

September 22, 2016

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, September 22, 2016, at 8:40 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:

STATEMENT BY PRESIDING OFFICER:

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

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

and by filing same with the Township Clerk.

(Signed) Ronald F. Francioli, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

PROCLAMATION

RESOLUTION NO. 176-2016

A PROCLAMATION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN POSTHUMOUS RECOGNITION OF MARINE CORPS LANCE CORPORAL CHRISTOPHER B. COSGROVE, III, FOR HIS COURAGE AND VALOR IN DEFENDING THE UNITED STATES OF AMERICA AND APPOINTING HIM TO THE RANK AND POSITION OF HONORARY HANOVER TOWNSHIP PATROLMAN

WHEREAS, Marine Corps Lance Corporal Christopher B. Cosgrove, III, a native son of Hanover Township was a graduate of Whippany Park High School where he excelled in academics and athletics; and

WHEREAS, following his graduation from Monmouth University in 2005, Lance Corporal Cosgrove volunteered for enlistment in the United States Marine Corps; and

WHEREAS, although Lance Corporal Cosgrove was committed to serving his country in defending the rights and liberties of the Iraqi people, his lifelong ambition was to become a Police Officer of the Township of Hanover so that he could protect and serve his fellow residents; and

WHEREAS, serving with honor and distinction as a member of "G" Company, 2nd Battalion of the 25th Marine Regiment, Lance Corporal Cosgrove was tragically killed in action on October 1, 2006 when a suicide bomber detonated a car bomb in Fallujah, Iraq; and

WHEREAS, as a courageous member of the United States Military, Lance Corporal Cosgrove made the ultimate sacrifice in giving his life in the line of duty on behalf of his country and the people of Iraq; and

WHEREAS, his valor and patriotism serve as an everlasting and eternal symbol of **Lance Corporal Cosgrove's** love of his country and his commitment and heroism in defending the rights of all human beings; and

WHEREAS, upon the 10th anniversary of his passing, and in keeping with **Lance Corporal Cosgrove's** aspiration to serve as a Hanover Township Police Officer, the Township Committee is humbled and honored to bestow upon **Lance Corporal Christopher B. Cosgrove, III**, the rank and position of **Honorary Patrolman** in the Hanover Township Police Department.

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. Upon the 10th anniversary of his passing, and in posthumous recognition of **Marine Corps Lance Corporal Christopher B. Cosgrove's** patriotism and dedicated service to the United States of America, the governing body calls upon all residents of Hanover Township to honor his memory as a true role model for all Americans.
2. In grateful appreciation of his heartfelt desire to serve and protect the residents of Hanover Township, the Township Committee is honored to bestow upon **Lance Corporal Christopher B. Cosgrove** the rank and position of **Honorary Patrolman** in the Hanover Township Police Department.

OPEN TO THE PUBLIC

George Carpentier, 124 Reynolds Avenue: I live in this town for a long time; I'm having a little problem with the school board, I spoke to this young lady in the office and she called the school because they are dumping on the lot next to me and behind me. They dump big trees and branches and everything else behind me. They are drawing rats and my wife is deathly afraid of rats. I've caught them and I throw them away in the garbage because she's afraid. So this young lady helped me and called the school and this guy's name is Roy All and he's causing me a lot of problems all he's doing is dumping everything he can on the land next to me and behind me, he's piled it so high and now he's putting big trees on my property. He's started dumping a big tree about 20 feet long on top of the big piles of branches that fall off the trees and puts them on the lot next door to me and it's drawing rats and everything. I can't put up with that.

Mayor: Which school is this? Bee Meadow School?

Mr. Carpentier: Yes, the little school next door to me. I tried to talk to him and he doesn't talk he's a nasty man and I don't know why. I never had an argument with him or anything like that; I try to be reasonable and I told them what's wrong and they said they don't know who is doing it. I see them when they back the trucks up and they throw the branches on the property and behind the property. Now it's getting out of hand. You can't keep doing that. I pay good taxes. If they don't want to take care of the lot just give it to me and I'll pay whatever you need on it. I gave the town 150 feet by 12 feet and I only charged them \$1000.00 for the entire thing, I gave the land for nothing. This guy is ruining me I'm telling you.

Mayor: Krista, the little lady that you spoke to, did she treat you good or what?

Mr. Carpentier: She tried but they didn't listen to her.

Mayor: Her? They listened to her. She spoke to the Superintendent of Schools,

Mr. Carpentier: So did I and he came to my house today.

Mayor: This is what he is going to do. He is going to come onto the property and take all of the branches off the property, clear it up, but he wants to know if you can give

him into next week to get it all done. So, in other words, he will get a crew out there and he will take the branches out. This is coming from Superintendent Mike Wasko, he is a new superintendent, very dependable guy. If he says he will be there and if he is not there by next week, then we will get a hold of Mike and we will straighten it out, but is that agreeable.

Mr. Carpentier: Yes, thank you very much.

Mayor: You are going to tell me if he gets out there and if he doesn't get out there and clean it up then we will come out. He will have to keep it clean.

Mr. Carpentier: They don't ~ they are trying to ruin me over there, I never had anything to do with this man.

Mayor: Let's give him his due and let's let him get out there and clean it up and see what he wants to do.

Mr. Gallagher: We are all together for One Day One School Project on October 15th, I'm the liaison of K-8, I'll make it pretty clear if it's not cleaned up we will just send one or two pros over there to clean it up and that will be your insurance.

Mr. Carpentier: You can do whatever you want, it doesn't do anything. He says he is in charge of it.

Mayor: Well right now let's take him on his word, so if he says he is going to be there next week and this is the Superintendent then that's what we are going to do. Thank you for coming in.

Mr. Gallagher: I'm with Ron if Mike Wasko said it was going to get taken care of it's going to get taken care of.

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

APPROVAL OF TOWNSHIP COMMITTEE REPORTS:

The Minutes of the Regular Meeting of September 8, 2016 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Ferramosca moved that the Minutes of the Regular Meeting of September 8, 2016 be accepted and approved as presented by the Township Clerk. The motion was seconded by Member Coppola and was unanimously passed.

DEPARTMENTAL REPORTS:

The following reports were presented and ordered filed as received:

Finance	S. Esposito	September 14 th Reports
Township Engineer	G. Maceira	Reports September 8 th & 22 nd
Public Works	B. Foran	All projects during September
Police Department	M. Roddy	All activities in August
Construction	S. Donlon	Reports of July & August

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

PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES:

ORDINANCE NO. 22-2016

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

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 22-16 appeared in full in the August 17th, 2016 issue of the Daily Record in accordance with the law.

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

Is there anyone present wishing to be heard concerning Ordinance No. 22-2016?

Mayor: Is that good news that I read that the first bidder is still considering?

Mr. Maceira: Yes he is considering proceeding with the project?

Mayor: We are still alive?

Mr. Semrau: Technically Mayor, we don't believe that they withdrew their bid correctly, so we had a conversation with him and told him the options were either the bid bond or to proceed.

Mayor: So that is still progressing?

Mr. Semrau: Yes, we had encouraging news today that it may be on track.

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

Now on Adoption, Be it resolved, that an Ordinance entitled “**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,**” be passed on final reading and that a Notice of the final passage of the Ordinance be published in the September 28th, 2016 issue of the Daily Record.

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

So Adopted.

