING OFFICER:**

Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by posting written notices and agenda of the meeting on the bulletin board in the Municipal Building, 1000 Route 10, Township of Hanover and by hand delivering, mailing or faxing such notice and agenda to the following newspapers:

**HANOVER EAGLE  
MORRIS COUNTY'S DAILY RECORD  
THE STAR LEDGER**

and by filing same with the Township Clerk.

(Signed) Ronald F. Francioli, Mayor

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**PLEDGE OF ALLEGIANCE TO THE FLAG**

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**OPEN TO THE PUBLIC**

Motion 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.

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**APPROVAL OF TOWNSHIP COMMITTEE MINUTES:**

The Minutes of the Regular Meeting of July 14, 2016 and Bid Committee Minutes of August 2, 2016 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Coppola moved that the Minutes of the Regular Meeting of July 14, 2016 and Bid Committee Minutes of August 2, 2016 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Gallagher and was unanimously passed.

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**DEPARTMENTAL REPORTS:**

The following reports were presented and ordered filed as received:

Property Maintenance	E. DeSimoni	August Reports
Finance	S. Esposito	July 2016 Reports (2 Reports)
Police Department	M. Roddy	All activities by PD for June
Construction Department	S. Donlon	Occupancy & Building Report
Township Engineer	G. Maceira	Status Reports as of July
Public Works	B. Foran	All projects during June & July

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

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**PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE:**

**ORDINANCE NO. 21-2016**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE PERFORMANCE OF MONUMENT/GRAVESTONE RESTORATION WORK INCLUDING RELATED APPURTENANCES AT THE WHIPPANY BURYING YARD, THE EMPLOYMENT OF A FIRM SPECIALIZING IN THE RESTORATION AND PRESERVATION OF INTERMENT MONUMENTS AND MARKERS AND FURTHER AUTHORIZING THE APPROPRIATION OF \$50,000.00 FROM THE 2016 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS, THE 2016 CURRENT FUND BUDGET AND LANDMARK COMMISSION TRUST ACCOUNT FOR THE FINANCING OF THE GRAVESTONE RESTORATION PROJECT**

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 21-16 appeared in full in the July 20, 2016 issue of the Daily Record in accordance with the law.

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

Mayor: This should be noted that the Landmark Commission took a great deal of time and effort to put together a grant application before the County as George is aware, he is the Liaison to our Landmark Commission for this grant, the money that this Ordinance will provide is from Municipal funds at this juncture. Unfortunately, in our discussions with the County we met with them on one occasion to go into why our grant application for such a critically important historic piece of Hanover and the region was not considered. It came down to some technical issues not the fault or the responsibility of our Landmark Commission but in my determination more of the County's trying to interpret their own grant application. So, I commend the Landmark Commission for this and again the money that we are spending from Municipal now we will be looking in 2017 for another grant submission to recover those dollars but it is time critical that we spend the dollars now on that Whippanong Cemetery and begin to get those stones restored; every day that goes by there is more destruction. Thank you George.

Public hearing closed by Member Coppola and seconded by Member Francioli and unanimously passed.

Now on Adoption, Be it resolved, that an Ordinance entitled "**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE PERFORMANCE OF MONUMENT/GRAVESTONE RESTORATION WORK INCLUDING RELATED APPURTENANCES AT THE WHIPPANY BURYING YARD, THE EMPLOYMENT OF A FIRM SPECIALIZING IN THE RESTORATION AND PRESERVATION OF INTERMENT MONUMENTS AND MARKERS AND FURTHER AUTHORIZING THE APPROPRIATION OF \$50,000.00 FROM THE 2016 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS, THE 2016 CURRENT FUND BUDGET AND LANDMARK COMMISSION TRUST ACCOUNT FOR THE FINANCING OF THE GRAVESTONE RESTORATION PROJECT**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the August 17<sup>th</sup>, 2016 issue of the Daily Record.

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

**So Adopted.**

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**INTRODUCTION OF ORDINANCES:**

**ORDINANCE NO. 22-2016**

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**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1-2016 ENTITLED "AN ORDINANCE ESTABLISHING THE STONEY BROOK COMMUNITY FARM AND GARDEN ADVISORY COMMITTEE AND SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE ADVISORY COMMITTEE" WITH THE INCLUSION OF NEW PROVISIONS**

**WHEREAS**, the **Stoney Brook Community Farm and Garden Advisory Committee** has requested that Section 63-2.A. entitled "Election of Officers and Organization" under Ordinance No. 1-2016 be amended and supplemented to include the positions of Financial Secretary and Community Farm Manager/Supervisor.

**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. Section 63-2.A. entitled "Election of Officers and Organization." Is hereby amended and supplemented with the following new SubSections:

"63-2.A.1 Upon its formation, following the adoption of this Ordinance, the Advisory Committee shall meet to organize. The regular members shall elect a Chairperson and Vice Chairperson. In addition, the Chairperson shall designate from among its regular or ex-officio members, a Recording Secretary and a Financial Secretary. These four (4) officers shall serve one (1) year terms of office. It shall be the responsibility of the Chairperson to set the meeting schedule after conferring with the members, establish an agenda for each meeting and conduct the meetings in an orderly and timely fashion. The Advisory Committee shall prepare and adopt by-laws and such other rules and regulations to govern its procedural operations and the operations of the Community Farm and Garden.

"63-2.A.2 The Recording Secretary shall be responsible for maintaining correspondence and preparing written minutes of all Advisory Committee meetings. However, in accordance with Township policy, before any correspondence or memoranda is sent to a third party under the auspices of the Advisory Committee, any draft letter or memoranda shall be submitted to the Business Administrator for his review and approval."

"63-2.A.3. The Financial Secretary shall be responsible in maintaining the financial records of the Advisory Committee as it pertains to any annual or seasonal plot rental fees or other charges that are collected for the operation of the Community Farm and Garden. The Financial Secretary shall submit all deposits to the Township's Chief Municipal Finance Officer and provide him/her with any financial documents or records that may be needed by the Finance Department.

"63-2.A.4. In order to assist the Advisory Committee with adequate supervision over the operation of the Community Farm and Garden, the Advisory Committee may designate one or more volunteer or paid Garden Managers who will provide supervisory, technical and administrative assistance. The Garden Manager(s) will report directly to the Advisory Committee concerning all Community Farm and Garden activities."

"63-2.A.5. Subsequent to its initial formation, the Advisory Committee shall meet in January of each year to reorganize and to determine when it shall meet and how often. In accordance with the Open Public Meetings Act at N.J.S.A. 10:4-6 et seq., the Advisory Committee shall publish a notice in two (2) local newspapers, posted on the Township's official bulletin board and web site and filed with the Municipal Clerk. The annual notice shall contain the dates, times and locations of each meeting to be held during the forthcoming years.

Section 2. 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.

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**Section 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** 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 8<sup>th</sup>, 2016 meeting of the governing body and at that 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 Daily Record in accordance with the law.

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

So Introduced

#### **ORDINANCE NO. 23-16**

### **AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY IN ACCEPTING A DEED OF DEDICATION FOR A PORTION OF THE PROPERTY DESIGNATED AS BLOCK 9202, LOT 15 ON THE HANOVER TOWNSHIP TAX MAP**

**WHEREAS**, an application was made by Laurel Estates, LLC (now known and referred to as Hanover Ridge) for preliminary and final site plan approval to construct 16 detached single family dwellings on property located at 60-66 North Jefferson Road and designated as Lot 15 in Block 9202 on the Township Tax Map; and

**WHEREAS**, in conjunction with the approval as memorialized in Resolution of Approval of the Hanover Planning Board, dated January 28, 2014, Hanover Ridge was required to issue a deed of dedication for a portion of the property; and

**WHEREAS**, Hanover Ridge has provided a Deed of Dedication as required by the Resolution of Approval, appended hereto and made a part of this Ordinance; and

**WHEREAS**, the Deed of Dedication has been reviewed and approved by the Township Attorney and Township Engineer; and

**WHEREAS**, the Township of Hanover desires to formally accept the Deed of Dedication.

**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 Deed of Dedication for a portion of property designated as Block 9202, Lot 15 on the Township of Hanover Tax Map and appended hereto, is hereby accepted by the Township of Hanover.

**Section 2.** Hanover Ridge (formerly known as Laurel Estates) shall be provided with a copy of this Ordinance and shall record a copy of the Deed of Dedication with the Morris County Clerk's office within sixty (60) days of the passage of this Ordinance. Hanover Ridge shall provide Hanover Township with a copy of the Deed of Dedication once recorded.

**Section 3.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** In case, for any reason, any section or provision of this Ordinance

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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 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 8<sup>th</sup>, 2016 meeting of the governing body and at that 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 Daily Record in accordance with the law.

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

So Introduced

### **ORDINANCE NO. 24-2016**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PROVIDING FOR THE CONSTRUCTION AND INSTALLATION OF CONCRETE SIDEWALKS, APRONS AND GRANITE BLOCK CURBS ON THE WESTERLY SIDE OF SOUTH JEFFERSON ROAD AT VARIOUS LOCATIONS BEGINNING AT UKRAINE ROAD TO A POINT 300' SOUTH OF THE INTERSECTION OF EDEN LANE WITHIN THE TOWNSHIP OF HANOVER, APPROPRIATING THE SUM OF \$75,000.00 FROM THE 2016 CURRENT FUND BUDGET, SIDEWALK ACCOUNT AND PROVIDING FOR THE LEVYING OF ASSESSMENTS UPON THE SEVERAL PROPERTIES FRONTING ON THE IMPROVEMENT**

**WHEREAS**, in order to ensure the safety of pedestrians, it is the intention of the Township Committee to construct and install concrete sidewalk, aprons and granite block curbs on the westerly side of South Jefferson Road at various locations beginning at Ukraine Road to a point 300' south of the intersection of Eden Lane.

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

**Section 1.** The Township of Hanover shall construct and install concrete sidewalks, aprons, granite block curbs and other related and incidental miscellaneous work on the westerly side of South Jefferson Road at various locations beginning at Ukraine Road to a point 300' south of the intersection of Eden Lane. The property owners along South Jefferson Road to be affected by the construction of new concrete sidewalks, aprons and granite block curbs fronting on the improvement are as follows: Block 2403, Lot 3, Block 2602, Lots 1 and 3, Block 2903, Lot 22 and Block 2904, Lots 5, 6, 9 and 11 as disclosed on the Tax Assessment Maps of the Township of Hanover.

