

JULY 11, 2019

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, July 11, 2019, at 8:00 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

PRESENT: Mayor Francioli, Members Ferramosca, Gallagher, Cahill, Mihalko

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

OPENING PRAYER

Almighty God, we ask that you bless this governing body with an abundance of wisdom and understanding so that every deliberation will result in actions which will promote the common good and the general welfare for all of the people of Hanover Township...AMEN

PRESENTATIONS:

PRESENTATION OF DISTINGUISHED COMMUNITY SERVICE AWARD TO ROSEMARY GILMARTIN RETIRING EXECUTIVE DIRECTOR OF THE INTERFAITH FOOD PANTRY

PRESENTATION OF CERTIFICATES OF MERIT AND TEES TO MEMBERS OF THE WHIPPANY PARK GIRLS SPRING TRACK AND FIELD TEAM UPON WINNING THE NORTH 2, GROUP 1, STATE SECTIONAL CHAMPIONSHIP

Member Gallagher: I was contacted earlier in the week from Nick one of our Hanover Township Residents and he wanted to know how children can get involved, he had a couple of concerns he wanted to spend a few minutes with me and sit in on a meeting and he immediately sent me a picture of a rain sewer that was clogged. Nick asked me what can we do about this, there are two different ones, so I sent it immediately to Brian Foran and Nick did check up on it and said it was taken care of by the next day. We had a 15 minute get together, he was grilling me, it was like the show Dagnet, had his notes, I had most of the answers, but he asked how the Scouts can get involved and how children can help and I said that our biggest job is to make sure that him and his friends are safe, him and his friends have a great town and that we are here for them and this is as much his town as it is ours. So we discussed different ways he can get in touch with us with any concerns and he is also going to talk to Superintendent Wasko and Committeeman Cahill and I are liaisons to the school and we will be happy to sit in on that with you, and he asked a lot of questions about how to get in touch with us and the professionals. I did let him know that it is also very important that he get to know our Police Department. We have a great Chief that is always accessible so I think that might be another stop but I just wanted to say how much I appreciate him reaching out and getting involved and taking ownership in his town and being comfortable enough with us to reach out and want to spend a couple of

JULY 11, 2019

minutes with us. So thank you good luck and God Bless you and you know I'm a phone call or email away and Ron if you want to say anything.

Mayor Francioli: It is much appreciated, the Scouts in our Town are very active in all areas even in our Community Farm. The scouts did an ADA compliant raised garden that they built and that is one of the Eagle Scout Project, but they have taken on so many wonderful projects even this rain garden that we have outside by the Library, that is maintained by the Scouts as well and it is much appreciated so you are on your way and we look forward to seeing more of you here at Town Hall. Thank you.

OPEN TO THE PUBLIC

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

Barbara Heskins Davis, Land Conservancy: The Land Conservancy serves as the Open Space Advisors for the Township of Hanover. I am here tonight because the Township Committee is going to be considering a resolution authorizing an application to Morris County for trail grant and I wanted to comment with a short presentation as to what you are applying for and to give the Township Committee and the public an idea of the work that Hanover Township is doing to increase the health and quality of life for its residents. This is the third phase of the Bee Meadow Nature Trail, Hanover Township is really fortunate to have the Bee Meadow Park as it's central park and recreational facilities for the residents and you have very thoughtfully been improving the facilities and not just the athletic facilities but the public access to the park. So this is the first pond at Bee Meadow Pond it's the one closest to Reynolds Avenue and this is where the third phase is going to traverse. These are some of the views around the pond there are three ponds at Bee Meadow Park, Phase I was for the pond that was farthest from Reynolds Avenue and is in construction, Phase II was the middle pond and this is now the third pond. So the advantage of the first pond is that there is public fishing access there is kind of a goat path there where people have walked and people have fished but this will formalize that and you will also start and end at the edge of the football field there. This is the location of Bee Meadow Park the reason why I like this so much is that when you do a grant application you want to be able to say that not only does it benefit the resident of the municipality but it benefits county residents as a whole and this is exactly what it does. If you look at the location of Bee Meadow Park you are right across from Reynolds Avenue Park and Bee Meadow Elementary School and Patriot's Path is across the street and that is the regional county trail system and actually Patriot's Path is part of the Statewide Liberty Gap Trail so it's a great location. This is a site map that will go with the application, you can see the three ponds, the pond to the left is Phase I it has the red trail going around it and it is under construction, actually that was Phase II, the orange trail to the east was Phase I and the reason that it was Phase I it was easier and it is good to start with success and I think it is good to be able to say to your county agency that we did what we said we were going to do and we had success and now we are building on it. Bee Meadow Pond the first where Phase III is going to go and it traverses and I will show you some photographs, part of the utility easement, part of an old railroad thread and it just bush whacks its way through the woods and ends up in that grassy area right in the front.

We are going to have three trail heads one of the boat portage, I belong to a Dosh Shalom Synagogue and every time I go to services I get asked where is that boat portage and how do I get on it so it is a very funny thing so Hanover gets everywhere. You are going to have a trail head across from Bee Meadow School as you saw the track team today and when I was out there with Gerry to kind of survey the site the kids from the school are active and the teachers take them across the street to see the park when they can and this will provide an excellent resource for the school and also at the football field there will be a trail head there as well. You want people to know where they can go in a safe and easy way. The trail will traverse and old former railroad bed there is a kind of dense forest cover the photograph to the right is a photo of the Patriot's Path blade so this is part of our connect to that system. This is another shot of the forest within the Bee Meadow Pond which is really inaccessible and it's pretty back there it's a really nice spot.

The utility easement I wouldn't say is attractive but it does provide a crossing for you and you use what you have and the utility companies in Hanover are great to work

JULY 11, 2019

with. Very quickly this is the cost summary that has been prepared by your Engineer, you are applying for just under 80% from Morris County and the Township will match that with your Open Space Trust Fund and they do allow engineering costs as part of that match. This is really an engineering application, your Engineer will submit the designs for it and you have been able to compete all of your projects on schedule with Morris County is what they like, last year you were one of my few towns that had no questions on their application which is a great, great thing. So, I can answer any questions on the application as can Gerry, he can certainly answer questions on the application and again this was just to provide a quick background for you for what the municipality is approving tonight when they submit that resolution.

Member Ferramosca: Barbara we thank you for coming out tonight on behalf of the Land Conservancy of New Jersey. This is an important strategic initiative that the Township Committee supports in Hanover Township, we are excited about seeing this application go in for Phase III this is a premier park for our community and we look forward to working with you in the future with expanding the accessibility by leveraging the whole Patriot's Path system so we thank you.

Mayor: Barbara has been so supportive of Hanover Township, most of us communities with development happening in their town are criticized for not paying enough attention to open space and Hanover Township has almost 900 acres of open space and intends to have more. The trail system which Hanover Township fought for to get a public question on before the County and succeed and it is going to be a wonderful amenity and we are happy to see this go in. It will connect with Patriot's Path and we have all the necessary components to Patriot's Path so we are excited about it and it's going to be a great addition.

William Kuehner, 26 Hamilton Court, Whippany: I have a question what is the Township's current position on the firehouse?

Mayor: The Township's position on the new firehouse? Our position is that the Commissioners are in the final stages of their arrangements with the County and them for funding the firehouse itself.

Mr. Kuehner: Is this the district or the company?

Mr. Cahill: That would be the district. As you know there is going to be a vote on August 10, 2019.

Mr. Kuehner: Actually, I heard that but I didn't know that.

Mr. Cahill: Once that goes through and passes the idea is to continue on with the loan which will then try to assist where we could that the district has been pursuing to finish the firehouse.

Mr. Kuehner: How did the fire building get transferred from the company to the district?

Mr. Cahill: I do not know if that is going to be part of the vote or if that is done without a vote I'm not sure of the legalities are of that. Fred do you know? Can the company transfer the property to the district without a vote?

Mr. Semrau: I think there will probably be the vote, but it will appear to me that there is probably already a consensus in place to make that transfer because of the fact that there is a referendum now.

Mr. Kuehner: Why I'm sorry.

Mr. Semrau: Because of the fact that there is a referendum that is presently pending and I don't think the parties will go through this trouble if they didn't have a plan in place.

Mr. Kuehner: I suspect that there is a plan in foot. What about the \$4 million dollar loan who is picking that up?

JULY 11, 2019

Mr. Semrau: I think ultimately that would be again the Township in this point of time is not a party to this but it would be based on what I understand I think that would be through the fire district when the actual property gets transferred.

Mr. Kuehner: Does the Town get a chance to vote on the fact that the district is taking over a \$4 million loan for a building that is not completed?

Mr. Semrau: When you say the town do you mean the Township?