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

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 25-16 appeared in full in the September 14th, 2016 issue of the Daily Record in accordance with the law. We also have a notification from the County Planning Board that the Ordinance was filed in accordance with the Municipal Land Use Law and finally the Ordinance was circulated to all of the contiguous Municipalities and the Morris

County Planning Board also sent to the Hanover Township Planning Board for referral and I have a letter dated September 13th, 2016 signed by Chairman Pinadella advising the Township Committee that at its September 13th regular meeting the Planning Board reviewed and discussed Ordinance 25-2016 in accordance with the Municipal Land Use Law and the Board notes that the most significant amendment proposed by this Ordinance would be the modification of the current requirement that all of the properties in the district would be under the control of a single entity before the plan commercial development option could apply. The amendment would allow planned commercial development even the land owned by the Morris County Erie Railway or the existing cellular tower property were not included in the development, the Board does not consider this a substantial change from the development scheme recommended in the Master Plan and therefore recommends its adoption. So, at this time, may we have a motion to convene a public hearing?

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

Is there anyone present wishing to be heard concerning Ordinance No. 25-2016?

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

Now on Adoption, Be it resolved, that an Ordinance entitled **AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE REGULATIONS FOR THE WC-WHIPpany CENTER ZONE DISTRICT,** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the September 28th, 2016 issue of the Daily Record.

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

So Adopted.

ORDINANCE NO. 29-2016

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ABOLISHING THE BOARD OF HEALTH AND READOPTING EXISTING BOARD OF HEALTH LEGISLATION

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 29-16 appeared in full in the September 14th, 2016 issue of the Daily Record in accordance with the law.

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

Is there anyone present wishing to be heard concerning Ordinance No. 29-2016?

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

Now on Adoption, Be it resolved, that an Ordinance entitled **“AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ABOLISHING THE BOARD OF HEALTH AND READOPTING EXISTING BOARD OF HEALTH LEGISLATION,”** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the September 28th, 2016 issue of the Daily Record.

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

So Adopted.

ORDINANCES FOR INTRODUCTION:

ORDINANCE NO. 31-2016

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 267-32. OF SCHEDULE II ENTITLED “SPEED LIMITS” UNDER ARTICLE V OF CHAPTER 267 OF THE CODE OF THE TOWNSHIP ENTITLED VEHICLES AND TRAFFIC WITH THE INCLUSION OF NEW SPEED LIMITS FOR NORTH JEFFERSON ROAD AND ALGONQUIN PARKWAY IN THE WHIPPANY SECTION OF THE TOWNSHIP

WHEREAS, in the interest of pedestrian and motorist safety, it is the intention of the Township Committee to amend Section 267-32. of Schedule II entitled “Speed Limits” under Article V of Chapter 267 of the Code of the Township entitled Vehicles and Traffic with the inclusion of new speed limits for North Jefferson Road and Algonquin Parkway in the Whippany Section of the Township; and

WHEREAS, the inclusion of a new speed limit for North Jefferson Road is based on a recommendation of the Township Engineer in a memorandum dated September 13, 2016 to the Business Administrator while the new speed limit for Algonquin Parkway is based on a traffic survey conducted by the Police Department over a forty-eight (48) hour period between July 6, 2016 to July 8, 2016.

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. Under Section 267-32. Of Schedule II entitled “Speed Limits” under Article V of Chapter 267 of the Code of the Township entitled Vehicles and Traffic is hereby amended with the deletion of the following speed limits:

- A. The current 40 mile per hour speed limit in both directions of traffic on North Jefferson Road is hereby repealed; and
- B. The current 30 mile per hour speed limit in both directions of traffic on Algonquin Parkway is hereby repealed.

Section 2. Section 267-32. of Schedule II entitled “Speed Limits” under Article V of Chapter 267 of the Code of the Township entitled Vehicles and Traffic is hereby amended and supplemented with the inclusion of new speed limits for North Jefferson Road and Algonquin Parkway are as follows:

- A. The speed limit for both directions of traffic on North Jefferson Road from New Jersey State Highway Route 10 to the boundary line with the Township of Parsippany-Troy Hills at Parsippany Road shall be 35 miles per hour.
- B. The speed limit for both directions of traffic on Algonquin Parkway from New Jersey State Highway Route 10 to its intersection with Troy Road shall be 35 miles per hour.

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

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

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

The Ordinance will be further considered for Public Hearing on the 13th of October at 8:30 pm and at that time any person wishing to be heard concerning the Ordinance will be given the opportunity to be heard.

The Ordinance and the Notice of Introduction will be published in the September 28th issue of the Daily Record.

Motion for Introduction made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

So Introduced

ORDINANCE NO. 32-2016

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 267-38. OF SCHEDULE VIII ENTITLED "STOP INTERSECTIONS" UNDER ARTICLE V OF CHAPTER 267 OF THE CODE OF THE TOWNSHIP ENTITLED VEHICLES AND TRAFFIC WITH THE INCLUSION OF A NEW FOUR-WAY STOP INTERSECTION AT BEE MEADOW PARKWAY AND REYNOLDS AVENUE

WHEREAS, a flashing intersection control beacon exists at the intersection of Reynolds Avenue and Bee Meadow Parkway; and

WHEREAS, since May 1, 2014, a total of fourteen (14) crashes occurred at the intersection of Bee Meadow Parkway and Reynolds Avenue; and

WHEREAS, the Township Engineer evaluated the accident history provided by the Police Department and concluded that the installation of a multi-way stop control is an appropriate application for the intersection; and

WHEREAS, the Motor Vehicles and Traffic Regulations at N.J.S.A. 39:4-197 grants municipalities the authority to regulate the passage or stopping of traffic at certain intersections or other designated points including the establishment of multi-way stop controls under municipal jurisdiction without the approval of the New Jersey Department of Transportation Commissioner, and consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD); and

WHEREAS, the MUTCD supports the establishment of a multi-way stop control to be a useful safety measure if certain traffic conditions exists; and

WHEREAS, if five (5) or more crashes occur in a twelve (12) month period including right-turn, left-turn and right angle collisions, sufficient justification exists for the installation of a multi-way stop; and

WHEREAS, for the period beginning May 20, 2015 to March 1, 2016, a period of approximately ten (10) months, a total of six (6) crashes occurred at the Bee Meadow Parkway and Reynolds Avenue intersection; and

WHEREAS, based on the statistical accident history supplied by the Police Department, and the MUTCD regulations governing the installation of multi-way stop controls, the Township Engineer recommends the installation of multi-way stop signs at the intersection of Bee Meadow Parkway and Reynolds Avenue.

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 267-38. Entitled "Schedule VIII: Stop Intersections." under Chapter 267 of the Code of the Township entitled Vehicles and Traffic is hereby amended and supplemented with the inclusion of a four (4) way stop at the intersection of Bee Meadow Parkway and Reynolds Avenue as follows:

<u>Stop Sign on</u>	<u>Direction of Travel</u>	<u>At Intersection of</u>
Bee Meadow Parkway	East	Reynolds Avenue
Bee Meadow Parkway	West	Reynolds Avenue
Reynolds Avenue	North	Bee Meadow Parkway
Reynolds Avenue	South	Bee Meadow Parkway

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.

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 on the 13th of October at 8:30 pm and at that time any person wishing to be heard concerning the Ordinance will be given the opportunity to be heard.

The Ordinance and the Notice of Introduction will be published in the September 28th issue of the Daily Record.

