

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
1000 ROUTE 10  
WHIPPANY, NEW JERSEY

MARCH 14, 2019

8:00 P.M.: REGULAR MEETING AGENDA: FORMAL ACTION WILL BE TAKEN

1. STATEMENT BY PRESIDING OFFICER
2. CALL TO ORDER/ROLL CALL
3. PRAYER AND PLEDGE OF ALLEGIANCE TO FLAG
4. OPEN TO THE PUBLIC
5. COMMUNICATIONS: Resignation of General Office Part-Time Clerk  
Melissa Polk Effective February 28, 2019.
6. APPROVAL OF MINUTES:  
Regular Minutes of February 14, 2019
7. INTRODUCTION OF THE 2019 CURRENT FUND BUDGET -  
\$27,130,970.57
8. PUBLIC HEARING AND ADOPTION OF ORDINANCES:

ORDINANCE NO. 4-2019 (TO BE WITHDRAWN)

AUTHORIZING THE GUARANTY OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON NOT TO EXCEED \$4,000,000 AGGREGATE PRINCIPAL AMOUNT OF COUNTY GUARANTEED LOAN REVENUE BONDS, SERIES 2019 (WHIPPANY FIREHOUSE PROJECT) ISSUED BY THE MORRIS COUNTY IMPROVEMENT AUTHORITY FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY THEREFOR AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

ORDINANCE NO. 5-2019

AUTHORIZING A ONE (1%) PERCENT INCREASE IN THE APPROPRIATION LIMIT OF THE TOWNSHIP'S CALENDAR YEAR 2019 CURRENT FUND BUDGET AND FURTHER ESTABLISHING A CAP BANK, ALL IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14

ORDINANCE NO. 6-2019

AMENDING ARTICLE X, *PERFORMANCE AND MAINTENANCE GUARANTEES*, INCLUDING SECTIONS 166-63. THROUGH 166-73. UNDER CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO MAKE SAID CHAPTER CONSISTENT WITH THE NEW JERSEY MUNICIPAL LAND USE LAW

**ORDINANCE NO. 8-2019**

**REDUCING THE TWO CENT (\$.02) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DEDICATED OPEN SPACE TRUST FUND TAX RATE TO ONE AND ONE-HALF CENT (\$.015) PER HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION DURING CALENDAR YEAR 2019 ONLY AND FURTHER AUTHORIZING THE TOWNSHIP'S CHIEF MUNICIPAL FINANCE OFFICER TO COLLECT THE ONE AND ONE HALF CENT (\$.015) DEDICATED TAX**

**ORDINANCE NO. 9-2019**

**AUTHORIZING THE ACQUISITION OF APPROXIMATELY 65 ACRES OF OPEN SPACE LAND OWNED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND DESIGNATED AS ROUTES 24/178 SECTION 9 EXCESS, SURPLUS PROPERTY NO LONGER NEEDED FOR FREEWAY CONSTRUCTION AND FURTHER APPROPRIATING THE SUM OF \$500,000.00 FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES PROGRAM, PLANNING INCENTIVE GRANT FOR THE PURCHASE OF THE LAND TO BE USED FOR THE PRESERVATION OF OPEN SPACE AND PASSIVE PARKLAND AND RECREATION PURPOSES**

**ORDINANCE NO. 10-19**

**AUTHORIZING THE CONVEYANCE OF CERTAIN EASEMENTS TO THE COUNTY OF MORRIS, NEW JERSEY, BAYER CORPORATION AND THE TOWNSHIP OF HANOVER IN CONNECTION WITH THE PROPERTY DESIGNATED AS BLOCK 5801, LOTS 2 AND 5 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**ORDINANCE NO. 11-2019 (TO BE WITHDRAWN)**

**ENDING ARTICLE XXXIB, *B-P2 BUSINESS AND PROFESSIONAL DISTRICT*, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP, ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, SO AS TO ALLOW FOR INCLUSIONARY HOUSING DEVELOPMENT AT AN INCREASED DENSITY IN ORDER TO ADDRESS THE TOWNSHIP'S CONSTITUTIONAL OBLIGATION TO PROVIDE FOR AFFORDABLE HOUSING**