Mr., Kuehner: I'm sorry I mean the district. The district is taking over the fire house, if I understand it correctly.

Mr. Semrau: It may, if the referendum is approved and there is a transfer.

Mr. Kuehner: Right, but the only way the County I understand can take support of the bonds for the building is if the fire district takes the building over, is that correct?

Mr. Semrau: That is one avenue that is available, that is correct.

Mr. Kuehner: Is that the one that is being pursued?

Mr. Semrau: I believe so, but I can't speak for them, that what it appears to be.

Mr. Kuehner: So how does the Township tax payers get a voice in whether or not they should pick up a \$4 million dollar loan.

Mr. Semrau: It's not the Township taxpayers it the fire district

Mr. Kuehner: The Whippany taxpayers.

Mr. Semrau: They get to voice that through the referendum process.

Mr. Kuehner: Do we know what the referendum is going to say?

Mr. Semrau: Joe I do not know if...

Mr. Giorgio: The fire district has not shared with us the verbiage for that question that will be on the ballot, there will be a public information session at the Community Center on August 7th the night before the Township Committee meeting, but the verbiage for that question for what I understand is being developed by the Attorney representing the fire district so we have not seen that verbiage at this point in time.

Mr. Kuehner: So, if that transfer occurs and that bond gets approved the Township is going to second sign that bond is that correct?

Mr. Giorgio: Actually not, because the fire district will be primary and that is all that will be needed from our last meeting with the bond attorney.

Mr. Semrau: They will have their own collateral. The district will own the building so they will have collateral. The building that is very close to completion, it is not like a preconstruction loan.

Mr. Kuehner: I understand and it's far from being completed but it is not preconstruction.

Mr. Semrau: I wouldn't say far in the cost process but to come in at this point and have the district own the building I think from all of our accounts it seems like it ...

Mayor (interrupted): It's important to understand that what the fire district is doing and now it's the fire district is substituting a loan which is presently in place today, they are getting cheaper money through a county economic plan that floats the bonds, so by doing that they are going to replace the loan that they have with the present bank with this one so they are still going to be engaged in that debt.

JULY 11, 2019

Mr. Kuehner: Yeah, but it's the fire company that has the loan currently, so the loan has to be transferred from the company to the district and who is voting on that?

Mr. Semrau: That will be part of the referendum process. The taxpayers of the district, and I want to add Mr. Kuehner if I may, just you know working or just participating in this process and listening to what has transpired I really have to complement the Whippany Fire Company and the District because they are in a situation where they are trying to find the very best alternative and I have to say that the fire company went back and made a decision that they would potentially transfer that building to a public entity which would be the district and the district worked with the company to what it looks to be a solution that puts the building in the hands of the tax payers and gives the building the best long term viability they really came together to come up with the potential solution. I am not saying I know firsthand if it's a definite but at least from what I have heard that has been proposed they really went back and sharpened their pencils and came up with a solution that is not easy to take a building this far a long and say they are going to make a change and the change to put it into the hands of the district I even told them that working in that fashion was quite an accomplishment.

Mr. Kuehner: But did they have any other choice?

Mr. Semrau: Well I don't think that is a fair statement to say when you are a volunteer organization and you are trying to put together a state of the art facility, right now they have a loan in place they are just trying to get a better rate. So they do have choices. I don't feel comfortable to speak any further about those transactions and that event, but I do think it is fair to say that they worked very much in a diligent effort whether it be with the county they have gone to the State they have come to the Governing Body and they have tried to be very transparent in the process. The Township was provided with financial information and they said that you can come in and look and ask whatever questions you want in the process and it was commendable that they have had this much time that they have put into this aspect of the process at least the part that the township committee has asked me to be part of or at least report back as to what is ongoing with respect to efforts to improve their finances.

Mr. Kuehner: Is the Township going to have any oversight?

Mr. Semrau: I don't know it depends what the ultimate financial arrangement will be, I think that will fall more with the fire district that is the public agency they are audited they have public meetings and they have tax payer dollars.

Mr. Giorgio: In terms of the construction itself Bill the Township Committee recommended to the fire district and the fire company that they retain the services of a clerk of the works to monitor the actual completion of the fire house.

Mr. Cahill: Which they accepted.

Mr. Kuehner: Do they and the individual who is providing that service have an estimate of the costs to complete?

Mr. Giorgio: I can't answer that question Bill I think it is premature at this point, first comes the referendum if that is successful hopefully it will be then they will be able to get into the mode of competing the firehouse and retaining the services of that monitor.

Mr. Kuehner: Oh, so the services have not been provided yet?

Mr. Giorgio: No, not yet.

Mr. Kuehner: So you are asking Whippany part of the Township to vote on something transferring a \$4 million dollar partially constructed building to the taxpayers roll without, well I don't consider the first meeting before the vote to be a very inclusive type process because you are not giving people time to think of what they hear before they vote.

JULY 11, 2019

Mr. Giorgio: That decision was not our decision, not the Township's decision. That was the fire commissioners.

Mr. Kuehner: I understand that but I think that the Township leaders have a sense of responsibility to oversee some of the actions of the fire department.

Mr. Giorgio: Well, the Mayor and I have been very much involved from the very beginning when we sat down with the County two years ago and they brought us into the process so the Mayor and I have been monitoring it on behalf of the Township Committee and also Mr. Semrau has played a role as well. But in the final analysis the presentation of the provision comes under the jurisdiction of the fire district and their attorney.

Mr. Kuehner: Yes, I understand that but I have also been told that many times over the years that the Township can assemble the two Fire Department into a Township function. That is true isn't it?

Mr. Giorgio: When you say a Township function...

Mr. Kuehner: Eliminate the two Fire Departments and make it one Fire Department under the Township rather than independent.

Mr. Giorgio: Mr. Semrau will correct me if I'm wrong but I believe that there is a state statute which provides that a municipal governing body when you have Fire Districts can take appropriate action to either dissolve one or more Districts or consolidate them or municipalize them, but we are not at that point.

Mr. Kuehner: I'm taking up too much time, so let's get to the bottom line, the bottom line is that a meeting 4 days before a vote does not seem to be appropriate that is my view, people do not have time to think about what is being said plus a lot of people will not go.

Mr. Cahill: Have you taken that up with the District because they are the ones who scheduled it?

Mr. Kuehner: I officially did not know that it was scheduled until tonight. I did not officially know that, I have heard, but I did not know it was officially scheduled that is why I am here and I am particularly here because of the time between the meeting and the vote.

Mr. Cahill: I don't know if that has been published that is not us.

Mr. Kuehner: I called Ann Grossi and when I asked about the vote that was going on based on a newspaper I caused all kind of chaos because there was no plan to actually have a vote and a ballot and she didn't know anything about it.

Mr. Giorgio: I can tell you I have it in my office if you want it I was in the paper a couple of weeks ago it was more than a quarter page ad in the Daily Record which printed the absentee ballot for any resident in the Whippany Fire District to vote on August 10.

Mr. Kuehner: I must have missed that.

Mr. Giorgio: I can give you a copy.

Mr. Kuehner: I'm sure you will.

Mr. Semrau: Did you get a ballot in the mail.

Mr. Kuehner: No, I vote in person not by mail.

Mr. Semrau: From the County Clerk's Office did the referendum question go out yet?

Mr. Mihalko: No not yet.

JULY 11, 2019

Mr. Giorgio: Not yet, but the vote will be between 2pm and 9pm.

Mr. Kuehner: That's the standard voting period for fire district it's a Saturday and anyone who votes by ballot in previous election will get ballots mailed to them on the next election. To be honest with you about 10 years ago when they brought in an expert to consolidate the two districts and I sat for four hours as to why they didn't want to do it and ten years later I suspect to see some of the problems are there today were formed at that time period. I am just a little concerned about a \$4 million loan coming out with a building, I hear what you are saying but things I have heard the building is not structural engineer evaluation how much equipment will go into the building has there been a financial statement prepared for like 5 years how they are going to operate it? They have a cell tower which they get about \$125,000 year income the company does not the district, and that may go away with 5G networks cause those towers are only big as a loaf of bread. So there are a lot of things here and I'm just concerned that the time between what is being told with to the public and the time to vote is very short there should be more time to explain what is going on and why. I think the Township Committee should have more of a hand off perspective; they should be more involved in some of that stuff.

Mayor: In the initial draft of agreements that we had the Township was named as a third party in this, the fire company the fire commissioners and the Township then we had a say, and the document that we drafted at the time and correct me if I'm wrong Fred was rather definitive that if there was any issues with satisfying the debt the Township would have stepped in there were certain recourses that we had in that document; but now that the bonding is going through the district which by the way is a taxing agent, you pay a fire tax now, so now that the bonding is going through the district which is allowed to carry debt they do not require our endorsement they don't need us. That is where we stand, are we concerned for them sure but it is not going to take the form of endorsing the loan.