Motion for Introduction made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

So Introduced

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 177-2016

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING NICHOLAS DIDOW AS A REPLACEMENT LABORER II/SANITATION COLLECTOR II IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING OCTOBER 3, 2016 AND ENDING APRIL 3, 2017 AND ESTABLISHING HIS COMPENSATION AT \$20.19 PER HOUR OR IF ANNUALIZED \$42,000.00 UNDER JOB GROUP IV IN ACCORDANCE WITH SALARY RANGE GUIDE "D-1" (IBT) OF SALARY ORDINANCE NO. 11-2015

WHEREAS, with the promotion of Brian Pillion to the position of Supervisor of the Park Maintenance Division effective September 1, 2016, a need exists to fill his vacant position as a Laborer II/Sanitation Collector II in the Sanitation Division of the Department of Public Works, Buildings and Grounds and Park Maintenance in order to bring staffing up to its current authorized strength; and

WHEREAS, the position of Laborer II/Sanitation Collector II is classified as a Job Group IV under Salary Guide "D-1" (IBT Salary Range) of Salary Ordinance No. 11-15; and

WHEREAS, the Township has maintained a list of eligible candidates in the event that additional retirements would occur; and

WHEREAS, drawing from the list of eligible candidates, the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department believes that **Nicholas Didow**, a current part-time Park Maintenance worker, residing at 18 Legion Place in the Whippany Section of Hanover Township, possesses the necessary work experience and job qualification matching the

Township's job description for Laborer II/Sanitation Collector II and should be employed to fill the current vacancy; and

WHEREAS, Mr. Didow passed both the written examination and drivers test for a Commercial Driver License and holds a current and valid Class "B" license; and

WHEREAS, Mr. Didow shall commence employment on October 3, 2016 and serve in a probationary capacity for a six (6) month probationary period ending on April 3, 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. That **Nicholas Didow** residing at 18 Legion Place in the Whippany Section of the Township is hereby employed to serve in the position of full-time **Laborer II/Sanitation Collector II** for a six (6) month probationary period commencing on Monday, October 3, 2016 and ending on Monday, April 3, 2017. In accordance with Salary Range Guide "D-1" (IBT Salary Guide) of Salary Ordinance No. 11-2015, **Mr. Didow** shall be compensated at \$20.19 per hour or if annualized, \$42,000.00 under Job Group IV.
2. Because **Mr. Didow** has already received a valid and current Commercial Driver License, Class "B", he is not entitled to receive any additional remuneration at the conclusion of his six (6) month probationary period.
3. **Mr. Didow** 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. Didow** receives an unsatisfactory evaluation during the probationary period, **Mr. Didow** shall be terminated at the conclusion of the probationary period or sooner, whichever is applicable.
4. Pursuant to Section 61-14.C. entitled "Health Benefits Coverage" under Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies, **Mr. Didow** shall be required to pay a minimum of 25% of the total monthly premium cost for health insurance/medical benefits coverage under any one (1) of the three (3) health insurance plans offered by the Township.
5. **Mr. Didow** shall be entitled to 1.5 vacation days during calendar year 2016 in accordance with Section 61-10.C. and D. of Chapter 61 of the Code but shall not be permitted to utilize the 1.5 vacation days until he has completed his six (6) month probationary period and received a satisfactory job performance evaluation. In addition, **Mr. Didow** shall be eligible to earn and accrue .5 sick leave days per month up to six (6) sick leave days in each calendar year of service pursuant to Section 61-11.A. (3) of Chapter 61. Here again, **Mr. Didow** is not permitted to take any paid sick leave until he has satisfactory completed his probationary period.
6. The provisions of this resolution are subject to any applicable collective negotiations agreement that may be duly negotiated between the Township and IBT Local 97 and/or its successors, if any.
7. That certified copies of this resolution shall be transmitted to **Mr. Didow**, the Township's Chief Municipal Finance Officer and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department for reference and information purposes.

RESOLUTION NO. 178-2016

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE PROBATIONARY EMPLOYMENT OF JOHN S. PALLOTTA AS THE TOWNSHIP'S REPLACEMENT PART-TIME ASSISTANT BUILDING INSPECTOR/ASSISTANT ZONING OFFICER/ASSISTANT PROPERTY MAINTENANCE OFFICER IN THE BUILDING DEPARTMENT EFFECTIVE OCTOBER 3, 2016, AND ESTABLISHING HIS COMPENSATION AT \$32.50 PER HOUR UNDER JOB GROUP IX, SALARY RANGE GUIDE "C" OF SALARY ORDINANCE NO. 9-16 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION, NEGATIVE DRUG TEST AND NEGATIVE CRIMINAL HISTORY INFORMATION RECORD CHECK)

WHEREAS, with the resignation of Patrick Calabrese on April 28, 2016, Richard Alloway, the Township's Part-Time Electrical Sub-Code Official was elevated and appointed to assume the duties and responsibilities of Mr. Calabrese as the Township's Full-Time Assistant Building Inspector/Building Sub-Code Official/Assistant Zoning Officer/Assistant Property Maintenance Officer effective July 1, 2016; and

WHEREAS, because of the Building Department's work load, and the fact that the Department has other electrical inspectors it can rely upon, the Construction Official recommended that an additional part-time Assistant Building Inspector be hired; and

WHEREAS, through the job application process, the Building Department received a total of three (3) applications for the position of part-time Assistant Building Inspector/Assistant Zoning Officer/Assistant Property Maintenance Officer; and

WHEREAS, in accordance with the Township's job application process, only one (1) applicant was initially interviewed by the Construction Official and the Human Resource Specialist in mid-August, 2016; and

WHEREAS, the applicant was rated on his employment experience and expertise and his overall skills and abilities to perform the duties and tasks of the positions set forth above; and

WHEREAS, subsequently, the Business Administrator and Human Resource Specialist conducted a second interview with the applicant on September 15, 2016; and

WHEREAS, as a result of the second interview with the candidate, the Business Administrator and Construction Official believe that **John S. Pallotta** residing at 101 South Leswing Avenue in Saddle Brook, New Jersey 07663 possesses the necessary experience, skills and expertise to assume the job duties and responsibilities of part-time Assistant Building Inspector/Assistant Zoning Officer/Assistant Property Maintenance Officer; and

WHEREAS, depending on the needs of the Building Department, **Mr. Pallotta** will not work more than twenty-eight (28) hours in any one (1) week period; and

WHEREAS, in accordance with Township policy as it pertains to part-time employees, **Mr. Pallotta** shall not be eligible to receive any prior service credit or receive or accrue any paid vacations, sick leave, or health and dental benefits coverage of any kind whatsoever in his part-time position as Assistant Building Inspector/Assistant Zoning Officer/Assistant Property Maintenance Officer.

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 **John S. Pallotta** residing at 101 South Leswing Avenue in Saddle Brook, New Jersey 07663 is hereby appointed to serve as the Township's part-time Assistant Building Inspector/Assistant Zoning Officer/Assistant Property Maintenance Officer, commencing Monday, October 3, 2016. **Mr. Pallotta** shall not work more than twenty-eight (28) hours a week depending on the Department's workload.

2. In accordance with Salary Range Guide "C" of Salary Ordinance No. 9-16, **Mr. Pallotta** shall be compensated at the rate of \$32.50 per hour under Job Group IX as set forth in Schedule "B".