**Section 2.** The total estimated cost of the improvements described in **Section 1.** above is \$75,000.00. There is hereby appropriated from the 2016 Current Fund Budget, Sidewalk Account the sum of \$75,000.00 to underwrite the cost of the improvements.

**Section 3.** Fifty (50%) percent of the aforesaid cost of the installation of the concrete sidewalks, aprons and granite curbs and other related and incidental miscellaneous work shall be contributed by the Township at large and 50% of the aforesaid cost of the installation of the concrete sidewalks, aprons and granite block curbs shall be paid by assessments which shall be levied against the several properties fronting on the improvement in the manner prescribed and pursuant to the authority of **R.S. 40:65-1**, et seq. The estimated cost of the concrete sidewalks, aprons and granite block curbs and other related and incidental miscellaneous work is \$75,000.00.

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**Section 4.** Such assessments shall bear interest from the time of confirmation at the same rate and with the same penalties for nonpayment as assessments for local improvements in the municipality, and from the confirmation thereof shall be a first and paramount lien upon the real estate assessed to the same extent and be collected and enforced in the same manner as assessments for local improvements.

**Section 5.** The owner or owners of any land upon which any assessment for said improvement shall have been made may pay such assessment in ten (10) yearly installments with legal interest on the unpaid balance of the assessment. The first of said installments shall be due and payable sixty (60) days after the confirmation of the assessment and each subsequent annual installment and interest shall be payable on a like date in each successive year thereafter; provided that any person assessed shall have the privilege of paying the whole or any assessment or any balance of installments with accrued interest thereon at one time. If any such installment shall remain unpaid for thirty (30) days after the time when the same shall become due, the whole assessment or balance due thereon shall become and be immediately due, shall draw interest at the rate imposed upon the arrearage of taxes, and be collected in the manner, provided for by law. Such assessment shall remain a lien upon the land described therein until the same with all installments and accrued interest thereon, shall be paid and satisfied.

**Section 6.** The Township Engineer is hereby declared to be the municipal officer in charge of the improvement and shall keep an accurate account of the cost of said improvement and shall assess the proportion of costs hereby established in this ordinance to be assessed against the several properties in proportion to their respective frontage of said improvement, and file a report thereof, under oath with the Township Clerk. The Township Committee shall there after consider the same for confirmation in the manner prescribed by law.

**Section 7.** Notice of the pendency of this Ordinance shall be given to all owners of real estate affected hereby, and a hearing shall be afforded them prior to final passage. The notice may be served upon all owners residing in the Township of Hanover personally or by leaving the same at their usual place of residence with a member of the family above the age of fourteen (14) years. In the case of infants and incompetents, such notice shall be served upon their guardian; when any real estate is held in trust, upon the trustee; when held by joint tenants in common or by the entirety, upon anyone such tenant. If the owner of any such real estate is a nonresident of the municipality, the notice may be served upon him personally, or upon his agent in charge of the property, or upon the occupant thereof, or mailed to the nonresident owner at his last post office address.

If the owner is unknown, or if, for any reason, service can not be made as here and above directed, the notice shall be published in a newspaper circulating in the municipality at least once, and not less than thirty (30) days before the improvement is made by the municipality. Notices to the owner or owners of several distinct parcels of real estate may be inserted in the publication.

Proof by Affidavit of Service of such notice shall be filed within ten (10) days thereafter with the officer in charge of the records of the tax liens of the municipality, but failure to file such proofs shall not invalidate the proceedings if service has been made as hereinbefore provided.

The notice shall state the time and place at which this Ordinance shall be considered, which shall be prior to any passage of this Ordinance, and shall be served or published ten (10) days prior to the date fixed for hearing.

**Section 8.** This Ordinance shall take effect in accordance with law.

The Ordinance will be further considered for Public Hearing and Final Passage at the September 8<sup>th</sup>, 2016 meeting of the governing body and at that time any person

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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 Daily Record in accordance with the law.

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

So Introduced

**ORDINANCE NO. 25-2016**

**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 AMENDING THE REGULATIONS FOR THE WC – WHIPPANY CENTER ZONE DISTRICT**

**WHEREAS**, the current zoning regulations of the Township of Hanover include a WC – Whippany Center zone district: and

**WHEREAS**, the WC zone district was originally created in order to encourage the redevelopment of the properties in the district for a planned mixed-use center; and

**WHEREAS**, the WC zone district has been partially redeveloped under the current WC zone standards; and

**WHEREAS**, the Township Committee believes that the WC zone regulations should be amended in order to promote completion of the planned redevelopment originally envisioned for the district;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that Chapter 166 of the Code of the Township of Hanover, *Land Use and Development*, is hereby amended as follows:

**Section 1.** Paragraph E in Section 166-186.14, *Permitted accessory uses*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- E. Outdoor dining facilities accessory to a permitted restaurant use. Such facilities shall be subject to the provisions of §166-119.5, provided that §166-119.5C shall not be construed to require setbacks and buffers between outdoor dining facilities and residential uses which are located in the WC district and further provided that the requirements of §166-119.5H shall not apply, but shall be superseded by the requirements in this article.

**Section 2.** Subsection B of Section 166-186.16, *Prohibited uses*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- B. The display of goods for sale outside the confines of a building and any business conducted outside the confines of a building, including but not limited to drive-in or drive-through uses, except that drive-in and drive-through banks and pharmacies and outdoor dining accessory to a permitted food service establishment shall be permitted and regulated as set forth in this article.

**Section 3.** Subsection A of Section 166-186.18, *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

**§ 166-186.18 Development standards for planned commercial development.**

The following development standards shall apply to planned commercial development within the WC Zone District:

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- A. Minimum tract area: nine contiguous acres, ~~which minimum acreage shall include all of the property within the WC Zone District, excluding: 1) the rights-of-way of Route 10 and Troy Hills Road, 2) the property owned by the Morristown and Erie Railroad, and 3) Lot 7.01 in Block 7402 on the tax maps, currently developed and used for a cellular telecommunications monopole, antennas and related equipment.~~ It is the intent of this provision that for the planned commercial development option to apply, all land located within the WC Zone District, except the rights-of-way of Route 10 and Troy Hills Road, and except the railroad property, be included within the planned commercial development and that such land be designed in accordance with Subsection B below. This requirement anticipates the vacation of the School Street right-of-way, and its inclusion within the planned commercial development.

**Section 4.** Paragraph (2) in Subsection B of Section 166-186.18, *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (2) Within the planned commercial development tract, individual lots shall be permitted, ~~and such lots may have different owners.~~ The required floor area ratio, coverage and yard setback requirements shall not apply to such individual lots, but only to the total development tract, unless specifically indicated otherwise in this article.

**Section 5.** Paragraph (1)(b) in Subsection E of Section 166-186.18, *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby deleted and the current Paragraph (1)(c) is renumbered as Paragraph (1)(b).

- ~~(b) At least one affordable unit for every 16 jobs projected to be created by the development, based upon projected employment as set forth in the rules of the New Jersey Council on Affordable Housing (COAH). This requirement for nonresidential development shall not apply to uses or buildings that do not generate affordable housing obligations pursuant the rules of COAH. Furthermore, this requirement shall only apply if the Township agrees to subsidize the affordable units addressing the obligation resulting from nonresidential development in an amount equal to the statewide nonresidential development fee required to be paid by the developer pursuant to P.L. 2008, c. 46, and only if COAH approves such subsidy.~~

**Section 6.** 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 7.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 8.** 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 8<sup>th</sup>, 2016 meeting of the governing body and at that 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 Daily Record in accordance with the law.

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

So Introduced

The Ordinance will be further considered for Public Hearing and Final Passage at the September 8<sup>th</sup>, 2016 meeting of the governing body and at that time any person wishing to be heard will be given the opportunity to speak. The Ordinance and the

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Notice of Introduction will be published in full in the Daily Record in accordance with the law.

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

So Introduced

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**RESOLUTIONS AS A CONSENT AGENDA:**

Mr. Giorgio: For the record; at the request of the Township Committee item J [AUTHORIZING THE RELEASE OF THE TWO (2) YEAR SITE IMPROVEMENT MAINTENANCE BOND IN THE AMOUNT OF \$111,395.00 TO WHIPPANY VILLAGE, LLC AS IT RELATES TO THE COMPLETION OF THE CONSTRUCTION OF THE CVS PHARMACY AND SITE IMPROVEMENTS AT 5-11 TROY HILLS ROAD, 420 AND 476 ROUTE 10 AND 10 SCHOOL STREET] will be deleted at this time and a motion to delete was made by Member Ferramosca and seconded by Member Gallagher and all in favor.

Second request deals with Item E which will be taken as a separate vote after we do the consent agenda: [PROMOTING PATROLMAN JOHN SCHAUDER TO THE RANK AND POSITION OF SERGEANT EFFECTIVE SEPTEMBER 1, 2016 AND ESTABLISHING HIS COMPENSATION AT \$112,239.00 PER ANNUM UNDER STEP 1 OF THE SERGEANT'S STEP CLASSIFICATION GUIDE AS SET FORTH IN SALARY ORDINANCE NO. 21-2014].

Mr. Giorgio: Gentleman, as a consent agenda gentleman you will be voting on resolutions A, B, C, D, F, G, H, I, K, L, M, N, O, P, Q, R, S, and T ~ Motion made by Member Coppola and seconded by Member Brueno and unanimously passed. (Member Ferramosca voted No but realized he made a mistake and agreed on the consent agenda excluding J & E.)