Mr. Kuehner: I don't have all of the total finances for the completion of the building or anything like that but I did an estimate on it and the estimate that I came up with on an annual payment basis for 20 years at 3.5% comes close to \$500,000 a year concurring cash inflow from the taxes is about \$1 million dollars or so a year cash flow I'm not talking about actual financial statements so that represents a significant increase in the amount of cash that has to come from the tax payers. I think that some of that five year financial plan would be excellent to show to the public on the meeting to explain how they are going to handle it for five years including finishing the building and also equipping it. I'm sure that most of the equipment that is in the existing building cannot be transferred into the new building. The other thing is that I just happened to see, I see on TV the other night about aircraft companies in Alaska with dealing with the cold weather and it dawned on me that the building over there is all glass so what is the impact of the glass in the summer and winter? When you open one of the big doors you transfer all the air condition and heat out the door at one time; so there are a lot of questions that I think should be answered and I don't think they are ready or have a financial statement and that is what I am primarily interested in.

Mayor: Isn't this meeting supposed to answer these questions?

Mr. Mihalko: They will answer all of those questions I'm sure.

Mr. Semrau: When you go you will be very impressed to know that the Whippany Fire Company is very far a long in the sale of their building from what I can understand it also resolved any kind of outstanding matters with the construction of the facility and I believe that it is most likely that it will have a very favorable financial relationship between the district and the fire company for the lease of that facility and those are all dollars going in the right direction and we had an opportunity to check

Mr. Kuehner: What lease?

Mr. Semrau: A lease between the district and the Whippany Fire Company.

Mr. Kuehner: For what?

JULY 11, 2019

Mr. Semrau: For the use of the facility

Mr. Kuehner: The new building?

Mr. Semrau: Yes and ...

Mr. Kuehner: I thought the new building was being transferred to the district

Mr. Semrau: Yes your right, so Whippany Fire Company will likely have to rent space and in addition to all of that there is the financial picture, we looked at the cell tower leases and they were very good they have a long term commitment for those cell tower leases so I think you will find that there is a lot of financial wherewithal in what they are doing and it's all because they wanted to get a better financial relationship with respect to the loan because it was a construction loan and they want to get a better rate interest, so I think you will find out that there is a lot of positives in the work that they are doing.

Mr. Kuehner: Just to comment on these but I have heard that story before.

Mr. Semrau: I think that might be disingenuous because I have seen firsthand all the work they have been doing I have seen it.

Mr. Kuehner: Hard work doesn't necessarily mean success

Mr. Semrau: There is a foundation for all of the decisions that they have in place now, you will see.

Mr. Kuehner: Time will tell.

Mr. Semrau: Yup.

Mr. Kuehner: I hope it's not 10 years from now.

Mr. Giorgio: Bill remembers the information session is the 7th of August which is the night before the Township Committee meeting.

Mr. Kuehner: Oh the night before the Township meeting so I can come again. I think it is important for the people of the Whippany Fire District to know what is going on.

Ted L'Estange, 43 Prospect Hill Road, Cuddebackville, NY: Mr. L'Estange was requesting a resolution be made condemning China's State-sanctioned harvesting organs from Falun Gong Practitioners for profit.

Motion to close made by Member Mihalko and second by Member Ferramosca and unanimously passed.

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of June 13, 2019 have been presented to the members of the Committee prior to this meeting by the Township Clerk.

Member Gallagher moved that the Minutes of the Regular Meeting of June 13, 2019 have been accepted and approved as presented by the Township Clerk. The motion was seconded by Member Francioli and was unanimously passed.

COMMUNICATIONS:

SUBMISSION OF LETTER OF RESIGNATION FROM NICHOLAS RIGAS AS A FULL-TIME EMPLOYEE OF THE PUBLIC WORKS DEPARTMENT EFFECTIVE JULY 5, 2019

Member Gallagher made the motion to accept the letter of resignation and was seconded by Member Francioli.

JULY 11, 2019

DEPARTMENTAL REPORTS:

The following reports were presented and ordered filed as received:

Engineering	G. Maceira	All Capital Projects
CFO/Treasurer	S. Esposito	Report on all revenue
Construction	S. Donlon	Report of all permits
Police Department	M. Roddy	All Activities
Public Works	B. Foran	Reports on all activities

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

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

ORDINANCE NO. 25-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY ESTABLISHING THE SALARIES OF LIEUTENANTS AND CAPTAIN, FOR CALENDAR YEARS 2018, 2019, 2020, AND 2021

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 25-19 appeared in full in the June 19th, 2018 issue of the Daily Record in accordance with the law.

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

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

Now on Adoption, Be it resolved, that an Ordinance entitled, "**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY ESTABLISHING THE SALARIES OF LIEUTENANTS AND CAPTAIN, FOR CALENDAR YEARS 2018, 2019, 2020, AND 2021**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the Daily Record.

Motion to adopt ordinance made by Member Gallagher and seconded by Member Cahill unanimously adopted the Ordinance.

So Adopted.

ORDINANCE NO. 26-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 154 OF THE CODE OF THE TOWNSHIP ENTITLED GARBAGE, RUBBISH AND REFUSE BY AMENDING THE PROCEDURAL PROVISIONS OF ARTICLE VII - CONSTRUCTION, RENOVATION AND DEMOLITION DEBRIS RECOVERY PLAN

Proof of Publication that the Ordinance and the Notice of Introduction for Ordinance 26-19 appeared in full in the June 19, 2018 issue of the Daily Record in accordance with the law.

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

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

JULY 11, 2019

Now on Adoption, Be it resolved, that an Ordinance entitled, "**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 154 OF THE CODE OF THE TOWNSHIP ENTITLED GARBAGE, RUBBISH AND REFUSE BY AMENDING THE PROCEDURAL PROVISIONS OF ARTICLE VII - CONSTRUCTION, RENOVATION AND DEMOLITION DEBRIS RECOVERY PLAN**" be passed on final reading and that a Notice of the final passage of the Ordinance be published in the Daily Record.

Motion to adopt ordinance made by Member Gallagher and seconded by Member Cahill unanimously adopted the Ordinance.

So Adopted.

INTRODUCTION OF ORDINANCES:

ORDINANCE NO. 27-2019

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 4. OF ORDINANCE NO. 43-2018 ENTITLED "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE REPLACEMENT OF 23 GARAGE DOORS AT THE DEPARTMENT OF PUBLIC WORKS BUILDING LOCATED AT 25 NORTH JEFFERSON ROAD IN THE WHIPPANY SECTION OF THE TOWNSHIP AND FURTHER APPROPRIATING THE SUM OF \$50,000.00 FROM THE TOWNSHIP'S 2018 CURRENT FUND BUDGET FOR THE FINANCING OF THE PROJECT" WITH THE APPROPRIATION OF AN ADDITIONAL \$10,000.00 FROM THE UNALLOCATED PORTION OF THE TOWNSHIP'S 2019 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS FOR THE FINANCING OF THE PROJECT

WHEREAS, on June 4, 2019, the Township's Bid Reception Committee received and opened two (2) sealed competitive bids for the replacement of twenty-three (23) garage doors at the Township's Public Works Building located at 25 North Jefferson Road in Whippany; and

WHEREAS, by resolution dated June 13, 2019, the Township Committee rejected the competitive bids of the two (2) bidders. The apparent low bidder was deficient, defective and unresponsive in that it failed to submit all of the necessary documentation as required in the Township's Bid Specification. And, the bid of the next apparent low bidder, while submitting all of the required documentation, was substantially higher thereby exceeding the Township's appropriation for the new garage doors; and

WHEREAS, the Township Engineer seeks to re-advertise for the receipt of new competitive bids; and

WHEREAS, in order to provide adequate funding for the new garage doors, the Township Committee wishes to increase the availability of money by supplementing Ordinance No. 43-2018, and funds appropriated in the 2019 Current Fund Budget, Improvements to Buildings and Grounds Account.

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 4. of Ordinance No. 43-2018 is hereby amended and supplemented with the appropriation of an additional \$10,000.00 from the unallocated portion of the 2019 Capital Improvement Fund and all prior years in order to provide adequate funds for the replacement of twenty-three (23) garage doors at the Township's Public Works Building located at 25 North Jefferson Road in the Whippany section of the Township.

JULY 11, 2019

Section 2. The Township Engineer is hereby authorized and directed to re-advertise for the receipt of seal competitive bids in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq.

Section 3. All ordinances of the Township of Hanover which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 5. This Ordinance shall take effect in accordance with law.

Ordinance will be further considered for Public Hearing on August 8th at 8:00 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 Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Mihalko and seconded by Member Cahill and unanimously approved.