**9. INTRODUCTION OF ORDINANCES:**

**ORDINANCE NO. 12- 2019**

**AMENDING SECTION 166-155, *REQUIREMENTS FOR OTHER THAN RESIDENTIAL ZONES*, IN ARTICLE XXIII, *OFF-STREET PARKING AND LOADING*, OF CHAPTER 166 OF THE CODE OF**

**THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO REVISE THE PARKING REQUIREMENTS FOR RESTAURANTS**

**ORDINANCE NO. 13-19**

**AMENDING AND SUPPLEMENTING ORDINANCE NOS. 16-2016 AND 6-2017 BY AUTHORIZING THE PHASE III RESURFACING OF A PORTION OF RIDGEDALE AVENUE FROM FREDERICK PLACE/EAST FREDERICK PLACE TO ITS INTERSECTION WITH EAST HANOVER AVENUE IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP AND APPROPRIATING THE ADDITIONAL SUM OF \$150,000.00 FROM THE TOWNSHIP'S 2019 CURRENT FUND BUDGET FOR THE FINANCING OF THE PHASE III PROJECT**

**ORDINANCE NO. 14-2019**

**AMENDING ORDINANCE NO, 13-2017 ENTITLED "AUTHORIZING THE PURCHASE, DELIVERY AND INSTALLATION OF THE FOLLOWING ACQUISITIONS FOR THE BEE MEADOW SWIMMING POOL FACILITY: (1) THREE (3) PERMANENT PARAGON NUMBER 20002 PARAFLYTE SUPERFLYTE LIFEGUARD STANDS WITH REAR LADDERS OR APPROVED EQUAL; (2) ONE (1) REPLACEMENT SLIDE WITH TWO (2) FLUMES; AND (3) ONE (1) ROCK CLIMBING WALL, AND FURTHER APPROPRIATING THE SUM OF \$55,000.00 FROM THE SWIMMING POOL ENTERPRISE FUND – CAPITAL ACCOUNT FOR 2017 AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT" BY SUPPLEMENTING SECTION 4. WITH AN ADDITIONAL APPROPRIATION OF \$11,500.00 AND SUPPLEMENTING SECTION 5. WITH AN ADDITIONAL APPROPRIATION OF \$8,500.00**

**10. RESOLUTIONS AS A CONSENT AGENDA:**

- A. PROVIDING FOR THE ADVANCEMENT IN GRADE AND COMPENSATION FOR SERGEANT PAUL GUNDERSDORF AND PATROLMEN STEPHEN MANNEY AND MICHAEL PUSKAS IN THE POLICE DEPARTMENT HAVING RECEIVED SATISFACTORY JOB PERFORMANCE EVALUATIONS**
  
- B. REAPPOINTMENT OF KURT CERRATO TO SERVE AS A FULL-TIME, TEMPORARY SEASONAL INTERN ASSIGNED TO THE BUILDING DEPARTMENT AND ESTABLISHING HIS COMPENSATION AT \$14.49 PER HOUR AS SET FORTH SECTION 14. OF SALARY ORDINANCE NO. 8-2018**
  
- C. APPOINTING ANNIE MA TO FILL A VACANT SEAT AS A REGULAR MEMBER OF THE HANOVER TOWNSHIP ENVIRONMENTAL COMMISSION FOR A THREE (3) YEAR TERM OF OFFICE EXPIRING ON DECEMBER 31, 2021 AND AS A MEMBER OF THE GREEN TEAM WITH AN EXPIRATION DATE OF DECEMBER 31, 2019**