Separate Vote on Item E which is: (out of sequence because of how it appears on the Agenda)

**RESOLUTION NO. 151-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE PROMOTING JOHN SCHAUDER TO THE RANK AND POSITION OF SERGEANT EFFECTIVE SEPTEMBER 1, 2016 AND ESTABLISHING HIS COMPENSATION AT \$112,239.00 PER ANNUM UNDER STEP 1 OF THE SERGEANT'S STEP CLASSIFICATION GUIDE AS SET FORTH IN SALARY ORDINANCE NO. 21-2014**

**WHEREAS**, the Hanover Township Police Department's organization chart provides for five (5) sergeant positions; and

**WHEREAS**, with the promotion of Sergeant David White to the position of Lieutenant effective September 1, 2016, one of the five (5) sergeant positions is vacant; and

**WHEREAS**, in order to maintain adequate supervision within all bureaus of the Police Department, including its platoon organization, it is essential to the proper operation of the Department that a patrolman be promoted to the rank of sergeant; and

**WHEREAS**, pursuant to N.J.S.A. 40A:14-118. and Section 53-3.1 under Chapter 53 of the Code of the Township entitled "Township Committee as Appropriate Authority Under Law", the Township Committee is deemed the appropriate authority in the appointment of such members, officers and personnel as shall be deemed necessary for the efficiency and routine day-to-day operations of the Police Department, and therefore has the final authority under law to determine promotions in the Police Department; and

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**WHEREAS**, in accordance with the Police Department's Policies and Procedures, under Chapter 18 of Volume 2, the promotional process for the rank of sergeant began on March 15, 2015 with the performance of oral examinations and culminated with the posting of test scores on April 7, 2016; and

**WHEREAS**, in an e-mail memorandum dated April 7, 2016 to Township Committeeman and Director of Public Safety George F. Coppola, Captain Shawn Waldron presented the top six (6) candidates with their final scores for the position of Sergeant; and

**WHEREAS**, subsequently on the same day, the Captain of Police advised the six (6) candidates as to their ranking in the promotional process and advised them that the promotional list will remain active for two (2) years until April 7, 2018; and

**WHEREAS**, by resolution dated July 14, 2016, Patrolman Robert Carpenter, the officer who received the second highest test score, was promoted to sergeant; and

**WHEREAS**, the third highest score for the position of sergeant was attained by **Patrolman John Schauder**; and

**WHEREAS**, **Patrolman Schauder** commenced employment with the Township as a law enforcement officer on September 29, 2003; and

**WHEREAS**, in accordance with the final test scores established through the Police Department's promotional process, as set forth in the Department's Policies and Procedures, it is the intention of the Township Committee, as the Appropriate Authority, to appoint **John Schauder** to the position of **Sergeant** effective September 1, 2016.

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

1. Pursuant to N.J.S.A. 40A:14-118 and Section 53-3.1 of Chapter 53 of the Code of the Township entitled Police Department, and in accordance with the final promotional scores for the position of sergeant, the governing body, as the Appropriate Authority, hereby appoints and promotes **Patrolman John Schauder** to the rank and position of **Sergeant** effective Thursday, September 1, 2016.
2. **Sergeant Schauder** shall be compensated at the base salary of \$112,239.00 per annum under Step 1 of the Sergeant's Step Classification Guide as set forth in Ordinance No. 21-2014.
3. That certified copies of this resolution shall be transmitted to the Chief of Police, the Township's Chief Municipal Finance Officer and **Sergeant Schauder** for reference and information purposes.

Motion made by Member Coppola to take vote on Item E and seconded by Member Gallagher.

VOTE: TAG Yes; JLF Yes; BB No; GFC Yes; RFF Yes.  
Four Ayes and One Nay

#### **RESOLUTION NO. 147-2016**

#### **A RESOLUTION PROVIDING FOR THE ADVANCEMENT IN GRADE AND COMPENSATION FOR PATROLMEN RICHARD CAMASTA AND MICHAEL BYRNES IN THE POLICE DEPARTMENT HAVING RECEIVED SATISFACTORY JOB PERFORMANCE EVALUATIONS**

**WHEREAS**, in accordance with the Police Department's Job Performance

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Evaluation System, the employee named below has received satisfactory job performance evaluations from the Chief of Police, and subject to Township policy, is entitled to advance in grade and compensation based on their anniversary date as described below; and

**WHEREAS**, the Township's Chief Municipal Finance Officer has certified that the advancement in grade and compensation for the officer mentioned below is correct.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hanover in the County of Morris that the individuals named below, in accordance with the current Collective Negotiations Agreement with the Policeman's Benevolent Association, PBA Local No. 128 and Salary Ordinance No. 21-14 shall be advanced in grade and compensation on his anniversary date as follows:

**POLICE:**

**Patrolman Richard Camasta** \$68,633.00 per annum  
Schedule A (PBA) – Step 2 Effective Date: 09/01/16

**Patrolman Michael Byrnes** \$68,633.00 per annum  
Schedule A (PBA) – Step 2 Effective Date: 09/01/16

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be transmitted to the Township's Chief Municipal Finance Officer and Chief of Police for their reference and action.

**RESOLUTION NO. 148-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING BRIAN PILLION AS SUPERVISOR OF THE PARK MAINTENANCE DIVISION IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING SEPTEMBER 1, 2016 AND ENDING FEBRUARY 1, 2017 AND ESTABLISHING HIS COMPENSATION AT \$66,241.00 PER ANNUM UNDER JOB GROUP IX IN ACCORDANCE WITH SCHEDULE "B" AND SALARY RANGE GUIDE "D" OF SALARY ORDINANCE NO. 9-16**

**WHEREAS**, on April 8, 2010, the Township Committee adopted Ordinance No. 12-10 which created a new Department of Public Works, Buildings and Grounds and Park Maintenance; and

**WHEREAS**, the governing body also adopted a companion ordinance, Ordinance No. 13-10 on April 8, 2010 which established a table of organization for the newly created Department mentioned above in order to provide effective operations and the efficient delivery of services to the residents of Hanover Township and the public in general; and

**WHEREAS**, in order to maintain departmental organization and chain of command pursuant to the new table of organization, Ordinance No. 13-10 created four (4) new supervisory positions; namely, the Supervisor of the Buildings and Grounds Division, the Supervisor of the Park Maintenance Division, the Supervisor of the Road Division; and, the Supervisor of the Sanitation Division; and

**WHEREAS**, with the retirement of William Brittle as Supervisor of the Park Maintenance Division on July 1, 2016, a need exists to fill the vacant position in order to provide for the proper supervision and management of the employees of the Park Maintenance Division; and

**WHEREAS**, on June 29, 2016, a notice entitled "Employment Opportunity-Job Vacancy" was posted on the bulletin boards at the Public Works Department Garage notifying all employees of the vacant supervisory position and that any

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employee wishing to apply for the position should submit a letter of interest to the Business Administrator by Friday, July 8, 2016; and

**WHEREAS**, a total of six (6) employees submitted letters indicating interest to fill the position; and

**WHEREAS**, on July 11, 2016, the Business Administrator, Human Resource Specialist and Superintendent of Public Works, Buildings and Grounds and Park Maintenance Department interviewed the six (6) candidates; and

**WHEREAS**, the candidates were rated on their job knowledge, experience and expertise as well as their overall skills and abilities in performing their current duties and tasks; and

**WHEREAS**, as a result of the interviews, the Business Administrator, Human Resource Specialist and Superintendent recommend that **Brian Pillion**, an employee of the Department possesses the necessary work experience, job qualifications and expertise matching the job description for the position of Supervisor of the Park Maintenance Division and should be appointed to fill the vacancy; and

**WHEREAS, Mr. Pillion** has been an employee of the Public Works Department since September 3, 1996 and currently serves as a Laborer II/Sanitation Collector II/Truck Driver I; and

**WHEREAS**, the position of Supervisor of the Park Maintenance Division is classified under Job Group IX, Schedule "D" pursuant to Salary Ordinance No. 9-2016.

**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 the recommendation of the Business Administrator, Human Resource Specialist and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department, the governing body hereby appoints and promotes **Brian Pillion**, residing at 10 Hillcrest Road in Whippany, New Jersey 07981 to the position of **Supervisor of the Park Maintenance Division** for a six (6) month probationary period commencing on Thursday, September 1, 2016 and ending on Wednesday, February 1, 2017.
2. In accordance with Schedule "B" and Salary Range Guide "D" of Salary Ordinance No. 9-2016, **Mr. Pillion**, as a management employee, shall be compensated at \$66,241.00 per annum under Job Group IX. Since he is within the range guide, **Mr. Pillion** shall only be eligible to receive the annual cost of living adjustment if and when Salary Guides "C" and "D" are adjusted at any time by the governing body and only upon receiving a satisfactory job performance evaluation from the Superintendent. **Mr. Pillion** shall not be eligible to receive compensatory time as a management employee.
3. **Mr. Pillion** shall be subject to the requirements of the Employee Job Performance Evaluation System as described in full under Section 61-18. Of Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies. In the event that **Mr. Pillion** receives an unsatisfactory job performance evaluation during the probationary period, **Mr. Pillion** may be returned to his former position or an equivalent position at the conclusion of the probationary period or sooner, whichever is applicable.
4. That certified copies of this resolution shall be transmitted to **Mr. Pillion**, the Superintendent and the Township's Chief Municipal Finance Officer for reference and information purposes.

**RESOLUTION NO. 149-2016**

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**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER SUPPORTING THE RECOMMENDATIONS OF COMMITTEEMAN AND DIRECTOR OF PUBLIC SAFETY GEORGE F. COPPOLA IN THE PROMOTION OF ONE (1) SERGEANT TO THE RANK AND POSITION OF LIEUTENANT, ONE (1) PATROLMAN TO THE RANK AND POSITION OF SERGEANT AND THE HIRING OF ONE (1) REPLACEMENT PATROLMAN IN ORDER TO MAINTAIN THE APPROVED AUTHORIZED MANPOWER STRENGTH OF THE POLICE DEPARTMENT**

**WHEREAS**, the manpower strength of the Hanover Township Police Department was authorized and approved by the Township Committee at thirty (30) sworn law enforcement officers; and

**WHEREAS**, the current organization structure of the Police Department consists of the following:

One (1) Chief of Police  
One (1) Captain of Police  
Two (2) Lieutenants  
Five (5) Sergeants  
Four (4) Patrolmen Assigned to the Detective Bureau; and  
Seventeen (17) Patrolmen; and

**WHEREAS**, since April, 2016, the Police Department has experienced major personnel changes as a result of retirements requiring the promotion of other officers to fill supervisory and management positions and the hiring of two (2) new replacement Patrolmen; and

**WHEREAS**, with the pending retirement of Lieutenant James Peslis effective September 1, 2016, a need exists to promote one (1) sergeant to the rank and position of lieutenant, one (1) patrolman to the rank and position of sergeant, and the hiring of one (1) new patrolman in order to maintain the authorized strength of the Police Department at thirty (30) law enforcement officers; and

**WHEREAS**, Committeeman George F. Coppola, in his role as Director of Public Safety, recommends that the Township Committee formally support and endorse the promotion of **Sergeant David White** to the rank and position of Lieutenant and the promotion of **Patrolman John Schauder** to the rank and position of Sergeant so that the Police Department has the ability to provide adequate management and supervision of its officers and all law enforcement operations; and

**WHEREAS**, with the proposed promotion of a patrolman to the rank and position of sergeant, Committeeman Coppola also recommends that one (1) replacement patrolman be hired in order for the Patrol Division to perform its community related duties and responsibilities.