So Introduced

ORDINANCE NO. 28-2019

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE
OF NEW JERSEY ACCEPTING ANNEXATION OF A PORTION OF
BLOCK 200, LOT 1.2 IN THE TOWNSHIP OF
PARSIPPANY-TROY HILLS**

WHEREAS, in accordance with N.J.S.A. 40A:7-12, the Township Committee has been presented with an Annexation Petition dated May 9, 2019 on behalf of 1515 Parsippany, LLC requesting the annexation of a portion of Block 200, Lot 1.2 as designated on the tax map of the Township of Parsippany (the "Parsippany Parcel") by the Township of Hanover, and indicating that a companion request had been submitted to the Township of Parsippany for approval of the annexation of a portion Block 303, Lot 14, as designated on the tax map of the Township of Hanover (the "Hanover Parcel") by the Township of Parsippany. A copy of the Annexation Petition is attached hereto as Attachment A, and made a part hereof this Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40A:7-12, the petition included a certification of ownership by the owner of the Parsippany Parcel; and

WHEREAS, by Ordinance No. 2019:27, adopted June 11, 2019 (the "Parsippany Ordinance"), the Township Council of the Township of Parsippany consented to the annexation of a portion of the Parsippany Parcel by the Township of Hanover, and accepted a portion of the Hanover Parcel for annexation by the Township of Parsippany, subject to certain terms and conditions, in accordance with N.J.S.A. 40A:7-12; and

WHEREAS, pursuant to N.J.S.A 40A:7-12, the Township Tax Assessor for the Township of Parsippany issued a certification setting forth the value of real estate currently located in the Township of Parsippany to be annexed by the Township of Hanover. This certification is included in the Annexation Petition attached hereto as Attachment A, and made a part hereof this Ordinance; and

WHEREAS, the metes and bounds descriptions for the portion of the Hanover Parcel to be annexed by the Township of Parsippany-Troy Hills as well as for the portion of the Parsippany Parcel to be annexed by the Township of Hanover have been revised dated April 9, 2019. In accordance with N.J.S.A. 40A:7-12, a copy of the revised metes and bounds descriptions dated April 9, 2019 are attached hereto as Attachments B and C, and made a part hereof this Ordinance; and

JULY 11, 2019

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within their jurisdiction constitute an area in need of redevelopment; and

WHEREAS, on September 22, 2015, the Township Council of the Township of Parsippany adopted a resolution designating the Parsippany Parcel as a non-condemnation area in need of redevelopment as per the Redevelopment Law; and

WHEREAS, on August 22, 2017, the Township Council of the Township of Parsippany adopted a Redevelopment Plan for the Parsippany Parcel after conducting a public hearing in accordance with N.J.S.A. 40A:12A-7(e) (the "Parsippany Redevelopment Plan"); and

WHEREAS, Block 303, Lots 13 and 14 as identified on the official tax map of the Township of Hanover (the "Hanover Property") is contiguous to the Parsippany Parcel and was previously designated as a non-condemnation area in need of redevelopment by the Township Committee of the Township of Hanover pursuant to the Redevelopment Law; and

WHEREAS, the Township Committee of the Township of Hanover has adopted a Redevelopment Plan for the Hanover Property (the "Hanover Redevelopment Plan"); and

WHEREAS, the Hanover Redevelopment Plan contemplates the redevelopment of the Hanover Parcel in a manner that is consistent with the Parsippany Redevelopment Plan.

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

1. The Township Committee accepts annexation of a portion of the Parsippany Parcel as described in the attached metes and bounds description. This ordinance is subject to the following terms and conditions:
 - a. Adoption of all required legislative acts effectuating both annexations by the Township of Parsippany-Troy Hills and the Township of Hanover, respectively.
2. The Township of Parsippany-Troy Hills and the Township of Hanover shall retain the bonded and other indebtedness related to the annexed territories formerly forming part of their respective municipalities. This determination shall be in lieu of any apportionment made by a joint committee of representatives of each municipality pursuant to N.J.S.A. 40A:7-18 and the Ordinances of each municipality shall be filed with the Clerk of each of the municipalities in lieu of the report referred to in N.J.S.A. 40A:7-21.
3. The Township Clerk is hereby authorized and directed to transmit a copy of this Ordinance to the Township Clerk for the Township of Parsippany and attorney representing 1515 Parsippany, LLC.

The Township Clerk is hereby authorized and directed to transmit a copy of this Ordinance to the Morris County Clerk's Office and the New Jersey Secretary of State.

4. All Township officials and employees are hereby authorized and directed to take all actions necessary to effectuate this Ordinance.

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

JULY 11, 2019

SECTION 3. All ordinances or parts of ordinances of the Township of Hanover heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

Ordinance will be further considered for Public Hearing on August 8th at 8:00 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 Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Mihalko and seconded by Member Cahill and unanimously approved.

So Introduced

ORDINANCE NO. 29-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE HANOVER TIGERS YOUTH FOOTBALL AND CHEERLEADING IN OPERATING THE BEE MEADOW PARK BRICKYARD CONCESSION FACILITY BETWEEN AUGUST 9, 2019 THROUGH DECEMBER 7, 2019 DURING THE FOOTBALL SEASON

WHEREAS, it is the desire of the Township of Hanover to permit the **Hanover Tigers Youth Football and Cheerleading**, to operate the Brickyard Concession Facility at Bee Meadow Park during the football season commencing August 9, 2019 through December 7, 2019; and

WHEREAS, the **Hanover Tigers Youth Football and Cheerleading**, is a non-profit community organization; and

WHEREAS, the **Hanover Tigers Youth Football and Cheerleading** agrees to comply with the Township's Specification which sets forth in full the standards and criteria for the proper operation of the Brickyard Concession Facility; and

WHEREAS, the Township Committee of the Township of Hanover believes it to be in the public interest that a lease agreement for ONE (\$1.00) DOLLAR be entered into with the **Hanover Tigers Youth Football and Cheerleading** on the dates specified herein.

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

SECTION 1. The Mayor and Township Clerk are hereby authorized to enter into a lease agreement, a copy of which is attached hereto and made a part of this Ordinance, with the **Hanover Tigers Youth Football and Cheerleading**, a nonprofit community organization, for the nominal sum of ONE (\$1.00) DOLLAR for the purpose of having the **Hanover Tigers Youth Football and Cheerleading** operate the Brickyard Concession Facility at Bee Meadow Park during the football season commencing August 9, 2019 through December 7, 2019.

SECTION 2. The Superintendent of the Department of Recreation and Park Administration is hereby designated as the officer of the Township to enforce the terms and conditions of the Lease Agreement.

SECTION 3. Prior to the inception of the lease, the **Hanover Tigers Youth Football and Cheerleading** shall submit to the Hanover Township Business Administrator, proof of continuance of the tax-exempt status of the said non-profit organization pursuant to both State and Federal law.

SECTION 4. This ordinance shall take effect in accordance with law.

JULY 11, 2019

Ordinance will be further considered for Public Hearing on August 8th at 8:00 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 Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Mihalko and seconded by Member Cahill and unanimously approved.

So Introduced

ORDINANCE NO. 30-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ORDINANCE NOS. 13-2017 AND 14-2019 BY APPROPRIATING AN ADDITIONAL \$10,000.00 FROM THE UNALLOCATED PORTION OF THE 2019 SWIMMING POOL ENTERPRISE FUND – CAPITAL ACCOUNT AND ALL PRIOR YEARS FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT SLIDE WITH TWO (2) FLUMES FOR THE MAIN POOL AT THE BEE MEADOW SWIMMING POOL FACILITY

WHEREAS, an additional appropriation of funds is needed from the 2019 Swimming Pool Enterprise Fund – Capital Account and all prior years for the purchase and installation of a replacement slide with two (2) flumes for the main pool at the Township's Bee Meadow Swimming Pool facility.

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. Ordinance Nos. 13-2017 and 14-2019 are hereby amended and supplemented with the appropriation of an additional \$10,000.00 from the unallocated portion of the 2019 Swimming Pool Enterprise Fund – Capital Account and all prior years in providing sufficient funds for the purchase, delivery and installation of a replacement slide with two (2) flumes for the main pool at the Township's Bee Meadow Swimming Pool Facility.

Section 2. This ordinance shall take effect in accordance with law.

WHEREAS, the chlorine pump for the main pool at the Bee Meadow Swimming Pool has outlived its useful purpose and needs to be replaced.

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 governing body hereby authorizes and approves the purchase, delivery and installation of a new 336 gallon per day Milton Roy Metering Pump for the main pool at the Bee Meadow Swimming Pool Facility in replacing the current chlorine pump which has outlived its useful purpose.