- D. EXTENDING THE APPOINTMENT OF ANTONINO INTILI, JR. AS A REGULAR MEMBER OF THE BOARD OF HEALTH COMMENCING APRIL 1, 2019 AND ENDING ON DECEMBER 31, 2019, IN ORDER TO COINCIDE BOARD OF HEALTH REAPPOINTMENTS WITH THE JANUARY, 2019 REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE**
- E. EXTENDING THE APPOINTMENT OF MARLENE PETERSON AS A REGULAR MEMBER OF THE BOARD OF HEALTH COMMENCING APRIL 1, 2019 AND ENDING ON DECEMBER 31, 2019, IN ORDER TO COINCIDE BOARD OF HEALTH REAPPOINTMENTS WITH THE JANUARY, 2019 REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE**
- F. PERMITTING THE TOWNSHIP TO ASSUME THE RESPONSIBILITY OF CONDUCTING A SELF-EXAMINATION OF THE CALENDAR YEAR 2019 CURRENT FUND BUDGET**
- G. RESCINDING THE FEBRUARY 14, 2019 RESOLUTION APPOINTING JOSEPH H. BURGIS, PP, AICP OF BURGIS ASSOCIATES, INC. IN PREPARING A PRELIMINARY INVESTIGATION RELATED TO BLOCK 4001, LOTS 5, 6, 7, 10, 11, 12, 13 AND 14 AND BLOCK 8803, LOT 17 IN QUALIFYING AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A *ET SEQ.***
- H. AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PAUL A. PHILLIPS, PP, AICP AND THE FIRM OF PHILLIPS PREISS FOR THE PURPOSE OF PREPARING AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION AND AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-5 FOR PROPERTY LOCATED AT BLOCK 4001, LOTS 5, 6, 7, 10, 11, 12, 13 AND 14 AND BLOCK 8803, LOT 17, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AND PAY-TO-PLAY LAWS AT N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND 19:44A-20.26 *ET SEQ.* AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH PAUL A. PHILLIPS IN AN AMOUNT NOT TO EXCEED \$55,000.00**
- I. AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH JOSEPH H. BURGIS, PP, AICP AND THE FIRM OF BURGIS ASSOCIATES, INC. FOR THE PURPOSE OF PREPARING AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION AND AN AREA IN NEED OF REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-5 FOR PROPERTY LOCATED AT BLOCK 3801, LOT 2 AND**

**BLOCK 4101, LOT 23, ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AND PAY-TO-PLAY LAWS AT N.J.S.A. 40A:11-5.(1)(a)(i) AND N.J.S.A. 19:44A-20.5 AND 19:44A-20.26 ET SEQ. AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH JOSEPH H. BURGIS IN AN AMOUNT NOT TO EXCEED \$30,000.00**

- J. AUTHORIZING THE TOWNSHIP OF HANOVER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 4001, LOTS 5, 6, 7, 10, 11, 12, 13 AND 14 AND BLOCK 8803, LOT 17, QUALIFIES AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ. AND FURTHER AUTHORIZING THE PLANNING BOARD TO UTILIZE SERVICES OF PAUL A. PHILLIPS, PP, AICP OF PHILLIPS PREISS IN PREPARING THE PRELIMINARY INVESTIGATION**
  
- K. ENDORSING THE SUBMISSION OF A MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND 2019 CONSTRUCTION GRANT APPLICATION IN THE AMOUNT OF \$40,000.00 FOR THE PURPOSE OF PRESERVING HEADSTONES AT THE TOWNSHIP'S HISTORIC WHIPPANY BURYING YARD AND FURTHER PLEDGING A \$10,000.00 CASH MATCH**
  
- L. AUTHORIZING THE AWARD OF AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT WITH JOANNA PIETRUSZEWSKI AND THE FIRM OF AEGIS RESTAURO, LLC IN AN AMOUNT NOT TO EXCEED \$7,400.00 FOR THE PURPOSE OF REPAIRING, RESTORING AND PRESERVING NINE (9) GRAVESTONE MARKERS AT THE TOWNSHIP'S HISTORIC WHIPPANY BURYING YARD SUBJECT TO THE RECEIPT OF A 2019 MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT PLUS A \$10,000.00 TOWNSHIP CASH MATCH**
  
- M. APPROVING THE REPAIR AND REINSTALLATION OF THE THREE (3) WHIPPANY BURYING YARD WROUGHT IRON GATES AND THE PURCHASE OF TWENTY-FIVE (25) CAST IRON FLORAL FINIALS, SMALL AND LARGE SPEARS AND ROSETTES FROM LODI WELDING COMPANY INC. IN AN AMOUNT NOT TO EXCEED \$22,280.00 AS PART OF THE PHASE IX GRAVESTONE RESTORATION PROJECT, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-6.1 WHICH PURCHASES AND REPAIR ARE SUBJECT TO THE RECEIPT OF A 2019 MORRIS COUNTY HISTORIC**