**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 the recommendation of Committeeman and Director of Public Safety George F. Coppola, the governing body supports and endorses the promotion of **Sergeant David White** to the rank and position of Lieutenant and the promotion of **Patrolman John Schauder** to the rank and position of Sergeant effective September 1, 2016.
2. In order to maintain the approved authorized strength of the Hanover Township Police Department at thirty (30) sworn law enforcement officers, the Township Committee also approves the hiring of one (1) replacement patrolman.

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3. Pursuant to the regulations governing the appointment of police officers under Article II entitled "Appointments" set forth in Chapter 53 of the Code of the Township entitled Police Department, the Chief of Police is authorized and directed to begin the process for the hiring of one (1) replacement patrolman.
4. That certified copies of this resolution to the Chief of Police and Chief Municipal Finance Officer for reference and information purposes.

**INTRODUCED AND SPONSORED BY COMMITTEEMAN GEORGE F. COPPOLA**

**RESOLUTION NO. 150-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE PROMOTING DAVID WHITE TO THE RANK AND POSITION OF LIEUTENANT EFFECTIVE SEPTEMBER 1, 2016 AND ESTABLISHING HIS COMPENSATION AT \$133,539.00 PER ANNUM UNDER THE LIEUTENANT'S CLASSIFICATION GUIDE AS SET FORTH IN SALARY ORDINANCE NO. 19-2015**

**WHEREAS**, the Hanover Township Police Department's organization chart provides for two (2) Lieutenant positions; and

**WHEREAS**, with the retirement of Lieutenant James Peslis effective September 1, 2016, his position will be vacated; and

**WHEREAS**, in order to maintain adequate supervision within all bureaus of the Police Department, including its platoon organization, it is essential to the proper operation of the Department that a Sergeant be promoted to the rank of Lieutenant; and

**WHEREAS**, pursuant to N.J.S.A. 40A:14-118. and Section 53-3.1 under Chapter 53 of the Code of the Township entitled "Township Committee as Appropriate Authority Under Law", the Township Committee is deemed the appropriate authority in the appointment of such members, officers and personnel as shall be deemed necessary for the efficiency and routine day-to-day operations of the Police Department, and therefore has the final authority under law to determine promotions in the Police Department; and

**WHEREAS**, in accordance with the Police Department's Policies and Procedures, under Chapter 18 of Volume 2, the promotional process for the rank of Lieutenant began on June 21, 2016 with the performance of oral examinations and culminated with the posting of test scores on June 23, 2016; and

**WHEREAS**, in a memorandum dated June 23, 2016 to the Township Committeeman, Chief Mark Roddy submitted the names and final ranking of the three (3) candidates for promotion to the rank and position of Lieutenant; and

**WHEREAS**, subsequently on the same day, the Chief of Police advised the three (3) candidates as to their ranking in the promotional process and advised them that the promotional list will remain active for two (2) years until June 23, 2018; and

**WHEREAS**, the second highest score for the position of Lieutenant was attained by **Sergeant David White**; and

**WHEREAS**, **Sergeant White** commenced employment with the Township as a law enforcement officer on August 5, 1996; and

**WHEREAS**, in accordance with the final test scores established through the Police Department's promotional process, as set forth in the Department's Policies and Procedures, it is the intention of the Township Committee, as the Appropriate Authority, to appoint **David White** to the position of **Lieutenant** effective September 1, 2016.

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

1. Pursuant to N.J.S.A. 40A:14-118 and Section 53-3.1 of Chapter 53 of the Code of the Township entitled Police Department, and in accordance with the final promotional scores for the position of Sergeant, the governing body, as the Appropriate Authority, hereby appoints and promotes **Sergeant David White** to the rank and position of **Lieutenant** effective Thursday, September 1, 2016.
2. **Lieutenant White** shall be compensated at the base salary of \$133,539.00 per annum under the Lieutenant's Classification Guide as set forth in Ordinance No. 19-2015.
3. That certified copies of this resolution shall be transmitted to the Chief of Police, the Township's Chief Municipal Finance Officer and **Lieutenant White** for reference and information purposes.

### **RESOLUTION NO. 152-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF HANOVER AND THE TOWNSHIP OF EAST HANOVER CONCERNING A SHARED VIOLATIONS BUREAU AND MUNICIPAL COURT WITH THE TOWNSHIP OF HANOVER SERVING AS THE LEAD AGENCY FOR A FIVE (5) YEAR PERIOD COMMENCING ON SEPTEMBER 1, 2016 THROUGH AUGUST 31, 2021 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE AGREEMENT, ALL IN ACCORDANCE WITH N.J.S.A. 40A:65-1 ET SEQ.**

**WHEREAS**, the "Uniform Shared Services and Consolidation Act", N.J.S.A. 40A:65-1 et seq. (the "Act"), authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, N.J.S.A. 2B:12-1(c) allows two or more municipalities to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint the same persons as judge, municipal prosecutor, municipal public defender and certified court administrator without establishing a joint municipal court; and

**WHEREAS**, by resolutions dated April 14, 2011 and June 6, 2011, the Townships of Hanover and East Hanover respectively, authorized the execution of a five (5) year Violation Bureau and Municipal Court Shared Services Agreement for the period beginning September 1, 2011 and terminating on August 31, 2016; and

**WHEREAS**, the Township of Hanover and the Township of East Hanover, collectively referred to as the "Parties," desire to renew the Violations Bureau and Municipal Court Shared Services Agreement, in accordance with N.J.S.A. 2B:12-1(c), in order to conserve resources and to provide for a more efficient and more economically sound municipal court operation and system; and

**WHEREAS**, the Township of Hanover shall continue to serve as the lead agency with East Hanover Township using the facilities of the lead agency; and

**WHEREAS**, this arrangement is in the spirit of inter-municipal cooperation, and in furtherance of the principles underlying the Act; and

**WHEREAS**, the terms and conditions governing the joint provision of the contemplated services, pursuant to N.J.S.A. 2B:12-1(c), are set forth in a proposed Shared Services Agreement, a copy of which is attached hereto and made a part of this

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resolution as if set forth in full; and

**WHEREAS**, the Township Committee of the Township of Hanover wishes to authorize the Township of Hanover to enter into the attached renewed Shared Services Agreement, and to authorize the Mayor and Township Clerk to execute the Agreement on behalf of Hanover Township.

**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 of Hanover is hereby authorized to renew the attached Shared Services Agreement with the Township of East Hanover for the provision of a shared Violations Bureau and Municipal Court in accordance with N.J.S.A. 2B:12-1(c). The Township of Hanover shall serve as the lead agency with the Township of East Hanover utilizing the facilities of the lead agency.

2. The term of the renewed Shared Services Agreement shall be five (5) years commencing on September 1, 2016 and terminating on August 31, 2021. Except, however, either Township may withdraw from the shared Violations Bureau and Municipal Court by adopting a resolution providing for such withdrawal. However, no such resolution may be adopted until after twenty-four (24) months of this Agreement has elapsed and which resolution shall provide a minimum of nine (9) months written notice of the proposed withdrawal to the other member municipality participating in the Shared Violations Bureau and Municipal Court.

3. That the Mayor and Township Clerk are hereby authorized to execute the renewed Shared Services Agreement on behalf of Hanover Township.

4. That the Shared Services Agreement shall not become effective until (i) the governing bodies of both Parties have adopted Resolutions authorizing the execution of said Agreement; (ii) the full execution of the Agreement by the duly authorized representatives of the Parties; and (iii) the approval of the agreement by the Superior Court of New Jersey and the New Jersey Administrative Office of the Courts, if required.

5. Pursuant to N.J.S.A. 40A:65-5, a copy of the Shared Services Agreement shall be available for public inspection immediately following the adoption of this Resolution.

6. That certified copies of this resolution shall be transmitted to the Mayor and Council of East Hanover Township, to the Morris County Assignment Judge, the Manager of the Morris-Sussex Vicinage and the Township's Chief Municipal Finance Officer.

**RESOLUTION NO. 153-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE RENEWAL AGREEMENT FOR A THREE (3) YEAR PERIOD BEGINNING JANUARY 1, 2017 AND ENDING JANUARY 1, 2020 AT 12:01 A.M.**

**WHEREAS**, the Township of Hanover is a member of the Morris County Municipal Joint Insurance Fund (Fund); and

**WHEREAS**, membership in the Fund terminates as of December 31, 2016 unless earlier renewed by agreement between the Municipality and the Fund; and

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**WHEREAS**, the Township Committee believes that it is in the best interest of the taxpayers of the Township to renew membership for an additional three (3) year period commencing January 1, 2017.

**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 Township of Hanover agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the By-Laws, Rules and Regulations, coverages and policies and operating procedures thereof as presently existing or as modified from time to time by lawful acts of the Fund.
2. The Mayor and Township Clerk are hereby authorized to execute the renewal agreement which is attached hereto and made a part of this resolution.
3. Renewal in the Fund shall be for a three (3) year period commencing January 1, 2017 and ending January 1, 2020 at 12:01 a.m.
4. That a certified copy of this resolution shall be transmitted to the Executive Director of Public Entity Risk Management Administration, Inc., the administrative organization of the Fund and the Township's Fund Commissioner for reference and action purposes.

**RESOLUTION NO. 154-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING REDUCED BEE MEADOW SWIMMING POOL MEMBERSHIP RESIDENT AND NON-RESIDENT FEES BEGINNING ON AUGUST 1, 2016 AND ENDING ON SEPTEMBER 5, 2016 ALL IN ACCORDANCE WITH ORDINANCE NO. 4-2016**

**WHEREAS**, during its July 19, 2016 meeting, the Board of Recreation Commissioners approved reduced resident and non-resident Bee Meadow Swimming Pool membership fees for the period beginning August 1, 2016 and ending on September 5, 2016; and

**WHEREAS**, the Township Committee concurs with the recommendation of the Board of Recreation Commissioners and hereby approves the reduced Bee Meadow Swimming Pool membership fees all in accordance with the resident and non-resident pool membership fees established by Ordinance No. 4-2016 as adopted on February 11, 2016.