Section 2. There is hereby appropriated the sum of \$4,000.00 from the Unallocated Portion of the 2019 Swimming Pool Enterprise Fund – Capital Account and all prior years for the purchase, delivery and installation of the new chlorine pump described in Section 1. above.

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

Ordinance will be further considered for Public Hearing on August 8th at 8:00 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 Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Mihalko and seconded by Member Cahill and unanimously approved.

So Introduced

JULY 11, 2019

ORDINANCE NO. 31-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE AND INSTALLATION OF A REPLACEMENT CHLORINE PUMP FOR THE MAIN POOL AT THE BEE MEADOW SWIMMING POOL FACILITY AND FURTHER AUTHORIZING THE APPROPRIATION OF \$4,000.00 FROM THE UNALLOCATED PORTION OF THE 2019 SWIMMING POOL ENTERPRISE FUND – CAPITAL ACCOUNT AND ALL PRIOR YEARS FOR THE PURCHASE OF THE NEW REPLACEMENT PUMP

WHEREAS, the chlorine pump for the main pool at the Bee Meadow Swimming Pool has outlived its useful purpose and needs to be replaced.

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 governing body hereby authorizes and approves the purchase, delivery and installation of a new 336 gallon per day Milton Roy Metering Pump for the main pool at the Bee Meadow Swimming Pool Facility in replacing the current chlorine pump which has outlived its useful purpose.

Section 2. There is hereby appropriated the sum of \$4,000.00 from the Unallocated Portion of the 2019 Swimming Pool Enterprise Fund – Capital Account and all prior years for the purchase, delivery and installation of the new chlorine pump described in Section 1. above.

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

Ordinance will be further considered for Public Hearing on August 8th at 8:00 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 Notice of Introduction will be published in full in the Daily Record in accordance with the law.

Motion on introduction made by Member Mihalko and seconded by Member Cahill and unanimously approved.

So Introduced

ORDINANCE NO. 32-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING SECTION 166-108, MAP, SCHEDULE AND APPENDICES, IN ARTICLE XVIII, DISTRICTS; MAP AND SCHEDULE, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO AMEND THE ZONING MAP TO REFLECT A PROPOSED CHANGE IN THE MUNICIPAL BOUNDARY WITH THE TOWNSHIP OF PARSIPPANY-TROY HILLS

WHEREAS, Ordinance 28-2019 would, if adopted, amend the boundary between the Township of Hanover and the Township of Parsippany-Troy Hills; and

WHEREAS, N.J.S.A. 40A:7-15 requires in the case of municipal annexation of land that “(t)he governing body of the municipality to which the land is annexed shall forthwith cause the annexed land to be plotted upon the official map or maps of the municipality”; and

WHEREAS, the land that would be annexed to Hanover Township by Ordinance 28-2019 is owned and developed in common with property identified as Block 303, Lots 13 and 14 on the Hanover Township tax maps; and

WHEREAS, Block 303, Lots 13 and 14 are currently located within the I-P Industrial Park District; and

JULY 11, 2019

WHEREAS, in view of the foregoing statements of facts, it is appropriate to designate the land to be annexed in the same zone district as Block 303, Lots 13 and 14;

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

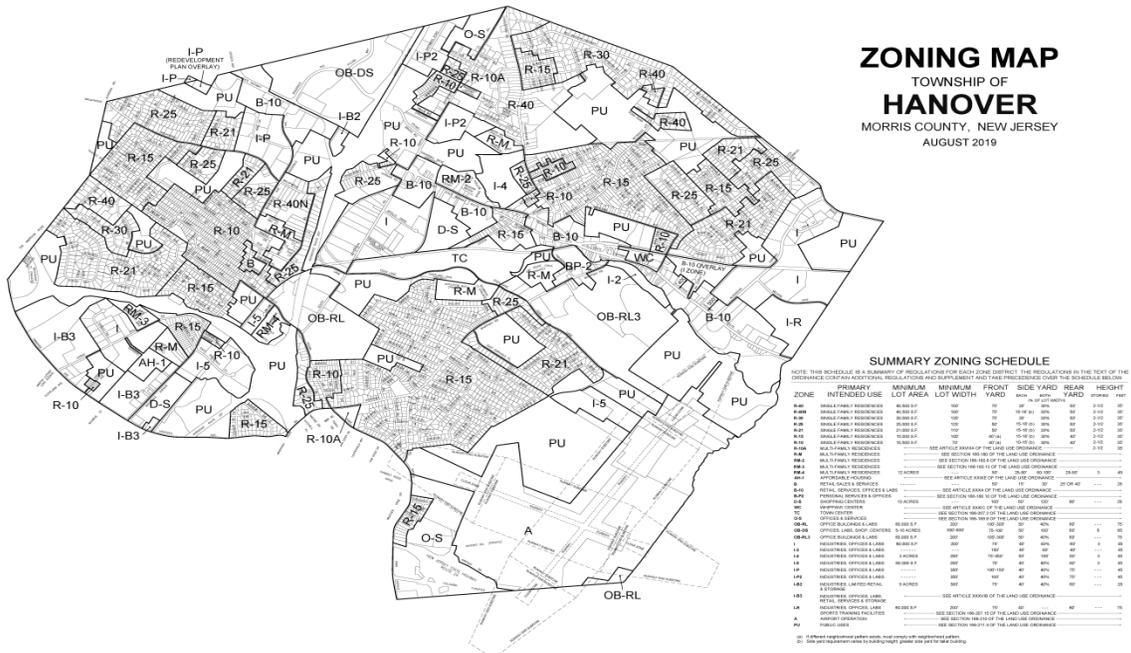
Section 1. Subsection A. of Section 166-108., Map, schedule and appendices, in ARTICLE XVIII, Districts; Map and Schedule, is amended to read as follows:

A. The Zone Map delineating the zone districts within the Township, entitled "Zoning Map, Township of Hanover," dated August, 2019, is hereby declared to be a part of this chapter. In the event of any discrepancy between the summary zoning schedule on the Zoning Map and the text of Chapter 166, the text of Chapter 166 shall supersede the table on the Zoning Map.

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 only take effect upon the date that Ordinance 28-2019 becomes effective and the new municipal boundaries proposed by that ordinance become official, and in accordance with the Municipal Land Use Law, whichever occurs later.



JULY 11, 2019

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 137-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING MATTHEW MASTROBUONO AS A REPLACEMENT LABORER I/SANITATION COLLECTOR I IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING AUGUST 1, 2019 AND ENDING FEBRUARY 1, 2020 AND ESTABLISHING HIS COMPENSATION AT \$18.75 PER HOUR, OR IF ANNUALIZED \$39,000.00 UNDER JOB GROUP III IN ACCORDANCE WITH SALARY RANGE GUIDE “D-1” (IBT) OF SALARY ORDINANCE NO. 1-2019 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION AND CRIMINAL HISTORY RECORD CHECK)

WHEREAS, with the retirement of Brian McClain on June 1, 2019, a vacant position in the Department Works, Buildings and Grounds and Park Maintenance Department (DPW) exists; and

WHEREAS, the Superintendent of the DPW wishes to bring staffing up to its current authorized strength; and

WHEREAS, the position of Laborer I/Sanitation Collector I is classified as a Job Group III under Salary Guide “D-1” (IBT Salary Range) of Salary Ordinance No. 1-19; and

WHEREAS, a total of seven (7) applications were received by the Township for the above referenced position; and

WHEREAS, in accordance with the Township’s job application process, the Superintendent of the DPW and the Township’s Human Resource Specialist interviewed two (2) candidates; and

WHEREAS, the applicants were rated on their prior employment experience and their overall skills and abilities to perform the job of Laborer I/Sanitation Collector I; and

WHEREAS, on June 25, 2019, the Business Administrator and Superintendent conducted a second interview with the two (2) candidates; and

WHEREAS, as a result of the second interview, the Business Administrator and Superintendent believe that **Matthew Mastrobuono** residing at 25 Summit Avenue in Cedar Knolls, New Jersey 07927 possesses the necessary work experience and job qualifications matching the Township’s job description for Laborer I/Sanitation Collector I and should be employed to fill the position; and

WHEREAS, Mr. Mastrobuono shall be required to obtain a valid Commercial Driver License with a Class “A” or “B” endorsement on or before February 1, 2020. Until such time he will remain as a Job Group III employee; and

WHEREAS, upon receiving his Commercial Driver License, **Mr. Mastrobuono** will be eligible to advance to the position of Laborer II/Sanitation Collector II/Truck Driver I under Job Group IV and receive an hourly rate increase; and

WHEREAS, Mr. Mastrobuono shall commence employment on August 1, 2019 and serve in a probationary capacity for a six (6) month probationary period ending on February 1, 2020.