3. Pursuant to the requirements of the Township's Employee Job Performance Evaluation System, as described in full under Section 61-18 of Chapter 61 of the Code of the Township entitled Salaries and Compensation, **Mr. Pallotta** shall serve a six (6) month probationary period commencing October 3, 2016 and ending April 3, 2016. At least twenty (20) working days prior to the expiration of the six (6) month probationary period, the Construction Official shall prepare a written job evaluation of **Mr. Pallotta's** performance. In the event that **Mr. Pallotta** receives an unsatisfactory job performance evaluation at any time during his probationary period, **Mr. Pallotta** may be terminated at the conclusion of the probationary period or sooner, whichever case is applicable.

4. In accordance with Schedule "B" and Salary Range Guide "C" of Ordinance No. 9-2016, **Mr. Pallotta** shall be compensated at \$32.50 per hour under Job Group IX. **Mr. Pallotta** shall not be entitled to receive any other remuneration such as compensatory time other than the annual cost of living adjustments that may be granted to non-union civilian employees by the Township Committee and subject to receiving a satisfactory Job Performance Evaluation performed by the Construction Official.

5. This offer of employment is conditional and subject to **Mr. Pallotta** receiving a satisfactory medical examination, negative drug test and negative criminal history record information check, all in accordance with the Township's hiring practices as set forth in the Township's Personnel Policies and Procedures Manual and Section 61-29.N.(1) through (4) entitled "Alcohol and Drug Testing Policy for Civilian Employees".

6. Pursuant to Township policy, **Mr. Pallotta** shall not be eligible to receive any prior service credit or receive or accrue any paid vacations, sick leave and health and dental benefits of any kind whatsoever.

7. That a certified copy of this resolution shall be transmitted to the Construction Official, Chief Municipal Finance Officer and **Mr. Pallotta** for reference and information purposes.

RESOLUTION NO. 179-2016

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE AWARD OF AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT WITH MARY JABLONSKI, AS PROJECT MANAGER AND THE FIRM OF JABLONSKI BUILDING CONSERVATION, INC. IN AN AMOUNT NOT TO EXCEED \$37,755.00 FOR THE PURPOSE OF REPAIRING, RESTORING AND PRESERVING SEVENTEEN (17) GRAVESTONE MARKERS AT THE TOWNSHIP'S HISTORIC WHIPPANY BURYING YARD LOCATED ON THE SOUTHSIDE OF ROUTE 10 EAST IN WHIPPANY AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH THE FIRM, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AT N.J.S.A. 40A:11-5.(1)(a)(ii) AND THE PROVISIONS OF N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26 ET SEQ.

WHEREAS, the Whippany Burying Yard, (hereinafter referred to as the "Burying Yard") also known as the Whippany Cemetery, located on the southerly side of

New Jersey State Highway Route 10 eastbound, is the earliest colonial graveyard in northwest New Jersey; and

WHEREAS, the establishment of the Burying Yard in 1718 predates the founding of Hanover Township and Morris County, and is the site of the first school and church in the County of Morris; and

WHEREAS, the Township's Landmark Commission, in keeping with the purpose and intent of its creation: to protect, enhance and preserve sites and structures which exhibit historical, architectural or cultural significance, serves as the "caretaker organization" over the Burying Yard; and

WHEREAS, age and weather conditions have taken their toll on many of the interment monuments, gravestones and markers at the Burying Yard; and

WHEREAS, in calendar years 2003, 2005, 2006, 2007 and 2008, under the auspices of the Landmark Commission, the Township restored and preserved forty (40) interment gravestones; and

WHEREAS, the Landmark Commission has recommended that the Township continue to stabilize, restore and preserve seventeen (17) additional gravestones at the historic Whippany Burying Yard; and

WHEREAS, the restoration and preservation of these gravestone monuments/markers would represent a Phase VI in the Township's plan to stabilize and preserve historic gravestones which date back to the early 18th century; and

WHEREAS, pursuant to the provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5, and 19:44A-20.26, the Township of Hanover is in need of retaining the services of a professional consultant with experience and expertise in the restoration of gravestone monuments as a Non-Fair and Open Contract; and

WHEREAS, in keeping with the requirements of the Non-Fair and Open Process of the Pay-To-Play Legislation at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township's Business Administrator, in his capacity as the Township of Hanover's Qualified Purchasing Agent has prepared a "Value Determination and Certification", (a copy of which is attached hereto and made a part of this resolution), that the estimated contract for the repair, restoration and preservation of the gravestone monuments/markers does have an anticipated value in excess of \$17,500.00; and

WHEREAS, on August 29, 2016, the Business Administrator/Township Clerk, in accordance with N.J.S.A. 40A:11-6.1 and 11-5.(1)(a)(ii) sent a written Request for Proposal (RFP) and quotation to three (3) professional consulting firms having expertise as gravestone conservators; and

WHEREAS, the three (3) firms that were solicited were as follows:

Joanna S. Pietruszewski of Aegis Restauro, LLC;
Mary Jablonski of Jablonski Building Conservation, Inc.; and
Augerson Art Conservation.

WHEREAS, the Township requested that the consultant conservators submit their written proposals and quotations for the repair and restoration of seventeen (17) gravestone markers to include cleaning, the filling of all cracks and crevices and the filling of interior; and

WHEREAS, the Township requested that the consultant conservators submit their written proposals and quotations on or before September 16, 2016; and

WHEREAS, of the three (3) consultant conservators, only **Jablonski Building Conservation, Inc.** (hereinafter referred to as "**Jablonski**"), submitted a

written proposal and quotation on September 16, 2016 in the amount of \$37,755.00; and

WHEREAS, Jablonski has completed and submitted a Business Entity Disclosure Certification which certifies that **Jablonski** has not made any reportable contributions to a political or candidate committee in the Township of Hanover in the previous one (1) year and that the contract will prohibit **Jablonski** from making any reportable contributions for the term of the contract; and

WHEREAS, Jablonski, in accordance with N.J.S.A. 19:44A-20.26 has also filed a Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification; and

WHEREAS, based on the recommendation of the Business Administrator/ Township Clerk, the governing body intends to award an Extraordinary, Unspecifiable Services Agreement to **Jablonski** in an amount not to exceed \$37,755.00 for the repair and restoration of seventeen (17) gravestone monument/markers; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids, and the contract itself, must be available for public inspection; and

WHEREAS, in compliance with N.J.S.A. 40A:11-6.1 and 11-5(1)(a)(ii), the Township’s Business Administrator has filed a Certificate attached hereto, setting forth the nature of the work, and the reasons why the contract is an Extraordinary, Unspecifiable Service; and

WHEREAS, the Township’s Chief Municipal Finance Officer has certified that sufficient funds have been appropriated and are available through Capital Improvement Fund Ordinance No. 21-16, Line Item No. 410-5633-499 for the purpose set forth in this resolution.

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

1. Pursuant to N.J.S.A. 40A:11-6.1 and 11-5(1)(a)(ii), the governing body, based on the recommendation of the Business Administrator/Township Clerk, hereby awards a contract to **Mary Jablonski**, as Project Manager, and the Firm of **Jablonski Building Conservation Inc.** located at 40 West 27th Street, Suite 1201, in New York City, New York 10001 for the purpose of repairing, restoring and preserving seventeen (17) gravestone monuments/ markers at the Township’s Whippany Burying Yard, as determined by the Landmark Commission, all in accordance with **Jablonski Building Conservation Inc.’s** Letter Proposal and Quotation dated September 16, 2016, a copy of which is attached hereto and made a part of this resolution as if set forth in full.
2. The total amount of the Extraordinary, Unspecifiable Service Agreement shall not exceed \$37,755.00 based on **Jablonski’s** quotation.
3. This contract is awarded without competitive bid as an “Extraordinary, Unspecifiable Service”, in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law because it is critical that individuals with proven expertise and demonstrated technical competence and skills in repairing, restoring and rehabilitating items of unique artistic or historical character, be retained for the purpose of properly repairing and preserving seventeen (17) gravestone monuments/markers that date back to the early 18th Century.