**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 following reduced resident and non-resident Bee Meadow Swimming Pool fees for the period beginning August 1, 2016 through September 5, 2016 are hereby adopted and approved by the governing body:

	<b>RESIDENT FEE</b>	<b>REDUCED FEE</b>	<b>DISCOUNT AMOUNT</b>
FAMILY	\$340.00	\$204.00	\$136.00
TWO PERSON	\$295.00	\$177.00	\$118.00
SINGLE	\$230.00	\$138.00	\$ 92.00
SENIOR COUPLE	\$210.00	\$126.00	\$ 84.00
/GRANDCHILD	\$265.00	\$159.00	\$106.00
SENIOR SINGLE	\$135.00	\$ 81.00	\$ 54.00
/GRANDCHILD	\$190.00	\$114.00	\$ 76.00
ASSOCIATE	\$185.00	\$110.00	\$ 74.00

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	<b><u>NON-RESIDENT FEE</u></b>	<b><u>REDUCED FEE</u></b>	<b><u>DISCOUNT AMOUNT</u></b>
FAMILY	\$555.00	\$333.00	\$222.00
TWO PERSON	\$485.00	\$291.00	\$194.00
SINGLE	\$410.00	\$246.00	\$164.00
SENIOR COUPLE	\$380.00	\$228.00	\$152.00
SENIOR SINGLE	\$305.00	\$183.00	\$122.00
ASSOCIATE	\$365.00	\$219.00	\$ 146.00

2. That certified copies of this resolution shall be transmitted to the Superintendent of the Recreation and Park Administration Department and the Chief Municipal Finance Officer for reference and action purposes.

**RESOLUTION NO. 155-2016**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN HANOVER RIDGEDALE, LLC AND THE TOWNSHIP CONCERNING THE CONSTRUCTION OF A QUICKCHEK CONVENIENCE STORE/GASOLINE STATION, AUTOZONE AUTO PARTS RETAIL STORE, MAIN RETAIL BUILDING, TWO (2) RESTAURANT/COMMERCIAL BUILDINGS, OFF-STREET PARKING AND OTHER IMPROVEMENTS ON PROPERTY LOCATED AT HANOVER AND RIDGEDALE AVENUES IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 12.01 IN BLOCK 1702 AND LOT 8 IN BLOCK 1701, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER WHICH EXECUTION OF THE AGREEMENT IS SUBJECT TO THE RECEIPT OF THE CASH AND PERFORMANCE SURETY BONDS, AND ANY OTHER INSTRUMENTS AS DESCRIBED IN THE DEVELOPER'S AGREEMENT**

**WHEREAS**, Hanover Ridgedale, LLC, as applicant, applied to the Planning Board of the Township of Hanover for preliminary and final site plan and preliminary and final major sub-division approval to construct a QuickChek Convenience/Gasoline Station, AutoZone Auto Parts Retail Store, Main Retail Building with Three (3) retail areas and two (2) Commercial Buildings, off-street parking areas and driveways, storm water management facilities, associated utilities, landscaping and other related site improvements on property located at Hanover and Ridgedale Avenues in the Cedar Knolls Section of the Township and designated as Lot 12.01 in Block 1702 and Lot 8 in Block 1701 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, by resolution adopted by the Planning Board on March 8, 2016 and memorialized on February 16, 2016, Hanover Ridgedale, LLC received preliminary and final site plan and preliminary and final major sub-division and variance and exceptions approval subject to conditions which were outlined in the February 16, 2016 resolution; and

**WHEREAS**, the applicant is proposing to develop the project in multiple phases including roadway widening improvements along Hanover Avenue and intersection improvements at Ridgedale and Hanover Avenues as well as the construction of a signalized shared driveway with the development and the Morris County Department of Public Works Garage; and

**WHEREAS**, under State law, Township Ordinances, and Planning Board rules, regulations and requirements, the granting of final approval to said site plan is contingent upon the Developer having completed all such improvements within and without Block 1702, Lot 12.01 and Block 1701, Lot 8, in accordance with the requirements of said preliminary and final approvals or furnishing performance guarantees in lieu thereof to be approved by the Township and conditioned upon satisfactory completion by the Developer of all such improvements as provided in N.J.S.A. 40:55D-53 and the execution of this Agreement; and

**WHEREAS**, the Developer desires to improve said Site in accordance with all applicable requirements, including those set forth in this agreement.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute a Developer's Agreement by and between the Township of Hanover and **Hanover Ridgedale, LLC**, the Developer, concerning the construction of an QuickChek Convenience/Gasoline Station, AutoZone Auto Parts Retail Store, Main Retail Building with Three (3) retail areas and two (2) Commercial Buildings, off-street parking areas and driveways, storm water management facilities, associated utilities, landscaping and other related site improvements on property located at Hanover and Ridgedale Avenues in the Cedar Knolls Section of the Township and designated as Lot 12.01 in Block 1702 and Lot 8 in Block 1701 as set forth on the Tax Map of the Township of Hanover. However, the Mayor and Township Clerk shall not execute the Developer's Agreement until the following instruments and guarantees are first submitted to the Township, and only after the Township Engineer has reviewed and accepted all of the pertinent documents and plans required for approval before construction activities commence, including but not limited to any other State or County approvals that may be required. In addition, where an approval of a site plan or a variance is subject to certain stated conditions, or where the approval was made subject to the approval of other governmental units, N.J.A.C. 5:23-2.15(a)(5) requires that the applicant for a building permit must furnish a "statement that all required State, County and local prior approvals have been given."

- A. The Developer shall be responsible in submitting a total performance guarantee of \$2,171,885.00 which includes submission to the Township Clerk of a certified check or cash in the amount of \$217,188.00 representing the cash performance guarantee as required pursuant to the Township's Ordinance and paragraph 5(a) of the Developer's Agreement. And, submission to the Township Clerk of a Performance Surety Bond or Irrevocable Standby Letter of Credit in the amount of \$1,954,697.00 as a performance guarantee for completion of the improvements provided for in Schedule "A" attached to the Developer's Agreement, and all in accordance with paragraph 5(a) of said Agreement.
- B. In accordance with paragraph 5(c) of the Developer's Agreement, and the Township Engineer's Schedule "A", the Developer has deposited with the Township inspection fees to cover the cost of Township engineering, review, inspection and supervision of all improvements and deposited fees to cover the cost of the Hanover Sewerage Authority inspecting the sanitary sewer facilities subject to the provision of N.J.S.A. 40:55D-53.h as part of the Limited Site Improvement Construction and Grading Agreement.
- C. Submission of a Certificate of Insurance to the Township Clerk naming the Township of Hanover as "an additional insured", all in accordance with paragraph 16 of the Developer's Agreement.
- D. In accordance with N.J.S.A. 40:55D-8.1-8.7 and Section 166.48.1 of Chapter 166 of the Code of the Township entitled Land Use and Development Legislation, the Developer shall be responsible to pay a Mandatory Development Fee for Affordable Housing in the amount of 2% of the equalized assessed value of any non-residential property as determined by the Municipal Tax Assessor.
- E. In accordance with paragraph 24 of the Developer's Agreement, the Developer is subject to the terms of the Township's tree regulations as described in full in the Township's Code. Compliance with the tree regulations shall be determined prior to the release of the cash bond, performance surety bond or Irrevocable Letter of Credit.
- F. Furthermore, the Developer shall comply with all the requirements and

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conditions more specifically outlined in full in the attached Developer's Agreement and Schedule "A".

G. The Developer's Agreement shall not be signed by the Mayor and Township Clerk until the Township Engineer has received all of the cash and surety performance bonds, any other fees as required at the time of signing, and the conveyance of any applicable deeds of dedication, conservation easements or any other pertinent documents, drawings and plans needed for approval prior to the commencement of any construction activities.

2. That certified copies of this resolution shall be transmitted to the Township Engineer, the Construction Official, the Township's Chief Municipal Finance Officer, the HSA Executive Director and **Hanover Ridgedale, LLC** for reference and action purposes.

**RESOLUTION NO. 156-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE CHIEF MUNICIPAL FINANCE OFFICER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$300.00 TO LEONARD SORRESSE, JR. AS A RESULT OF PAYING A "C" VARIANCE FILING FEE TO THE BOARD OF ADJUSTMENT RELATED TO CASE NO. 1799 FOR A RESIDENTIAL BUILDING ADDITION ON PROPERTY LOCATED AT 26 RUNNYMEADE COURT IN THE WHIPPANY SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 8 IN BLOCK 7102 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS**, Leonard Sorresse, Jr. submitted an application to the Board of Adjustment seeking approval to add a master suite above an existing garage on a single family dwelling located at 26 Runnymede Court in the Whippany Section of the Township and designated as Lot 8 in Block 7102 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, during the technical review process, it was determined that a "C" Variance was not required and therefore, the applicant should be refunded his \$300.00 application fee for the "C" Variance filing; and

**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 Township's Chief Municipal Finance Officer is hereby authorized and directed to issue a refund check in the amount of \$300.00 to Leonard Sorresse, Jr. residing at 26 Runnymede Court in the Whippany Section of the Township and designated as Lot 8 in Block 7102 in view of the fact that a "C" Variance is not required as it relates to Board of Adjustment Case No. 1799 pertaining to an addition of a master suite above an existing garage located on the single family dwelling described herein.
2. That certified copies of this resolution shall be transmitted to the Township's Chief Municipal Finance Officer and the Secretary to the Board of Adjustment for reference and action purposes.