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 **Matthew Mastrobuono** residing at 25 Summit Avenue in Cedar Knolls, New Jersey 07927 is hereby employed to serve in the position of full-time **Laborer I/Sanitation Collector I** for a six (6) month

JULY 11, 2019

probationary period commencing on Thursday, August 1, 2019 and ending on Saturday, February 1, 2020. In accordance with Salary Range Guide "D-1" (IBT Salary Guide) of Salary Ordinance No. 1-2019, **Mr. Mastrobuono** shall be compensated at \$18.75 per hour, or if annualized, \$39,000.00 under Job Group III.

2. Pursuant to the job description for Laborer I/Sanitation Collector I, **Mr. Mastrobuono** shall be required to obtain a valid Commercial Driver License with a Class "A" or "B" endorsement on or before February 1, 2020. Upon obtaining a Commercial Driver License, **Mr. Mastrobuono** shall provide Superintendent with a copy of the license. **Mr. Mastrobuono** will then be eligible to advance to the position of Laborer II/Sanitation Collector II/Truck Driver I under Job Group IV at \$20.19 per hour or, if annualized, a salary of \$42,000.00 pursuant to Salary Range Guide "IBT D-1". If, however, **Mr. Mastrobuono** fails to obtain a Commercial Driver License by February 1, 2020, he shall be terminated from employment with the Township.
3. **Mr. Mastrobuono** 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. At least twenty (20) working days prior to the end of the probationary period, it shall be the responsibility of the Superintendent to complete a written Job Performance Evaluation. In the event that **Mr. Mastrobuono** receives an unsatisfactory evaluation during the probationary period, **Mr. Mastrobuono** 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. Mastrobuono** 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. This offer of employment is conditional and subject to **Mr. Mastrobuono** receiving a satisfactory medical examination and a negative criminal history record check, all in accordance with the Township's Personnel Policies and Procedures.
6. **Mr. Mastrobuono** shall be entitled to 2.5 vacation days during calendar year 2019 in accordance with Section 61-10.C. and D. of Chapter 61 of the Code but shall not be permitted to utilize the 2.5 vacation days until he has completed his six (6) month probationary period and received a satisfactory job performance evaluation. In addition, **Mr. Mastrobuono** 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. Mastrobuono** is not permitted to take any paid sick leave until he has satisfactory completed his probationary period.
7. **Mr. Mastrobuono's** employment is also subject to compliance with those provisions set forth in the collective negotiations agreement executed by and between the Township and IBT Teamsters Local No. 97 for the period beginning January 1, 2016 through December 31, 2019.
8. That certified copies of this resolution shall be transmitted to **Mr. Mastrobuono**, 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.

JULY 11, 2019

RESOLUTION NO. 138-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING WILLIAM NANARONE AS A REPLACEMENT LABORER I/SANITATION COLLECTOR I IN THE PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING SEPTEMBER 3, 2019 AND ENDING MARCH 3, 2020 AND ESTABLISHING HIS COMPENSATION AT \$18.75 PER HOUR, OR IF ANNUALIZED \$39,000.00 UNDER JOB GROUP III IN ACCORDANCE WITH SALARY RANGE GUIDE "D-1" (IBT) OF SALARY ORDINANCE NO. 1-2019 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION AND CRIMINAL HISTORY RECORD CHECK)

WHEREAS, with the resignation of Nicholas Rigas as of July 15, 2019, a vacant position in the Department Works, Buildings and Grounds and Park Maintenance Department (DPW) exists; and

WHEREAS, the Superintendent of the DPW wishes to bring staffing up to its current authorized strength; and

WHEREAS, the position of Laborer I/Sanitation Collector I is classified as a Job Group III under Salary Guide "D-1" (IBT Salary Range) of Salary Ordinance No. 1-19; and

WHEREAS, a total of seven (7) applications were received by the Township for the above referenced position; and

WHEREAS, in accordance with the Township's job application process, the Superintendent of the DPW and the Township's Human Resource Specialist interviewed two (2) candidates; and

WHEREAS, the applicants were rated on their prior employment experience and their overall skills and abilities to perform the job of Laborer I/Sanitation Collector I; and

WHEREAS, on June 25, 2019, the Business Administrator and Superintendent conducted a second interview with the two (2) candidates; and

WHEREAS, as a result of the second interview, the Business Administrator and Superintendent believe that **William Nanarone** residing at 57 Warren Street in Whippany, New Jersey 07981 possesses the necessary work experience and job qualifications matching the Township's job description for Laborer I/Sanitation Collector I and should be employed to fill the position; and

WHEREAS, **Mr. Nanarone** shall be required to obtain a valid Commercial Driver License with a Class "A" or "B" endorsement on or before March 3, 2020. Until such time he will remain as a Job Group III employee; and

WHEREAS, upon receiving his Commercial Driver License, **Mr. Nanarone** will be eligible to advance to the position of Laborer II/Sanitation Collector II/Truck Driver I under Job Group IV and receive an hourly rate increase; and

WHEREAS, **Mr. Nanarone** shall commence employment on September 3, 2019 and serve in a probationary capacity for a six (6) month probationary period ending on March 3, 2020.

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 **William Nanarone** residing at 57 Warren Street in Whippany, New Jersey 07981 is hereby employed to serve in the position of full-time **Laborer I/Sanitation Collector I** for a six (6) month probationary period commencing on Tuesday, September 3, 2019 and ending on

JULY 11, 2019

Tuesday, March 3, 2020. In accordance with Salary Range Guide "D-1" (IBT Salary Guide) of Salary Ordinance No. 1-2019, **Mr. Nanarone** shall be compensated at \$18.75 per hour, or if annualized, \$39,000.00 under Job Group III.

2. Pursuant to the job description for Laborer I/Sanitation Collector I, **Mr. Nanarone** shall be required to obtain a valid Commercial Driver License with a Class "A" or "B" endorsement on or before February 1, 2020. Upon obtaining a Commercial Driver License, **Mr. Nanarone** shall provide Superintendent with a copy of the license. **Mr. Nanarone** will then be eligible to advance to the position of Laborer II/Sanitation Collector II/Truck Driver I under Job Group IV at \$20.19 per hour or, if annualized, a salary of \$42,000.00 pursuant to Salary Range Guide "IBT D-1". If, however, **Mr. Nanarone** fails to obtain a Commercial Driver License by March 3, 2020, he shall be terminated from employment with the Township.
3. **Mr. Nanarone** 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. At least twenty (20) working days prior to the end of the probationary period, it shall be the responsibility of the Superintendent to complete a written Job Performance Evaluation. In the event that **Mr. Nanarone** receives an unsatisfactory evaluation during the probationary period, **Mr. Nanarone** 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. Nanarone** 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. This offer of employment is conditional and subject to **Mr. Nanarone** receiving a satisfactory medical examination and a negative criminal history record check, all in accordance with the Township's Personnel Policies and Procedures.
6. **Mr. Nanarone** shall be entitled to 2 vacation days during calendar year 2019 in accordance with Section 61-10.C. and D. of Chapter 61 of the Code but shall not be permitted to utilize the 2 vacation days until he has completed his six (6) month probationary period and received a satisfactory job performance evaluation. In addition, **Mr. Nanarone** 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. Nanarone** is not permitted to take any paid sick leave until he has satisfactory completed his probationary period.
7. **Mr. Nanarone's** employment is also subject to compliance with those provisions set forth in the collective negotiations agreement executed by and between the Township and IBT Teamsters Local No. 97 for the period beginning January 1, 2016 through December 31, 2019.
8. That certified copies of this resolution shall be transmitted to **Mr. Nanarone**, 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.