4. In accordance with N.J.S.A. 19:44A-20.5, and 19:44A-20.26, the Business Disclosure Entity Certification Form, the Chapter 271 Political Contribution Disclosure Form and the Stockholder Disclosure Certification submitted by **Jablonski** shall be placed on file with this resolution. The Determination of Value Form certified by the Township's Business Administrator, acting in his capacity as a Qualified Purchasing Agent, is also attached hereto and made a part of this resolution as if set forth in full.
5. A brief notice of this award shall be published in the Daily Record as required by law within ten (10) days of its passage.
6. That a certified copy of this resolution be transmitted to **Mary Jablonski** as Project Manager at **Jablonski Building Conservation Inc.**, the Chairman of the Landmark Commission, the Township Engineer and Chief Municipal Finance Officer for reference and information purposes.

RESOLUTION NO. 180-2016

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-33-011-009 AS AN INACTIVE POCKET LICENSE FOR HANOVER HOSPITALITY CORPORATION FOR THE 2015-2016, 2016-2017, 2017-2018 AND 2018-2019 LICENSE TERMS, ALL IN ACCORDANCE WITH A SPECIAL RULING DATED SEPTEMBER 14, 2016 TO PERMIT THE RENEWAL OF AN INACTIVE LICENSE PURSUANT TO N.J.S.A. 33:1-12.39

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

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

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

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

WHEREAS, by letter dated September 14, 2016, **Hanover Hospitality Corporation** received a Special Ruling, in accordance with N.J.S.A. 33:1-12.39 permitting the Township, as the issuing authority, to grant the renewal application for the 2015-2016, 2016-2017, 2017-2018 and 2018-2019 license term; and

WHEREAS, the Township Committee desires to approve the renewal application as an Inactive Pocket License for the license terms set forth above but with a special condition as described below.

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

1. The governing body hereby approves the renewal of Plenary Retail Consumption License No. 1412-33-011-009 as an Inactive Pocket License held by **Hanover Hospitality Corporation** for the 2015-2016, 2016-2017, 2017-2018, and 2018-2019 license terms.

2. A special condition is placed on the license held by **Hanover Hospitality Corporation**. The governing body shall not approve further renewals of this license beyond the 2018-2019 license term unless the license is being actively used at an approved site on or before June 30, 2019, except if good cause for reconsideration is shown.
3. That certified copies of this resolution shall be transmitted to **Hanover Hospitality Corporation**, the New Jersey Division of Alcoholic Beverage Control and the Hanover Township Police Department for reference and information purposes.

RESOLUTION NO. 181-2016

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER RELEASING THE SUBDIVISION/PERFORMANCE BOND IN THE AMOUNT OF \$392,958.00 AND THE CASH PERFORMANCE BOND IN THE AMOUNT OF \$43,662.00 PLUS A PORTION OF THE INTEREST, PURSUANT TO P.L. 1985,c 315, TO ZZH II REAL ESTATE HOLDINGS, LLC (D/B/A JOHNSTONE SUPPLY) UPON COMPLETION OF THE CONSTRUCTION OF AN ONE STORY 24,757 SQUARE FOOT BUILDING FOR OFFICE USE, SALES AND WAREHOUSE STORAGE AND SITE IMPROVEMENTS ON PROPERTY LOCATED AT 48 SOUTH JEFFERSON ROAD IN WHIPPANY AND ALSO DESIGNATED AS LOTS 1,2 AND 3 IN BLOCK 2904 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER

WHEREAS, on April 17, 2014, the Board of Adjustment granted Site Plan approval and Bulk Variance approval to **ZZH II Real Estate, LLC** (d/b/ **Johnstone Supply**) as applicant/property owner, in connection with the construction a one (1) story 24,757 square foot building to be used as an office, sales and warehouse storage on property located at 48 South Jefferson Road in the Whippany Section of the Township and designated as Lots 1, 2 and 3 in Block 2904 as set forth on the Tax Map of the Township of Hanover; and

WHEREAS, the Board of Adjustment granted preliminary and final site plan approval on May 14, 2014 to **ZZH Real Estate, LLC**; and

WHEREAS, certain improvements were required to be installed by the developer for the project in accordance with the Board of Adjustment approval and the subsequent Developer's Agreement; and

WHEREAS, the Engineering Department has conducted an on-site inspection and determined that all improvements were found to be acceptable; and

WHEREAS, in a letter dated September 16, 2016 to the Mayor and Township Committee, the Township Engineer recommends the release of the \$392,958.00 Sub Division/Performance Bond, Bon No. 52BCSGD2911, the \$43,662.00 cash performance bond subject to the submission to the Township Clerk of a two (2) year Site Improvement Maintenance Bond in the amount of \$65,493.00; and

WHEREAS, the Township Engineer also recommends that Engineering Inspection Fees in the amount of \$19,770.38 also be released but that \$1,000.00 be retained in the Escrow Account.

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 Subdivision/Performance Bond, Bond No. 52BCSGD2911 dated July 22, 2014 issued by the Hartford Fire Insurance Company in the amount of \$392,958.00 is hereby released to **ZZH II Real Estate Holdings, LLC, (d/b/a Johnstone Supply)**.

2. The cash performance bond in the amount of \$43,662.00 deposited in a TD Bank Escrow Account, No. 7760845136, plus a portion of the interest, in accordance with P.L. 1985, c 315 is also released.
3. As a condition of the release of the Subdivision/Performance Bond and the cash bond, **ZZH II Real Estate Holdings, LLC** shall furnish the Township a two (2) year Site Improvement Maintenance Bond in the amount of \$65,493.00 which represents 15% of the total performance guarantee of \$436,620.00.
4. In accordance with the Township Engineer's September 16, 2016 letter recommendation, Engineering Inspection Fees in the amount of \$19,770.38 shall be released to **Z&Z Supply Company, Inc.** However, \$1,000.00 will be retained in the Escrow Account and shall be released by the Township Engineer at the time the two (2) year Site Improvement Maintenance Bond is released.
5. At the end of the two (2) year period, a final inspection will be made by the Engineering Department. After the Developer makes all corrections, the Township Engineer is further authorized by this resolution to then release to the Developer, the Site Improvement Maintenance Bond and the remaining \$1,000.00 in the Engineering Inspection Escrow Account.
6. That a certified copy of this resolution shall be transmitted to the Township Engineer, Chief Municipal Finance Officer and **ZZH II Real Estate Holdings, LLC** for reference and action purposes.

RESOLUTION NO. 182-2016

**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:

Jewish Community Housing Corp. –Contribution	\$10,000.00
--	-------------

Section 2.

BE IT FURTHER RESOLVED, that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

Other Operations Excluded from "CAPS": Reserve Jewish Community Housing Corp. - Contribution	\$10,000.00
--	-------------

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. 183-2016

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL VARIOUS ITEMS

BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that the amounts listed in the following items be and they are hereby cancelled:

OUTSTANDING CHECKS:

<u>ISSUE DATE:</u>	<u>CHECK #</u>	<u>AMOUNT</u>
<u>Current Account:</u>		
August, 2015	42838	\$ 122.99
November, 2015	43503	177.05
November, 2015	43656	10.00
December, 2015	43758	23.50
December, 2015	43846	10.00

BE IF FURTHER RESOLVED, that a certified copy of this Resolution be transmitted to the Township's CMFO for his information and action.