**PRESERVATION TRUST FUND GRANT PLUS A TOWNSHIP CASH MATCH**

- N. APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP AND 1515 PARSIPPANY, LLC AS THE REDEVELOPER AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE REDEVELOPER AGREEMENT**
- O. REFERRING A PETITION TO ALLOW ANNEXATION OF A PORTION OF BLOCK 303, LOTS 13 & 14 IN THE TOWNSHIP OF HANOVER BY THE TOWNSHIP OF PARSIPPANY TO THE PLANNING BOARD FOR REVIEW**
- P. AUTHORIZING BOND REDUCTION NO. 2 BY REDUCING THE \$232,032.00 PERFORMANCE SURETY BOND SUBMITTED BY FLEET HANOVER, LLC TO \$198,068.00 AND REDUCING THE 10% CASH BOND FROM \$42,559.00 TO \$22,008.00 PLUS A PORTION OF THE INTEREST PURSUANT TO P.L. 1985, c.315, AS A RESULT OF COMPLETING 70% OF THE BONDED SITE IMPROVEMENTS RELATED TO THE CONSTRUCTION OF TWENTY-FOUR (24) SINGLE-FAMILY ATTACHED TOWNHOUSE DWELLINGS IN SIX (6) SEPARATE BUILDINGS AND RELATED SITE IMPROVEMENTS ON PROPERTY LOCATED AT 325 WHIPPANY ROAD IN THE WHIPPANY SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 29 IN BLOCK 4701, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**
- Q . AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN EXTRAORDINARY, UNSPECIFIABLE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$17,942.80 WITH GARDEN STATE FIREWORKS, INCORPORATED FOR AN INDEPENDENCE DAY CELEBRATION OF FIREWORKS ON THE EVENING OF JULY 1, 2019 WITH A RAIN DATE OF JULY 2, 2019 OR THE NEXT CLEAR NIGHT IN CASE OF INCLEMENT WEATHER AT THE VETERANS MEMORIAL PARK ATHLETIC FIELD, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-5.(1)(a)(ii) AND (3) AND N.J.S.A. 40A:11-6.1 OF THE LOCAL PUBLIC CONTRACTS LAW**
- R. GRANTING PERMISSION TO THE ISBI HANOVER HOTEL, LLC, T/A HANOVER MARRIOTT HOTEL (PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-36-003-002) TO SERVE ALCOHOLIC BEVERAGES WITHIN ITS IRISH PUB LOCATED AT 1401 ROUTE 10 EAST IN THE TOWNSHIP OF HANOVER STARTING AT 10:00 A.M. ONLY ON SAINT PATRICK'S DAY, SUNDAY, MARCH 17, 2019**

**S. GRANTING PERMISSION TO THE DUBLIN PUB OF WHIPPANY, INC., T/A MOLLY MALONES (PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-33-003-002) TO SERVE ALCOHOLIC BEVERAGES WITHIN ITS TAVERN LOCATED AT 352 ROUTE 10 AND TRYO HILLS ROAD IN THE TOWNSHIP OF HANOVER STARTING AT 10:00 A.M. ONLY ON SAINT PATRICK'S DAY, SUNDAY, MARCH 17, 2019**

**T. AUTHORIZING THE REFUND OF REDEMPTION MONEYS TO AN OUTSIDE LIENHOLDER**

**U. APPROVING THE REFUND OF TAX OVERPAYMENTS**

**10. PAYMENT OF BILLS: \$6,893,414.19**

**11. RAFFLE APPLICATIONS:**

**RL-3191 – ECLC Foundation – Tricky Tray**

**RL-3192 - ECLC – 50/50 off premise**

**RL-3193 - Xavierian Guild of St. Elizabeth - Tricky Tray**

**RL-3194 – Xavierian Guild of St. Elizabeth – 50/50 on premise**

**RL-3195 – Xavierian Guild of St. Elizabeth - -on premise raffle**

**RL-3196 – Seton Hall Prep Mothers Auxiliary – off premise raffle**

**RL-3197 - Our Lady of Mt. Carmel Church – on premise raffle**

**RL-3198 – Hanover Rotary Club – Duck Race**

**12. REPORT OF THE TOWNSHIP ATTORNEY CONCERNING THE STATUS OF THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION.**

**13. OPEN TO THE PUBLIC**

**14. OTHER BUSINESS**

**15. ADJOURNMENT**