JULY 11, 2019

RESOLUTION NO. 139-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING KAYLA WRIGLEY TO THE POSITION OF PART-TIME VIOLATIONS CLERK FOR A SIX (6) MONTH PROBATIONARY PERIOD COMMENCING THURSDAY, AUGUST 1, 2019 AND ENDING SATURDAY, FEBRUARY 1, 2020 AND ESTABLISHING HER COMPENSATION AT \$19.75 PER HOUR UNDER JOB GROUP CLASSIFICATION II IN ACCORDANCE WITH SALARY RANGE GUIDE "C" OF SALARY ORDINANCE NO. 17-19 (CONDITIONAL OFFER OF EMPLOYMENT SUBJECT TO RECEIVING A SATISFACTORY MEDICAL EXAMINATION AND NEGATIVE CRIMINAL HISTORY RECORD CHECK)

WHEREAS, with the resignation of Vivien Thorsen as the part-time Violations Clerk in the Violations Bureau effective June 6, 2019, there is a need to fill the position; and

WHEREAS, the position noted above is classified under Job Group II, Schedule "B" and Salary Range Guide "C" Salary Ordinance No. 17-19; and

WHEREAS, pursuant to the Township's job search process, the Township received two (2) applications by the Department of Administration; and

WHEREAS, two (2) candidates were interviewed by the Municipal Court Administrator and Human Resource Specialist; and

WHEREAS, the applicants were rated on their prior employment experience and expertise and their overall skills and abilities to perform the duties and tasks of the part-time Violations Clerk; and

WHEREAS, on June 27, 2019, the Business Administrator/Township Clerk and Municipal Court Administrator conducted a second interview with one finalist; and

WHEREAS, as a result of the interview, it is the recommendation of the Interview Committee that **Kayla Wrigley** residing at 15 Gristmill Road in Cedar Knolls has the necessary work experience, job qualifications and administrative skills closely matching the Job Description for Part-Time Violations Bureau; and

WHEREAS, Ms. Wrigley shall serve as the part-time Violations Clerk for a six (6) month probationary period commencing Thursday, August 1, 2019 and ending on Saturday, February 1, 2020 ; and

WHEREAS, in accordance with Schedule Range Guide "C" of Salary Ordinance No. 17-2019, **Ms. Wrigley** shall be compensated at the hourly rate of \$19.75 per hour under Job Group II. Pursuant to Township policy, **Ms. Wrigley** shall not be entitled to receive any other remuneration such as compensator 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 Business Administrator or his designee; and

WHEREAS, Ms. Wrigley 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; and

WHEREAS, in accordance with the Township's Personnel Policies and Procedures under Chapter 61 of the Code of the Township, **Ms. Wrigley** shall be subject to receiving a satisfactory medical examination and a negative criminal history record check conducted by the New Jersey Division of State Police.

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:

JULY 11, 2019

1. That **Kayla Wrigley** residing at 15 Gristmill Road in Cedar Knolls, New Jersey 07927 is hereby appointed as the part-time replacement Violations Clerk for a six (6) month probationary period commencing Thursday, August 1, 2019 and ending on Saturday, February 1, 2020. As a part-time employee, **Ms. Wrigley** shall not work more than twenty-nine (29) hours a week.
2. In accordance with Salary Range Guide "C" of Salary Ordinance No. 17-2019, **Ms. Wrigley** shall be compensated at \$19.75 per hour under Job Group II. Pursuant to Township Policy, **Ms. Wrigley** 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 Business Administrator or his designee.
3. **Ms. Wrigley** 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. At least twenty (20) working days prior to the probationary period, it shall be the responsibility of the Municipal Court Administrator to complete a written Job Performance Evaluation. In the event that **Ms. Wrigley** receives an unsatisfactory job performance evaluation during her probationary period, **Ms. Wrigley** may be terminated at the conclusion of the probationary period or sooner, whichever case is applicable.
4. Pursuant to Township Policy, **Ms. Wrigley** shall not be eligible to receive health and dental benefits or earn and accrue paid vacation and sick leave of any kind whatsoever.
5. This offer of employment is conditional and subject to **Ms. Wrigley** receiving a satisfactory medical examination and a negative criminal history record check, all in accordance with the Township's Personnel Policies and Procedures and under Chapter 61 of the Code of the Township.
6. That a certified copy of this resolution shall be transmitted to the Chief Municipal Finance Officer and **Ms. Wrigley** for reference and information purposes.

RESOLUTION NO. 140-2019

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER
AUTHORIZING THE ADOPTION OF NEW SALARIES AND RATES
OF PAY FOR LIEUTENANTS AND CAPTAIN PURSUANT TO ORDINANCE
NO. 25-2019 DURING CALENDAR YEARS 2018, 2019, 2021 AND 2021**

BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris and State of New Jersey, that the rates of pay for Lieutenants and Captain in accordance with Schedule "A" of the Agreement between the Township of Hanover and Superior Officers Association No. 128A, N.J.P.B.A., and Ordinance No. 25-2019 be as follows:

January 1, 2018	Yearly Total
White, David	\$ 149,355
Loock, Michael	\$ 138,935
Williams, Ryan	\$ 138,935

January 1, 2019	Yearly Total
White, David	\$ 152,342
Loock, Michael	\$ 141,713
Williams, Ryan	\$ 141,713

JULY 11, 2019

<u>January 1, 2020</u>	<u>Yearly Total</u>
White, David	\$ 155,389
Loock, Michael	\$ 144,548
Williams, Ryan	\$ 144,548

<u>January 1, 2021</u>	<u>Yearly Total</u>
White, David	\$ 158,497
Loock, Michael	\$ 147,439
Williams, Ryan	\$ 147,439

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Chief Municipal Finance Officer for record and action purposes.

RESOLUTION NO. 141-2019

A RESOLUTION APPROVING THE APPOINTMENT OF FULL-TIME, SEASONAL PERSONNEL FOR THE BEE MEADOW POOL IN ACCORDANCE WITH SECTION 13, ITEMS 2, AND 5 OF SALARY ORDINANCE NO. 17-2019

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

Bee Meadow Pool

WHEREAS, it is the recommendation of the Board of Recreation Commissioners that the Township Committee approve the individuals listed below under paragraph one (1), who shall be compensated at the rates set forth in accordance with the salary ranges established in Section 13. Items 2 and 5 of Salary Ordinance No. 17-2019.

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

1. In accordance with Section 13, Items 2 and 5 of Salary Ordinance No. 17-2019, the rates of compensation for the following seasonal employees mentioned below shall be as follows:

PARKS & RECREATION - SUMMER

<u>Bee Meadow Pool:</u>		<u>Start Date</u>
<u>Lifeguard – Part Time:</u>		
Cora McClain.....	\$ 9.50/hr.	07/12/19
<u>Swim Team Coach:</u>		
Gary L. Sun.....(Balance of Season).....	\$13.00/hr.	07/12/19
<u>Lifeguards – Full Time:</u>		
Joseph Thoma.....	\$10.25/hr.	07/12/19
Nicholas Thoma.....	\$10.25/hr.	07/12/19

Except for disciplinary removal, all appointments (with the exception of the all year round Teen Coordinators) as seasonal employees shall terminate on or before September 2, 2019

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

RESOLUTION NO. 142-2019

A RESOLUTION CERTIFYING TO THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY THAT ALL MEMBERS OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE 2018 ANNUAL AUDIT ENTITLED GENERAL COMMENTS AND RECOMMENDATIONS

JULY 11, 2019

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S.52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the 2018 Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days (45) after the receipt of the annual audit, pursuant to N.J.A.C.5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Hanover, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 143-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF HANOVER AND THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONCERNING THE PERFORMANCE OF ANIMAL CONTROL SERVICES BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS ON BEHALF OF THE TOWNSHIP OF HANOVER DURING THE PERIOD BEGINNING AUGUST 1, 2019 THROUGH JULY 31, 2022 AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE AGREEMENT, ALL IN ACCORDANCE WITH N.J.S.A. 40A:65-4 ET SEQ. AND N.J.S.A. 40:48-5.1

WHEREAS, there exists a need for the humane treatment and shelter of animals in the Township of Hanover; and

WHEREAS, the Township of Hanover does not maintain a public shelter for the caring and keeping of stray dogs, cats or other domestic pets; and

JULY 11, 2019

WHEREAS, N.J.S.A. 40:48-5.1 provides that any municipality which does not maintain a public pound for the keeping of stray dogs, cats or other domestic pets, may enter into a contract with a humane society not organized for pecuniary profit or other similar organization for the collection, keeping for redemption and disposal of all such stray animals found within the municipal boundaries; and

WHEREAS, N.J.S.A. 40:65-4. et seq. also provides that any municipality may enter into an agreement with any other municipality or municipalities to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Parsippany-Troy Hills maintains and operates an Animal Control Program providing staffing, an animal shelter, related support equipment and materials to serve the residents of its Township; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act at N.J.S.A. 40:65-1 et seq., the Township of Parsippany-Troy Hills and the Township of Hanover have agreed that the citizens of their respective communities can be better served, at a reduced expenditure of tax dollars, by arranging for the performance of animal control services by the Township of Parsippany-Troy Hills for the benefit of the residents of Hanover Township; and

WHEREAS, the Township of Hanover has been satisfied with the animal control services performed by the Township of Parsippany-Troy Hills in prior years, and believes that the health, safety and welfare of the Township is best served with the reestablishment of a Shared Services Agreement for a three (3) year term; and

WHEREAS, the Animal Control Shared Services Agreement, a copy of which is attached hereto and made a part of this resolution, shall commence on August 1, 2019 and terminate on July 31, 2022; and

WHEREAS, during the first year of the Agreement, the Township of Parsippany-Troy Hills shall be paid the sum of \$40,000.00 with a 2% increase in each of the two (2) subsequent years of the Agreement; and

WHEREAS, either Township may terminate the Agreement with or without cause upon sixty (60) days written notice to the other party.