RESOLUTION NO. 184-2016

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT AN INVESTIGATION PURSUANT TO N.J.S.A. 40A:12A-6 TO DETERMINE IF AN APPROXIMATELY 77.8 ACRE PARCEL OF LAND OWNED BY RIVER PARK BUSINESS CENTER, LLC SITUATED ON EDEN LANE BETWEEN PARSIPPANY ROAD AND SOUTH JEFFERSON ROAD AND ALSO DESIGNATED AS LOT 2 IN BLOCK 3801 AND LOT 23 IN BLOCK 4101 AS DESIGNATED ON THE TAX MAP OF THE TOWNSHIP OF HANOVER SATISFIES THE CRITERIA IN N.J.S.A. 40A:12A-5 TO BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12-14

WHEREAS, by resolution dated July 14, 2016, the Township Committee authorized an Professional Services Agreement with Joseph Burgis, P.P. and A.I.C.P. and the Firm of Burgis Associates, Inc. (hereinafter referred to as "Burgis") to prepare an Area in Need of Redevelopment Analysis pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, a Professional Services Agreement was executed by and between the Township and Burgis on July 28, 2016 which Agreement described the scope of services to be rendered by Mr. Burgis and the Firm and the terms and conditions of appointment; and

WHEREAS, Burgis was directed by the governing body to prepare an Analysis or Preliminary Assessment to evaluate whether property owned by River Park Business Center, LLC located on Eden Lane between Parsippany Road and South Jefferson Road, and also designated as Lot 2 in Block 3801 and Lot 23 in Block 4101 as designated on the Tax Map of the Township of Hanover qualified as an Area in Need of Redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law at N.J.S.A. 40A:12A et seq.; and

WHEREAS, the subject property, consisting of approximately 77.8 acres of land is situated in the TC Town Center Zone District as set forth in Chapter 166 of the Code of the Township entitled Land Use and Development Legislation; and

WHEREAS, the TC Zone permits a variety of uses under two (2) development scenarios; namely, a Planned Commercial Development and an Alternative Development Option; and

WHEREAS, the site's existing conditions are inconsistent with the Township's 2013 Master Plan Land Use Element; and

WHEREAS, N.J.S.A.40A:12A-5 describes certain criteria that must be satisfied in order for a site to be designated as an Area in Need of Redevelopment; and

WHEREAS, in a letter dated September 21, 2016 to the Township's Business Administrator, Burgis described his Preliminary Analysis for an Area in Need of Redevelopment Study related to the River Park Business Center LLC property described above; and

WHEREAS, based on Burgis' Preliminary Analysis, the River Park Business Center LLC property more than likely satisfies five (5) of the eight (8) criteria described in N.J.S.A. 40A:12A-5; and

WHEREAS, in accordance with his Preliminary Analysis, Burgis recommends that the Township Committee proceed with the formal redevelopment process as outlined in the New Jersey Local Redevelopment and Housing Law at N.J.S.A. 40:12A-6; and

WHEREAS, in keeping with the study undertaken by Burgis, the Township Committee believes it is in the best interest of the Township to authorize the Planning Board to conduct an investigation of the River Park Business Center, LLC property located on Eden Lane, and designated as Lot 2 in Block 3801 and Lot 23 in Block 3801, to support a designation as an Area in Need of Redevelopment pursuant to the New Jersey Local Redevelopment Housing Law.

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

1. Pursuant to N.J.S.A. 40A:12A-6, the Hanover Township Planning Board is hereby authorized and directed to conduct an investigation pursuant to the criteria established under N.J.S.A. 40A:12A-5 to determine whether property owned by River Park Business Center, LLC (hereinafter referred as the "Study Area") located on Eden Lane between Parsippany Road and South Jefferson Road in the Whippany Section of the Township and designated as Lot 2 in Block 3801 and Lot 23 in Block 4101 as designated on the Tax Map of the Township of Hanover satisfies the criteria established in N.J.S.A. 40A:12A-5 to be designated an "Area in Need of Redevelopment" in conformance with the New Jersey Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-1 et seq.
2. As part of its investigation, the Planning Board shall take into consideration the findings and determinations set forth in a Preliminary Analysis prepared by Joseph Burgis, P.P., A.I.C.P., and the Firm of Burgis Associates, Inc. in a letter report dated September 21, 2016 as to whether the Study Area in question is in need of redevelopment and if a Redevelopment Plan is warranted.
3. Pursuant to N.J.S.A. 40A:12A-6b.(1), the Planning Board shall also prepare a map delineating the boundaries of the Study Area and the location of the two (2) parcels contained therein.
4. In accordance with N.J.S.A. 40A:12A-6b.(2)(3)(a)(d) and 4, the Planning Board shall conduct a public hearing after giving due notice of the boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination

that the Study Area constitutes an Area in Need of Redevelopment. All objects to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered by the Planning Board and made a part of the public record.

5. After conducting its investigation and public hearing, at which time all objections to the designation of the Study Area as an Area in Need of Redevelopment are received and considered by the Planning Board, the Planning Board shall make a recommendation to the Township Committee as to whether the Township Committee shall designate Lot 2 in Block 3801 and Lot 23 in Block 4101 as an Area in Need of Redevelopment.
6. That certified copies of this resolution shall be transmitted to the Planning Board, Township Planner Blais Brancheau, Planning Consultant Joseph Burgis, Township Engineer Gerardo Maciera and the Attorney for River Park Business, LLC for reference and information purposes.

Motion to approve as consent agenda made by Member Ferramosca and seconded by Member Brueno and unanimously passed.

RAFFLES:

RL-2957 – Whippany Fire Company - off premise 50/50 440 Route 10 at 8:00pm on March 7th, March 14th, March 21st, March 28th, April 4th, April 11th, April 18th, April 25th, May 2nd, May 9th, May 16th, May 23rd and May 30th.

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

OPEN TO THE PUBLIC

Motion to Open to the Public made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

Marybeth Cowley, 22 Troy Hills Road: First, I would like to say thank you for the two houses across from the fire house that they are in the Sheriff's hands now. I wanted to know about the properties on Route 10 is the Township Building Department responsible for sending someone out there to improve the housing, their lawns and to straighten them out a little bit.

Mayor: Which specific property are you talking about?

Ms. Cowley: The two or three on Route 10 going West, before Bogey's? Is the Town's Building Department responsible to come out or give them a letter or summons on how they are keeping their property?

Mayor: Where is this?

Mr. Ferramosca: The area on Route 10 heading west bound towards Town Hall prior coming to Bogey's. The Hardy Property.

Mayor: The Hardy property there is a lot in between owned by Forgione Company and then there is Bogey's and do we have any proposal for these properties, I guess that's your question?

Ms. Cowley: Not really.

Mr. Ferramosca: Property maintenance itself. We can get someone out to take a look at those properties.

Ms. Cowley: Are there people living in those homes?

Mr. Brueno: Not next to Bogey's, it's farther East on the West bound side it's across by Pine Plaza, I know where she means, there is a lot of days that it looks like someone is moving out but then there is someone still living there.

Mayor: Is that Gus Hansch property?

Mr. Brueno: No, there is a for sale out front and it's dilapidated and I agree.

Ms. Cowley: It's trash

Mr. Brueno: The answer is yes, we will get someone to check it out.