**RESOLUTION NO. 157-2016**

**A RESOLUTION AUTHORIZING THE FINAL CASH BOND RELEASE IN THE AMOUNT OF \$35,548.00 PLUS A PORTION OF THE INTEREST PURSUANT TO P.L. 1985, C. 315 TO FOREST HILL DEVELOPERS, L.L.C., THE DEVELOPER, REGARDING THE COMPLETION OF THE PHASE I CONSTRUCTION OF EIGHTEEN (18) SINGLE FAMILY HOMES ON PROPERTY LOCATED ON THE NORTH WESTERLY SIDE OF TROY HILLS ROAD NEAR GROVE PLACE (ON THE FORMER**

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**ROWE INTERNATIONAL, INC. PROPERTY), IN WHIPPANY, AND ALSO KNOWN AS LOT 1 IN BLOCK 7801 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS**, on January 20, 2004, the Planning Board of the Township of Hanover took the following actions with respect to the applications of **Forest Hill Developers, L.L.C.** (hereinafter referred to as **Forest Hill**): (1) granted preliminary and final major subdivision approval for the creation of eighteen (18) lots for single family homes plus a parcel consisting of 5.2304 acres to be dedicated to the Township for open space purposes; and (2) preliminary major subdivision approval for the creation of a fifty (50) lot residential subdivision plus a remaining parcel to be dedicated to the Township of Hanover on property located on the north westerly side of Troy Hills Road near Grove Place (on the former Rowe International, Inc. property); and

**WHEREAS**, the construction of the development resulted in two Phases. Phase I dealt with the construction of eighteen (18) single family homes and the dedication of a parcel to the Township for open space purposes while Phase II dealt with the construction of thirty-two (32) single family homes plus a remainder parcel consisting of 1.9377 acres also to be dedicated to the Township for open space purposes; and

**WHEREAS**, by resolution dated June 24, 2004, the Township Committee authorized the execution of a Developer's Agreement by and between the Township and **Forest Hills Developers, L.L.C.** for the Phase I construction of eighteen (18) single family homes including certain improvements on the above referenced property; and

**WHEREAS**, by resolution dated July 9, 2009, the Township Committee approved Bond Reduction No. 3 by releasing the performance surety bond in the amount of \$319,932.00; and

**WHEREAS**, the Township Engineer recommended however, that the remaining cash portion of the total performance guarantee in the amount of \$35,548.00 should be retained on deposit in a TD North Bank Escrow Account; and

**WHEREAS**, in a letter dated August 8, 2016 to the Mayor and Township Clerk, the Township Engineer now recommends that the cash portion of the total performance guarantee in the amount of \$35,548.00 plus a portion of the interest be released to the Developer.

**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 the Township Engineer's August 8, 2016 letter, the governing body hereby releases the cash portion of the total performance guarantee in the amount of \$35,548.00 to the Developer plus a portion of the interest pursuant to P.L. 1985, c. 315. The cash portion, is deposited in TD Bank North Escrow Account No. 7200150538.

2. That a certified copy of this resolution shall be transmitted to the Township Engineer, the Construction Official, the Township's Chief Municipal Finance Officer, and **Forest Hill Developers L.L.C.** for reference and action purposes.

**RESOLUTION NO. 158-2016**

**A RESOLUTION AUTHORIZING THE FINAL CASH BOND RELEASE IN THE AMOUNT OF \$11,873.00 PLUS A PORTION OF THE INTEREST PURSUANT TO P.L. 1985, C. 315 TO FOREST HILL DEVELOPERS, L.L.C., THE DEVELOPER, REGARDING THE COMPLETION OF THE PHASE II CONSTRUCTION OF THIRTY-TWO (32) SINGLE FAMILY HOMES ON PROPERTY LOCATED ON THE NORTH WESTERLY SIDE OF TROY HILLS ROAD NEAR GROVE PLACE (ON THE FORMER**

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**ROWE INTERNATIONAL, INC. PROPERTY), IN WHIPPANY, AND ALSO KNOWN  
AS LOT 1 IN BLOCK 7801 AS SET FORTH ON THE TAX MAP OF THE  
TOWNSHIP OF HANOVER**

**WHEREAS**, on January 20, 2004, the Planning Board of the Township of Hanover took the following actions with respect to the applications of **Forest Hill Developers, L.L.C.** (hereinafter referred to as **Forest Hill**): (1) granted preliminary and final major subdivision approval for the creation of eighteen (18) lots for single family homes plus a parcel consisting of 5.2304 acres to be dedicated to the Township for open space purposes; and (2) preliminary major subdivision approval for the creation of a fifty (50) lot residential subdivision plus a remaining parcel to be dedicated to the Township of Hanover on property located on the north westerly side of Troy Hills Road near Grove Place (on the former Rowe International, Inc. property); and

**WHEREAS**, the construction of the development resulted in two Phases. Phase I dealt with the construction of eighteen (18) single family homes and the dedication of a parcel to the Township for open space purposes while Phase II dealt with the construction of thirty-two (32) single family homes plus a remainder parcel consisting of 1.9377 acres also to be dedicated to the Township for open space purposes; and

**WHEREAS**, on August 21, 2007, the Planning Board granted amended preliminary and final major subdivision approval for Phase II to amend and bifurcate the previously approved construction of Phase II (32 lots) into an amended Phase II (12 lots) and an amended preliminary major subdivision approval for a new Phase III to consist of twenty (20) lots; and

**WHEREAS**, by resolution dated November 19, 2007, the Township Committee authorized the execution of a Developer's Agreement by and between the Township and **Forest Hills Developers, L.L.C.** for the Phase II construction of twelve (12) single family homes including certain improvements on the above referenced property; and

**WHEREAS**, by resolution dated August 23, 2012, the Township Committee approved the release of the performance surety bond and bond rider in the amount of \$106,853.00; and

**WHEREAS**, the Township Engineer recommended however, that the remaining cash portion of the total performance guarantee in the amount of \$11,873.00 should be retained on deposit in a TD North Bank Escrow Account; and

**WHEREAS**, in a letter dated August 8, 2016 to the Mayor and Township Clerk, the Township Engineer now recommends that the cash portion of the total performance guarantee in the amount of \$11,873.00 plus a portion of the interest be released to the Developer.

**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 the Township Engineer's August 8, 2016 letter, the governing body hereby releases the cash portion of the total performance guarantee in the amount of \$11,873.00 to the Developer plus a portion of the interest pursuant to P.L. 1985, c. 315. The cash portion is deposited in TD Bank North Escrow Account No. 0007760845119.

2. That a certified copy of this resolution shall be transmitted to the Township Engineer, the Construction Official, the Township's Chief Municipal Finance Officer, and **Forest Hill Developers L.L.C.** for reference and action purposes.

**RESOLUTION NO. 159-2016**

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**A RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE SURETY BOND AND BOND RIDER IN THE AMOUNT OF \$281,899.00 AND THE REMAINING BALANCE OF \$24,973.05 REPRESENTING ENGINEERING INSPECTION FEES TO FOREST HILL DEVELOPERS, L.L.C., THE DEVELOPER, REGARDING THE COMPLETION OF THE PHASE III CONSTRUCTION OF TWENTY (20) SINGLE FAMILY HOMES ON PROPERTY LOCATED ON THE NORTH WESTERLY SIDE OF TROY HILLS ROAD NEAR GROVE PLACE (ON THE FORMER ROWE INTERNATIONAL, INC. PROPERTY), IN WHIPPANY, AND ALSO KNOWN AS LOT 1 IN BLOCK 7801 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS**, on January 20, 2004, the Planning Board of the Township of Hanover took the following actions with respect to the applications of **Forest Hill Developers, L.L.C.** (hereinafter referred to as **Forest Hill**): (1) granted preliminary and final major subdivision approval for the creation of eighteen (18) lots for single family homes plus a parcel consisting of 5.2304 acres to be dedicated to the Township for open space purposes; and (2) preliminary major subdivision approval for the creation of a fifty (50) lot residential subdivision plus a remaining parcel to be dedicated to the Township of Hanover on property located on the north westerly side of Troy Hills Road near Grove Place (on the former Rowe International, Inc. property); and

**WHEREAS**, by resolution dated June 24, 2004, the Township Committee authorized the execution of a Developer's Agreement by and between the Township and **Forest Hills Developers, L.L.C.** for the Phase I construction of eighteen (18) single family homes on the above referenced property; and

**WHEREAS**, on July 9, 2004, **Forest Hills Developers, L.L.C.** entered into a Developer's Agreement with the Township governing Phase I of the project; and

**WHEREAS**, on August 21, 2007, the Planning Board granted amended preliminary and final major subdivision approval for Phase II to amend and bifurcate the previously approved construction of Phase II (32 lots) into an amended Phase II (12 lots) and an amended preliminary major subdivision approval for a new Phase III to consist of twenty (20) lots; and

**WHEREAS**, by resolution adopted on May 24, 2011, the Planning Board granted final major subdivision approval for Phase III which provides for the construction of twenty (20) single family homes on 9.96 acres of land; and

**WHEREAS**, this resolution governs and authorizes the execution of a Developer's Agreement by the Mayor and Township Clerk for the Phase III construction only of the twenty (20) new residential units; and

**WHEREAS**, by resolution dated August 23, 2012, the Township Committee approved a reduction of the performance surety bond in the amount of \$542,584.00 to \$281,899.00 and the reduction of the 10% cash bond from \$60,287.00 to \$31,321.00; and

**WHEREAS**, in a letter dated August 8, 2016 to the Mayor and Township Committee, the Township Engineer now recommends that the performance surety bond and the bond rider in the amount of \$281,899.00 be released to the Developer including the remaining balance of \$24,973.05 held in a trust account which funds represented Engineering Inspection fees; and

**WHEREAS**, the Township Engineer also recommends that the remaining cash bond in the amount of \$31,321.00 be retained in order to satisfy required sanitary sewer work. The Developer has authorized the Township to pay for the sanitary sewer work from the cash bond. And, remaining funds will be returned to the Developer.

**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:

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1. In accordance with the Township Engineer's August 8, 2016 letter, the governing body hereby releases to the Developer the Surety Performance Bond and Bond Rider dated September 12, 2012 submitted by the International Fidelity Insurance Company in the amount of \$281,899.00.
2. The remaining balance of Engineering Inspection fees deposited in a Trust Account, Account No. 252-7025-499 in the amount of \$24,973.05 is also released to the Developer.
3. With the permission of the Developer, the remaining cash bond in the amount of \$31,321.00 shall be retained by the Township in order to satisfy outstanding sanitary sewer work. Any remaining funds shall be returned to the Developer at the conclusion of the work.
4. That a certified copy of this resolution shall be transmitted to the Township Engineer, the Construction Official, the Township's Chief Municipal Finance Officer, and **Forest Hill Developers L.L.C.** for reference and action purposes.