Ms. Cowley: What is the status of the Route 10 Corridor project?

Mayor: The Route 10 Corridor Plan was reviewed by the Planning Board and adopted and will be an addition to the Master Plan; it's current status right now is that the Planning Board is looking at each specific property along that corridor now that has been indicated to us in need of a rezoning and coming up with various new zone uses. It will very well be I will share with you the Planning Board may be going about this in a lesser way by saying what they will allow but saying what they won't allow and encouraging retail uses on the Route 10 side and encouraging uses associated with retail being office building or shops and so forth; but they probably will also outline specifically what they don't want on the highway. They are in the stages right now of that process of finding the proper zoning language of that.

Ms. Cowley: They were supposed to start up by the Econolodge, I don't know the new name of it, weren't they supposed to start up in that area to begin with so.

Mr. Ferramosca: There were priority zones identified, they will probably look at it in terms of priority zones the Township Committee had given to them three priority zones to work upon and that was part of the zone, you are correct.

Ms. Cowley: Months ago, it was talked about closing the Econolodge because of all of the issues, where do we stand on that because

Mayor: The Econlodge has been rebranded as America's Best and having said that we have come to some satisfactory agreements along with the County and Family Services, etc. whereby we have removed from that property several dozen welfare families, my understanding is there might be one yet on the property. In checking with our public safety department the amount of issues that we have had on that particular property have gone down drastically. We still monitor it, the Planning Board is looking at those properties, and let me say this, the Planning Board is looking at the America's Best property along with the Exxon Station that is there along with another parcel of land in the back that is contiguous with Route 287 and we are trying to package that together and it's one of the primary zones that we are looking at for redevelopment to have that all cleaned out.

Mr. Cowley: Because months ago, maybe a year ago you had mentioned that you wanted to get rid of that parcel of land quickly, like close it whatever. Where do we stand on that? I know you just said parcels of land but it was indicated from an article from your office that you wanted it closed. Maybe a year ago, or 10 months ago, but you had noted that in an article in the newspaper.

Mr. Ferramosca: That was during a time frame where we were getting little or no cooperation from the County and the property owner and subsequently we have gotten cooperation which was cleaning it up and addressing many of the violations and our security issues and so that need at that time has lessened.

Mayor: Have you noted any other specific issues on that property that should be brought to our attention?

Ms. Cowley: Well all I know as a citizen, there was a lot of stuff going on the other night there, so I thought this was going to be a closed, shut down place. I'm just concerned.

Mayor: Our Police Department is very vigilant about the property given its past history, they put a significant amount of money in the property as you can see they have done some of the outside work, etc., that entire aside it's still not one of the high end hotels we have in our town.

Ms. Cowley: So we are really just status quo nothing has been firmed we are just kind of sitting there for the Route 10 Corridor to punch it in. The Church on Whippany and Park Avenue, okay what is the status on that? We have been reading that this is going to be a Mosque or houses; now it's been decided on houses is that correct?

Mayor: That property as you might be aware changed hands, it's not to a religious order, and it was purchased by a commercial organization that is intending to put up townhouses, market townhouses, not retails. The transaction for the property just recently changed hands, in other words the church finally let go of it, it is sold now to the developer, the developer is in the process of getting his approvals before the Sewerage Authority.

Mr. Ferramosca: They have their approvals from Sewerage Authority, they are in the process of finalizing their approvals with Morris Township which would be the service area because the area that it is in have gone as far as putting up what they call silk fencing around the property to contain it; so I would image they are going to be starting to see some activity quickly.

Ms. Cowley: So townhouses?

Mr. Ferramosca: Carriage homes, these are going to be very luxurious form of a townhome.

Ms. Cowley: How many?

Mr. Ferramosca: 23

Ms. Cowley: I know they were talking 40.

Mr. Ferramosca: Originally 40 ~

Mr. Coppola: Don't a number of them have bedrooms on the first floor?

Mr. Ferramosca: Yes, to George's point, the corner units of those carriage homes will have master bedrooms on the first floor in order to address the need that we expressed to them that we have people within our Township who want to relocate to those types of homes and want the amenity of a master bedroom on the first floor.

Ms. Cowley: What is the status on Pine Plaza?

Mayor: The status regarding the vacancies in Pine Plaza? Both the Deputy Mayor and I have met with the owners and I must say on several occasions now and the most recent one was several months ago and at that time we expressed our concerns for the vacancies that they have there, with an absence of a food store, once that food store left they have no immediate plans that we know of that will replace the food store, they do need an anchor in there, a main facility, they are doing marketing research so they tell us, they are looking at the area, the demographics in the area, what they can support, there has been a lot of comments from the community as to what should go in there, Wholefoods, Trader Joes, etc., and by the way we invite any

and all of them we really do. I have read some comments about why aren't we doing something to get a food store in there, well you have to understand the Township governing body has some limitations on private property, we can't sell or lease property on this organizations land so we are sort of handicapped by that, but we have the pressure on the owners, we have some pressure on them to get something done and I'm sure they want to get something done, but I can't tell you tonight that there is anything on the horizon that I can share with you on the property, same thing is true with the Morris County Mall.

Ms. Cowley: There is a rumor in town that the JCC is taking over Pine Plaza, is that just a rumor?

Mr. Ferramosca: We have heard nothing about the JCC wanting to expand beyond their current properties, so we haven't heard anything about that.

Mayor: The opposite is true ~ Pine Plaza is looking for additional land to add to their property on Route 10.

Ms. Cowley: And last what is the Ordinance about political signs being taken down so much after an election, like stuff for schools and elections. Is there a time frame for these signs to be down?

Mr. Semrau: There has been some recent decisions that have been rendered that can change the complexity of taking down signs and its free speech and political speech so at this point I cannot give you a definitive answer as we are evaluating the Supreme Court case from out in Arizona so I can only tell you that the court has much concerns about telling residents when to take down political signs, that's all I can say right now.

Mr. Giorgio: Fred, there is a provision in the Land Use Ordinance that a political sign must be taken down within 5 days following an election, and cannot be put up until 3 weeks prior to the election, so when we see signs in the public right away between a curb and a sidewalk the building department or the DPW will remove the signs.

Mr. Cowley: Last time we had them up over a month, and I think that's not good.

Mr. Ferramosca: We agree with you.

Mr. Giorgio: I must tell you Ms. Cowley, we always send out letters to all of the candidates and it is from the Administrator and it points out what the requirements are and not all of the candidates are as good as the Mayor with complying with the sign ordinance.

Mayor: Wow that was very diplomatic.

Ms. Cowley: No, but after a month or six weeks after an election.

Mr. Giorgio: It's tiresome for us, and it is time consuming and we shouldn't have to do that but we do.

Mr. Coppola: Some of the Freeholder candidates I still see them up.

Ms. Cowley: Thank you.

Mr. Gallagher: We should have those signs put next to my signs so when someone pulls my signs out of the ground and pulls Ron's signs out of the ground they will pull out these signs too and they we will clean up the Town that way.

Mayor: We do not encourage, the Township Committee does not encourage these cardboard, sandwich board, other types of advertisements, house for sale, martial art lessons, we get them all over the town all over the highway, we are limited to what we can do on the State highway that is not our land, and you see them all over the

traffic circle, it is an eyesore, it's a blight, it's a pet peeve of mine, I can tell you that, but the Township Committee enacted some ordinances to try to control it so we are doing the best we can, but like counsel said that also follows under First Amendment Rights.

Ms. Cowley: After the voting is over? First Amendment?

Mr. Semrau: Yes.

Ms. Cowley: Does that stand for BOE stuff, is that 5 days after for like fundraisers?

Mayor: We try to put in some language in our ordinance, if you wanted to put signs up, you would register with us and give us your name and address and phone number, this way in 10 days if your signs were not down you got a phone call to remove them and that was good, but I don't know if we were successful.

Mr. Semrau: No.

Mayor: We are very limited in what we can do.

Ms. Cowley: I just want to know time frames so in a month or six weeks after the affair there is plenty of time to pull it down. It's an ongoing project.

Mayor: Thank you for all of your questions, and I hope we answered them for you.

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

OTHER BUSINESS

Mr. Gallagher: First of all, Hanover Township Day, I'm not going to take Bob's thunder tonight, but I would like to say it was a great day, everyone was all hands on deck. I just want to recognize the DPW working hand and glove with the rec preparing and taking down, servicing all day, great community effort, great professional effort. The only other thing I want to say is the One Day One School Beautification and Safety Initiative is going to be in Hanover Township, Saturday, October 15th. The primary location is the Salem Drive School, we are also going to be working at Malapardis Park under the supervision of Committeeman Brueno because we do have a zombie run right after that and we committed to Bob and Denise that we would get it ready and a little bit safer for that run.

I just also want to say that last year we began a program at Mennen Arena with 8 consecutive Friday nights and this year we are going to do 10. So from the first Friday night in January until March we will be at Mennen Arena for all Hanover Township residents at a great rate, it's a great safe time, and we have a lot of projects this year like for instance, the first night the Sheriff's Department is coming in to do the photo id's and fingerprinting for all of our kids, every week we are going to have a different feature for our families to help them have a positive influence and help the families out a little bit in ways that we can think they can use it.

I want to say that back to school everything is going great, I'm in constant in touch with our Superintendent and the last thing that I want to say, I want to thank the Hanover Township PBA because last year the Hanover Township Substance Awareness Council donated 180 hoodies for all the 6th graders that went to Outdoor Education and this year the Hanover Township PBA is donated 180 hoodies. We are going to hand them out and what's nice is that everyone wanted the hoodies from the substance awareness council so the PBA is going to make the hoodies available to anybody that wants one at cost. So you are going to see the Viking Blue hoodies with our PBA logo on them and they will be available but they are donating 180 of them to our 6th graders. Thank you to the PBA.

Member Ferramosca: 2016 is all about the roads it continues, 12 down 4 to go. This week we completed Cedar Knolls Road and Park Avenue to Whippany Road much needed, great job. Early October to mid-October you will see a completion of Forest Way from Popular to Palm Court, Evergreen along with Palm Court grade initiative this year working with the Engineering Department hand and glove with the DPW as well as HSA to prepare everything, so a great team effort complements to them.

Connectivity, Phase I Plan many of them saying what is that macadam that is going on Jefferson Road, well that is part of your connectivity plan that will allow us to go from the Arboretum and Morris Township all the way through the trails system in Hanover ultimately to get us out to Central Park and then down Eden to Bayer. So this is a significant undertaking Phase I I know it's much anticipated by mid-October you should see it completed.

Directly across the street from us, there has been a lot of work in terms of clean up going on Jefferson Road and Route 10 and you will soon see the grand opening of a QuickChek facility there, could be the week of October 11th but prior to the opening of the QuickChek our Engineering Department is working with their QuickChek employees to ensure that a gate is installed on Ukraine Road for driveway access to regulate that, because there is a restriction and that restriction prohibits any entrance or exit from the hours of 10:00 pm to 5:00 am in the morning.

Member Coppola: First of all John thanks for the gate, I appreciate that. That was one thing that we definitely wanted.

I want to thank the Committee, staff and our Police Chief for what they did this evening to recognize Chris Cosgrove, in making him an honorary Member of the Police Department, recognizing him for the service he gave to the Community and the ultimate sacrifice. It is quite an honor to recognize someone like Chris for all the Military does to make this the greatest County in the whole world.

On October 1st there will be a memorial service held at Whippany Park High School, here again they are honoring Chris Cosgrove.

Lastly, I really want to thank the Committee on behalf of the Landmark Commission I see that we have approved the restoration of 17 stones which is such an improvement to that burial yard, there is so much history as being the oldest historic site in Morris County, 17 is great but we still have more to go but this is a great start, so I just want to say thank you to the Committee for allowing that to happen.

Member Brueno: A few things on Hanover Township Day that took place on September 10th big thanks to Denise Brennan and the entire Recreation Department. It was a rather warm day we thank all those who came out and provided refreshments, all the volunteers, there be too many to mention but I thought it really went well and given the heat the ambulance squad was on standby but we had no medical incidents so we are thankful for that. An additional thanks to Brian Foran and his team they really do a tremendous job that DPW, what goes on behind the scenes, the set up and the take down and everything in between so some special accolades for them. We will have some additional announcements about the October happening and dates at our next meeting in early October.

Mayor: I would like to comment on one thing very quickly as most know and maybe some have attended Governor Chris Christie joined Hanover Township for a Town Hall Meeting at our Community Center this past Monday he addressed some 150+ residents of the area, the subject was on his Fairness Formula for schools. I want to say one thing and I have to be, choice my words in one regard, it is a very sensitive area when it comes to school funding in the State of New Jersey, with Abbott Districts, if you don't know what Abbott Districts are they are communities that get most of the funding from the state. There are nearly 600 school districts in the State of New Jersey and only 30 are Abbott Districts. 70% of your school funding goes to the Abbott Districts and with the cost of educating a student in an Abbott District possibly 4 to 5

times what it is in your Hanover Township. Graduation rate in and Abbott District I will tell you as the Governor reported is under 60% where as in Hanover it is over 92%/ Abbott Districts have been in effect for 30 years, but what Hanover is saying and joins the Governor in one regard is that the system is not equitable it's not equitable for the tax payers that is the problem. This year for the first time I can tell you know as sitting here in this seat and I've been here for quite a few years, I have never seen our education tax rate ever go over \$.60 on the dollar, it's always been under \$.50 but now it's climbed to \$.60 ~ I thought we were exceptional but the Governor seems to tell me that seems to be the normal lately. We get very little state aid in Hanover Township for our schools both our regional schools and our elementary level, very little. So we taxpayers are the ones that really carry the brunt of the funding for this. The Governor's plan not to belabor it and it certainly needs a lot of work and I certainly think the Speaker of Legislation down there Mr. Sweeney's plan needs an equal amount of work, the best thing you can do to tie up something is to put it in Committee and you'll never vote on it, so I think Mr. Sweeney has something working on that note, but not to wax politically but to say that the Fairness Plan calls for a percentage of money for every student, every child in the State of New Jersey. So if your population is a city population and you have anywhere from 10, 15, 20 thousands students well you are going to get the same amount of money per capital per student. If your student population like Hanover is under a couple of thousand etc., we will get so much for those students; it's a little more equitable in that regard. I think the Governor is going to try and move this toward a ballot for you to take a look at and vote on; I think there is a lot more work to be done, but I just want you to know that we want every student in the State of New Jersey, we in Hanover feel that every student in the State of New Jersey should have a fine education, they should be in fine schools and we support that but also at the same time we want you to know that our suburban schools deserve some recognition and some financial aid over time and that is just not happening.

I'll stop there ~ anyone else have anything?

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

ADJOURNMENT

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

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

Joseph A. Giorgio, Township Clerk