### **RESOLUTION NO. 160-2016**

#### **A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE AWARD OF A CONTRACT TO TC LANDSCAPE CONSTRUCTION GROUP, INC., THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, IN AN AMOUNT NOT TO EXCEED \$97,891.00 FOR THE DEVELOPMENT AND CONSTRUCTION OF THE TOWNSHIP'S STONEY BROOK COMMUNITY FARM AND GARDEN, AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A CONTRACT WITH THE COMPANY**

**WHEREAS**, the Township Committee believes that a need exists to create a Community Farm and Garden that will permit residents to grow fresh local produce for themselves and provide fresh vegetables to community food pantries for distribution to those in need; and

**WHEREAS**, the Township has designated a portion of Township property located on Fanok Road for the development of its Community Farm and Garden; and

**WHEREAS**, the Township of Hanover, acting in conformity with N.J.S.A. 40A:11-1 et seq., publicly advertised for bids on July 13, 2016 for the development and construction of a Community Farm and Garden; and

**WHEREAS**, on August 2, 2016, pursuant to public advertising, the Township's Bid Reception Committee received and opened a total of three (3) sealed competitive bids out of three (3) prospective bidders; and

**WHEREAS**, the Township Engineer, acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has carefully examined all the bid documents for the development and construction project described above and has determined that the lowest competitive bid submitted by **TC Landscape Construction Group, Inc.** for the furnishing of all labor, equipment and material necessary to develop and construct the Community Farm and Garden is in total conformance with the Township's July 13, 2016 Specification, and does not include any exceptions, deviations or deficiencies, and is therefore deemed the lowest responsible and responsive bidder; and

**WHEREAS**, in a letter dated August 8, 2016 to the Township Committee, the Township Engineer recommended that the governing body award a contract for the Community Farm and Garden Project described herein to **TC Landscape Construction Group, Inc.** which bidder submitted the lowest competitive bid in the amount of \$97,891.00 for performance of the work described in the Township's July 13, 2016 Specification; and

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**WHEREAS**, sufficient funds are available for the Community Farm and Garden Project through the Township's Open Space Trust Fund Account, Line Item 254-3509-499, all in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

**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. A contract is hereby awarded to:  
**TC Landscape Construction Group, Inc.**  
729 Marie Street  
Toms River, New Jersey 08753

for the furnishing of all labor, equipment and material necessary to develop and construct the Community Farm and Garden which is in total conformance with the Township's July 13, 2016 Specification which was utilized by the Township in connection with the bidding process as set forth in the advertisement for bids, said contract being awarded on the basis that it shall not exceed \$97,891.00. Upon commencement of the work, **TC Landscape Construction Group, Inc.** shall be responsible in providing sufficient personnel, and to continue in completing the project in an expeditious fashion, all in accordance with requirements of the Township's Specification. In addition, **TC Landscape Construction Group, Inc.** shall be required to submit a satisfactory work or progress schedule to the Township Engineer.

2. The Township's Chief Municipal Finance Officer has certified that sufficient funds are available through the Open Space Trust Fund Account, Line Item No. 254-3509-499 for the furnishing of all labor, equipment and material in the development and construction of the Community Farm and Garden.

3. The Mayor and Township Clerk are hereby authorized to execute a contract on behalf of the Township of Hanover with **TC Landscape Construction Group, Inc.** in an amount not to exceed \$97,891.00.

4. A certified copy of this resolution shall be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **TC Landscape Construction Group, Inc.** their reference and information.

#### **RESOLUTION NO. 161-2016**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE BUSINESS ADMINISTRATOR, IN HIS CAPACITY AS THE TOWNSHIP'S QUALIFIED PURCHASING AGENT, TO ISSUE A PURCHASE ORDER IN THE AMOUNT NOT TO EXCEED \$35,367.00 TO CORE ELEMENTS GYM, LLC IN FURNISHING AND INSTALLING HYDRAULIC AND NON-HYDRAULIC URBANIX BLADE LINE OUTDOOR GYM EQUIPMENT TO BE INSTALLED ON THE TOWNSHIP'S CONNECTIVITY TRAIL LOCATED AT CENTRAL PARK**

**WHEREAS**, the Township has initiated the Mayor's Wellness Program to promote a healthy lifestyle for residents and members of the public to stay fit and healthy by eating properly and doing activities such as walking, jogging and bicycling; and

**WHEREAS**, the Township has developed a Pedestrian and Bicycle Connectivity Framework Plan in establishing a town-wide network of on-road and off-road pedestrian and bicycle trails that has a two-fold purpose; first, by providing a transportation alternative in accessing jobs, commercial centers, schools and parks; and secondly, to provide individuals with the ability to use the trail system for outdoor physical fitness and the enjoyment of our environment; and

**WHEREAS**, in conjunction with the Mayor's Wellness Program and the Township's Connectivity Framework Plan, the Township plans to install outdoor gym

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equipment along a portion of the Township's trail system at Central Park as an incentive to users of the trail system to stay physically fit; and

**WHEREAS**, in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-6.1, the Township Engineer prepared a Request for Quotation (RFQ) dated June 29, 2016 seeking proposals for the furnishing and installation of outdoor hydraulic line and non-hydraulic line Urbanix Outdoor Fitness Solutions Gym Equipment by Core Elements or approved equal; and

**WHEREAS**, the RFQ sought a lump sum base bid for eight (8) outdoor hydraulic and three (3) outdoor non-hydraulic pieces of equipment and an alternate bid item for installation; and

**WHEREAS**, the RFQ stipulated that the Township would award a contract to the lowest responsible and responsive bidder based on the lowest total bid price for either the base bid or the base bid plus the alternate bid item; and

**WHEREAS**, the Township Engineer sent the RFQ to three (3) vendors requesting a response by Friday, July 22, 2016; and

**WHEREAS**, on July 22, 2016, only one (1) written Proposal and Quotation was received from Core Elements Gym, LLC in the lump sum amount of \$26,417.00 for the base bid and \$8,950.00 for the alternate bid item; and

**WHEREAS**, in a memorandum dated July 26, 2016 to the Business Administrator, the Township Engineer recommended that the outdoor gym equipment project be awarded to **Core Elements Gym, LLC** for the base bid and alternate bid item.

**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 the Township Engineer's July 26, 2016 memorandum, a copy of which is attached and made a part of this resolution as if set forth in full, the governing body hereby approves the purchase and installation of the outdoor hydraulic line and outdoor non-hydraulic line Urbanix Blade Line gym equipment in the lump sum amount of \$26,417.00 plus the alternate bid item in the amount of \$8,950.00.
2. The Business Administrator, in his capacity as the Township's Qualified Purchasing Agent, is hereby authorized and directed to issue a Purchase Order to **Core Elements Gym, LLC** located at 492-C Cedar Lane, Suite 216 in Teaneck, New Jersey 07666 in the total amount not to exceed \$35,367.00.
3. That certified copies of this resolution shall be transmitted to the Township Engineer, the Chief Municipal Finance Officer and **Core Elements Gym, LLC** for reference and information purposes.

#### **RESOLUTION NO. 162-2016**

#### **A RESOLUTION OF THE TOWNSHIP COMMITTEE EXTENDING THE GRACE PERIOD FOR PAYMENT OF THE THIRD QUARTER TAXES FOR 2016 FROM AUGUST 1, 2016 TO AUGUST 12, 2016**

**WHEREAS**, the date of mailing the Township of Hanover's Tax Bills has been delayed due to circumstances beyond the control of the Township of Hanover; and

**WHEREAS**, in accordance with the spirit and intent of N.J.S.A. 54:4-64, taxpayers should be given adequate notice of taxes due, before

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invoking any payment of interest for delinquency, under the provisions of N.J.S.A. 54:4-67.

**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's taxes due August 1, 2016 will not be considered delinquent and delinquent interest shall not be charged against a taxpayer if the payment of such taxes is received by the Township on or before August 12, 2016; effectively setting a zero percent interest rate during this period.

2. If the tax payment, due August 1, 2016, is not paid on or before August 12, 2016, interest, as established by a resolution of the Township Committee dated January 12, 2016, shall be charged from August 1, 2016.

3. That a certified copy of this resolution shall be transmitted to the Township's Tax Collector for his reference and action.

**RESOLUTION NO. 163\*2016**

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

**WHEREAS**, at the Township of Hanover Municipal Tax Sale held on December 3, 2012, a lien was sold on Block 1502, Lot 21, Qualifier C0041 also known as 205 Vista Drive, Cedar Knolls, New Jersey 07927, for 2011 delinquent taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate 2012-7, was sold to Glenn Carter for a 0% redemption fee and a \$100.00 premium paid; and

**WHEREAS, Shawn McCauhey**, owner has affected redemption of Certificate 2012-7 in the amount of \$2,856.03.

**NOW, THEREFORE, BE IT RESOLVED**, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$2,856.03, payable to Glenn Carter, 34 Briarcliff Road, Mountain Lakes, NJ 07046 for the redemption of Tax Sale Certificate 2012-7.

**BE IT FURTHER RESOLVED**, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$100.00 (Premium) to the aforementioned lien holder.

**RESOLUTION NO. 164-2016**

**RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**Section I.**

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**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Hanover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016, which item is now available as a revenue from:

County of Morris:	\$2,000.00
Municipal Alliance – Supplemental Funding	

**Section 2.**

**BE IT FURTHER RESOLVED**, that a like sum of \$2,000.00 be and the same is hereby appropriated under the caption of:

Other Operations Excluded from "CAPS":	
State and Federal Programs Offset by Revenues:	\$2,000.00
Municipal Alliance – Supplemental Funding: OE	

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services.

**RESOLUTION NO. 165-2016**

**RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY  
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of the county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**Section 1.**

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Hanover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 which item is now available as a revenue from:

3M Foundation – Contribution	\$2,550.00
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**Section 2.**

**BE IT FURTHER RESOLVED**, that a like sum of \$2,500.00 be and the same is hereby appropriated under the caption of:

Other Operations Excluded from "CAPS":	
Reserve 3M Foundation	\$2,550.00

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services.

**RESOLUTION NO. 165-2016**

**A RESOLUTION APPROVING THE REFUND OF TAX OVERPAYMENTS**

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

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>QUAL. #</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>
1101	6		Branch Eichler LLC Tara Investors LLC 101 Eisenhower Parkway Roseland, NJ 07068-1607 Attn: Daniel Pollak Location: 10 Wing Dr Reserve for Tax Appeals	\$11,008.00
2302	1 & 1.01		Branch Eichler LLC Gemini Investors LLC 101 Eisenhower Parkway Roseland, NJ 07068-1607 Attn: Daniel Pollak Location: 241 Cedar Knolls Road & Jori Lane Reserve for Tax Appeals	\$33,156.00
6101	1		Garippa Lotz & Giannuario & BRE/HV Properties LLC 66 Park Street Montclair, NJ 07042 Attn: Brian Fowler Location: 115-131 Route 10 101 Route 10 Reserve for Tax Appeals	\$230,897.00

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**PAYMENT OF BILLS:**

The governing body approved a grand total disbursement of **\$8,912,778.05** for the payment of all bills as of this Regular Township Committee Meeting. A copy of the "Bills Payment List – by Vendor" is hereby approved and made a part of this resolution as if set forth in full. Moved by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

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

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**RAFFLES:**

- RL-2938 – Villa Walsh Academy Home School Assoc – on premise raffle**
- RL-2939 – Villa Walsh Academy Home School Assoc – Tricky Tray**
- RL-2940 – Villa Walsh Academy Home School Assoc – on premise raffle**
- RL-2941 – Villa Walsh Academy Home School Assoc – 50/50 off premise**
- RL-2942 – Columbian Foundation – off premise 50/50**
- RL-2943 – St. John the Baptist Ukr. Catholic Church – 50/50 on premise**
- RL-2944 – Two Kids Foundation, Inc. – 50/50 on premise**

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- RL-2945 – Whippany Fire Company – 50/50 on premise**
- RL-2946 – Whippany Park High School Booster Club – 50/50 on premise**
- RL-2947 – Junior Matrons of Morristown – off premise**
- RL-2948 - Whippany Park Music Booster -50/50 on premise**

Member Coppola abstained on 2944 due to his membership with the Two Kids Foundation.

Motion for approval made by Member Francioli and seconded by Member Brueno and unanimously passed.

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**OPEN TO THE PUBLIC**

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

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

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**PRESENTATION MADE BY MAYOR FRANCIOLI ~ TAXES**

MAYOR: I would like to give a little bit of an explanation on a question that has come before each and every member of this Township Committee either in person or by phone etc. is on the Hanover Township taxes; and we have all gotten our tax bills and we are concerned and have questions regarding some aspects of it.

First of all let me start off by explaining the tax bill in general in 2014 and 2015 Hanover Township Municipal Taxes were zero no increase, now some may say “Mr. Mayor that is not so, my taxes went up x amount of dollars,” we want to explain how the taxing process works.

**PRESENTATION:**

The First slide shows you how municipal taxes for the Township portion were spent this year. I will tell you that the Municipal taxes this year were 0.46% this is where your .05% of taxes for your municipality how it was broken down and distributed. As you can see from General Government 12%; Capital Improvements 13%; Public Works Functions 14%; Insurance 15%; Public Safety 20%; School/State Aid 1%; Land Use Administration 1%; Library 2%; Health and Community Awareness 2%; Construction Code 2%; Solid Waste 2%; Utilities 4%; Parks and Recreation 4% ~ That makes up 100% of the .05% of the increase.

I want to keep this a simple way ~ so if someone says “well that’s nice, but still my taxes went up x amount of dollars, why?”

(Next slide) In showing you this next slide ~ we as a municipality are only one portion of your taxes and the reason let me defend the municipalities position and even at a ½% this year, this year the municipality paid back \$3,666,624.00 in successful tax appeals. This is money that we had to return to property owners in your Township by law. If we did not have to do that we would not have incurred that .05% that we are talking about, and we would be really close or below the zero. We would be giving our homeowners back money! But having said that there is one other point I want to show you where 100% of your taxes went.

The fact of the matter is that in paying back this \$3,666,624.00 Hanover’s portion of that was only \$879,090.00 because we paid back refunds for the entire taxing body of the municipality, meaning schools, other entities etc., so of the \$3 million that we had to give back we were only truly responsible for \$879,090.00 the balance of all of that money that we still had to pay back as a municipality was because the schools are not responsible to pay back on tax appeals and comes back to us, I am not trying to complicate things I’m trying to explain our position.

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Let's go back to this pie chart and understand where your dollar went on this ~ if you look at the Local Tax portion, it is .46% that's that small yellow sliver that you see on the lower left and the Open Space Local Tax this year almost accounted by almost 0%, you can certainly free to go to their meetings and attend their sessions and discuss their budgets with them; your Fire Taxes in District 2 (Whippany) went up 6.82%; District 3 (Cedar Knolls) went up 2.56%; County Taxes 6.39% even though they said they didn't have an increase. Local School Taxes (Elementary & Middle School) 3.25% increase and finally your Regional High School (Hanover Park & Whippany Park) 8.89%. Now that combined gave you the total tax of each one of our residents, each one of our businesses in Town etc. Again, we on the Township Committee each year do try to keep the taxes under control we have a good amount of ratables coming in to offset our municipal costs and expenses again, had we not had to pay back a significant amount of tax appeals in total this year we might very well have been 0 or less than 0 again. What we strive for in the coming year budget sessions are coming up soon, the Township Committee is always focused on trying to keep the tax rate flat for our residents and we will make every effort to do that. If you have concerns, if you have interests, attend the meetings of your Board of Education, Fire Companies they do publish them. They are open meetings, you can have your comments made there. Ask your questions I'm sure they will give you more detailed explanation at this time. So rather than to belabor it, I hope that helps ~ for now.

On that note, I am going to open the floor for the balance of the Township Committee.

### **OTHER BUSINESS**

Member Ferramosca: It's all about roads and continues to be about roads complete to date where we are in terms of our plan? We have completed 10 to date. Those of you who know the area I'm not going into those roads that were needed to be done and have been done. The next major road that was planned is Ridgedale Avenue, we were prepared to do Ridgedale Avenue. The project was awarded, however, Judge Minkowitz on August 1<sup>st</sup>, upheld the award to go forward but the State has directed that all State projects, aide projects, be suspended until the transportation trust fund is reauthorized. So, we essentially are on hold awaiting \$125,000.00 from the State to commence that. In addition we plan on doing 5 roads, and I'm going to announce these roads the first road is Cedar Knolls Road, Park Avenue from South Jefferson Road to Whippany Road. You will see concrete repairs beginning next week. Forest Way from Popular Way to Palm Court; in addition Evergreen will be completed. Across from where we are seated, Ukraine Road the entire length will be completed, that work will be done and paid for by the developer of the QuickChek operation it is expected to be milled and paved on Thursday and Friday August 18<sup>th</sup> and 19<sup>th</sup>, it will be managed for safety by our Police during all times of construction but the road will be accessible at all times.

In addition, many of you have asked questions about what is going on South Jefferson Road, well you have heard us talk about the connectivity trail that's a leg of the connectivity trail being built. So that work that is now underway will be completed on or about October 1<sup>st</sup> so that will be a significant opportunity to move from Central Park all the way into the Patriot's Path locations. That's a great addition to our path system.

South Jefferson Road sidewalk ~ there has been a recommendation and an award was given out to do sidewalk installation on South Jefferson Road. It will be a continuation from QuickChek site to complete up to Eden Lane.

Gerry Maceira: These are missing sidewalks on portions of South Jefferson Road.

Mr. Ferramosca: So we are going to go from Route 10 with sidewalks all the way to Eden Lane. There is a small patch that we need to do.

Member Gallagher: I just want to begin with something a little bit different tonight, Friday August 5<sup>th</sup> we went to Hanover Township PD with a small group of kids, it's no secret that a lot of my daughter's friends like going to the PD and hanging out with the guys and we see a lot of people, pizza, cupcakes and chips, coffee. Well our new Chief

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said bring them when I'm here, so I just want to say Chief you made an unbelievable impression on many of our kids they had a great time, they had a pizza party in the squad room with all the guys, they called it a pizza party ~ I want you to know a lot of people reached out to me and asked what program is that? It's phenomenal we should do more of that. Thank you Chief on behalf of all the kids that we are trying to help all the time you are a very positive influence and I appreciate you guys taking the time.

I'm just going to give you a couple of numbers I thought I would break them up now so when we have the Reorganization Meeting in January I'm not the longest, I just want to give you some numbers about the DPW. They collected 395 tons of sanitation in June, 125 yards of grass and 75 yards of brush. These guys are busy, they are really busy all the time I said on Facebook the other day when someone complemented them they are like a machine they really are fantastic.

The only other thing I want to report believe it or not is that our schools are ready, our crosswalks, our new signs that we purchased, Lt. Looock worked with Brian Foran we have all the solar working we had a great meeting the other day, Mike Wasko our new Superintendent came right into the mix. We are working together well, we are ready for the school year and I just want to thank you guys again for all your support.

Mayor: I met Mike last night and I'm glad he was attending that meeting and I guess you guys were discussing some additional parking issues etc.,

Member Coppola: I just want to mention briefly on this Landmark Commission I think the fact that the Burying Yard is the oldest historical registered site in Morris County it's very significant unfortunately due to the traffic the rumblings and everything that is going on Route 10 in that area the stones are really detraining that's how old they are. I think it is good that we are working on this project and I'm really hoping that next year when we get the clarification on the grant that will allow us to recoup what we are using right now. If we don't start doing something those stones are really going to fall apart. Too much history to loose, right back to the Revolutionary War, I really appreciate the fact that the Township Committee moved those funds so they can start working on the project.

I don't think their explanation really satisfies me. If anyone knew, when we met with Mr. Giorgio and Mr. Fariello and Mike Czuchnicki the Chairman, I'm not sure what they told us, they seem to have a little egg on their face because everything they said we had to do was actually done, so for whatever reason. The group said they all went to the burial yard and this was their assessment.

Member Brueno: We concluded our summer concerts. Unfortunately, we got rained out twice, and we did have the air conditioned auditorium at MJS so the concerts went on as planned. Hopefully, next year, we will have better weather. Please mark your calendar Saturday, September 10<sup>th</sup> Hanover Township Day rain date is Sunday September 11th and with this scorching weather we are having please note the reduced fees at Bee Meadow Pool which took place August 1<sup>st</sup>, so if you think of joining or were away in June and July give the Rec Center a call and they can tell you what the reduced fees are and you can take advantage of the pools over the next few days, it's not going to be safe to be outside otherwise.

Mayor: With the weather tomorrow it is going to be in the 100's ~ Township is aware of it, Office of Emergency Management said if we have issues that we are prepared to deal with it with cooling centers right here in our building and it will take any other actions they need to take to help the residents. It's under control.

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**ADJOURNMENT**

Motion to adjourn at 9:23 made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

TOWNSHIP COMMITTEE

August 11, 2016

TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

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Joseph A. Giorgio, Township Clerk

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