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 Shared Services Regulations promulgated under N.J.S.A. 40A:65-1 et seq. and N.J.S.A. 40:48-5.1, the governing body hereby approves the reestablishment of a Shared Services Agreement by and between the Township of Hanover and the Township of Parsippany-Troy Hills concerning the performance of animal control services by the Township of Parsippany-Troy Hills on behalf of the Township of Hanover.
2. For the performance of animal control services by the Township of Parsippany-Troy Hills (as described in full in the attached Shared Services Agreement, a copy of which is attached hereto and made a part of this resolution), the Township of Hanover shall pay Parsippany the annual sum of \$40,000.00 to be paid in four (4) quarterly payments during the first year of the Agreement. Subsequently, the fee will automatically increase by 2% during the second and third years of the Agreement.
3. The Agreement shall commence on August 1, 2019 and terminate on July 31, 2022. Either party to the Agreement may terminate the Agreement with or without cause upon sixty (60) days written notice to the other party.

JULY 11, 2019

4. That the Township's Chief Municipal Finance Officer has certified that sufficient funds are be available in the Dog Trust Fund Account and the 2019 Current Fund Budget – Account No. 033- Animal Control to cover the \$40,000.00 contractual cost and any other related fees during the first year of the Agreement as described under paragraph 10 of the Agreement.
5. The Mayor and Township Clerk are authorized and directed to execute the renewed Shared Services Agreement on behalf of the Township of Hanover.
6. That a certified copy of this resolution along with executed copies of the Agreement shall be transmitted to the Township of Parsippany-Troy Hills for signature. In addition, copies of the resolution shall also be transmitted to the Township's Health Officer/Environmental Specialist, Chief of Police and Chief Municipal Finance Officer for reference and information purposes.

RESOLUTION NO. 144-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE SUBMISSION OF A 2019 MORRIS COUNTY TRAIL CONSTRUCTION GRANT APPLICATION FOR THE BEE MEADOW POND NATURE TRAIL – PHASE III

WHEREAS, the Morris County Board of Chosen Freeholders authorized the creation of the Trail Construction Grant Program (hereinafter "Program") to provide funding to any of its 39 municipalities for recreational trail construction projects; and

WHEREAS, the Program is funded through the Morris County Open Space, Recreation, Farmland and Historic Preservation Trust Fund and requires a 20% match from applicants through a financial contribution or in-kind services; and

WHEREAS, the Township's 20% match will be \$35,000.00 from the Township's Open Space Trust Fund Account; and

WHEREAS, the Township of Hanover is submitting a grant to the Morris County Trail Construction Grant Program and is requesting \$129,120.00 in grant funds to support the Township's project entitled the "Bee Meadow Pond Nature Trail – Phase III".

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 authorizes the preparation and submission of a Morris County Trail Construction Grant Application for the "Bee Meadow Pond Nature Trail – Phase III" project and requests \$129,120.00 in grant funds.
2. The governing body authorizes the expenditure of the required 20% match for this grant through the Township's Open Space Trust Fund Account in the amount of \$35,000.00. The total project budget is \$164,120.00.
3. The governing body acknowledges the grant program will operate on a reimbursement basis only and agrees to provide full advance funding to complete the proposed project.
4. That certified copies of this resolution, along with the application, shall be submitted to Denise Chaplick at the Morris County Park Commission, the Township Engineer, the Township's Chief Municipal Finance Officer and Barbara Davis at The Land Conservancy of New Jersey for reference and information purposes.

**JULY 11, 2019
RESOLUTION NO. 145-2019**

A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DAREN J. PHIL, P.E., P.P. AND THE FIRM OF SUBURBAN CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$51,000.00 FOR THE PERFORMANCE OF SURVEY AND BASE MAPPING, ENVIRONMENTAL PERMITTING, DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS AND OTHER SERVICES AS IT RELATES TO THE PHASE II BEE MEADOW POND NATURE TRAIL LOCATED AT BEE MEADOW PARK, AND FURTHER AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SUBURBAN CONSULTING ENGINEERS, INC., ALL IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW AT N.J.S.A. 40A:11-5.(1)(a)(i) AND THE NON-FAIR AND OPEN CONTRACTS PROVISIONS OF THE LOCAL UNIT PAY-TO-PLAY LAWS AT N.J.S.A. 19:44A-20.5 AND N.J.S.A. 19:44A-20.26

WHEREAS, on July 31, 2018, the Township of Hanover submitted an application to the Morris County Park Commission under the Morris County Trail Construction Program for a 2018 Trail Construction Grant for the construction of a Nature Trail designated as “The Bee Meadow Pond Nature Trail – Phase II”; and

WHEREAS, the Township requested \$153,820.00 in grant funds with a match of \$40,000.00 from the Township’s Open Space Trust Fund; and

WHEREAS, by letter dated January 24, 2019, the Township’s Business Administrator/Township Clerk was advised that the County of Morris was awarding the \$153,820.00 grant through the Morris County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Program for the construction of the Phase II Bee Meadow Pond Nature Trail located at Bee Meadow Park in the Whippany Section of the Township; and

WHEREAS, pursuant to the provisions of the Non-Fair and Open Contracts provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township Committee needs to retain the services of a firm whose members are professional engineers, as a Non-Fair and Open Contract for the purpose performing specific tasks related to the construction of the Phase II Bee Meadow Pond Nature Trail; and

WHEREAS, at the request of the Township Engineer, **Daren J. Phil**, a professional engineer licensed by the State of New Jersey and the President of the Firm of **Suburban Consulting Engineers, Inc.** submitted a written proposal and quotation dated June 18, 2019 describing the professional engineering scope of services to be performed on behalf of the Township with respect to the construction of the Bee Meadow Pond Nature Trail – Phase II. A copy of the letter proposal and quotation is attached hereto and made a part of this resolution as if set forth in full; and

WHEREAS, the Township has utilized the services of **Suburban Consulting Engineers, Inc.** on the Phase I preparation of design and construction documents requiring the services of licensed professional engineers, and believes that the firm’s professional engineers possess the necessary skills, qualifications, experience and expertise to perform those engineering services related to the design and construction of the above referenced Bee Meadow Pond Nature Trail – Phase II; and

WHEREAS, the Township’s Business Administrator, in his capacity as the Township’s Qualified Purchasing Agent, had determined and certified in writing that the value of the professional engineering services described in the proposal will exceed \$17,500.00; and

WHEREAS, the professional engineering services will include the following tasks:

1. Survey and Base – Mapping Phase – Lump Sum Fee..... \$ 7,450.00
2. Environmental Permitting

JULY 11, 2019

Task 1 – Wetland Delineation and GP #17 Application.....	\$ 7,500.00
Task 2 –Flood Hazard Area Individual Permit Application.....	\$ 6,500.00
3. Design Development and Construction Documents	\$15,300.00
4. Bidding Phase.....	\$ 2,000.00
5. Construction Phase Services.....	\$ 3,500.00
6. Construction Stakeout Services (3 days).....	\$ 8,750.00
TOTAL AMOUNT:	\$51,000.00; and

WHEREAS, the total cost for the performance of the scope of services as described in the June 18, 2019 letter proposal and quotation shall not exceed \$51,000.00 plus \$1,000.00 to cover any out-of-pocket disbursements; and

WHEREAS, the total contract amount shall not exceed \$52,000.00; and

WHEREAS, in keeping with the requirements of the Non-Fair and Open Contracts process of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Township’s Business Administrator/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 performance of professional engineering and environmental services has an anticipated value in excess of \$17,500.00; and

WHEREAS, Suburban Consulting Engineers, Inc. has completed and submitted the Business Entity Disclosure Certification, the Chapter 271 Political Contribution Disclosure Form and a Stockholder Disclosure Certification, all in accordance with the Pay-to-Play laws, which forms are on file in the Business Administrator’s office; and

WHEREAS, the Township’s Chief Municipal Finance Officer has certified that sufficient funds are available in the Township’s 2019 Current Fund Budget, Improvements to Parks Account, Line Item No. 129-0061-103 (\$40,000.00) and the Open Space Trust Account, Line Item No. 254-3509-499 (\$12,000.00) to underwrite the cost of the scope of services described herein, all in accordance with requirements of the Local Budget Law at N.J.S.A. 40A:4-1 et seq.; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5.(1)(a)(i), requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids, and the contract itself, must be available for public inspection.

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

1. In accordance with N.J.S.A. 40A:11-5.(1)(a)(i) of the Local Public Contracts Law, and the provisions of the Non-Fair and Open Contracts provisions of the Pay-to-Play laws at N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, a professional services agreement is hereby awarded to:

Daren J. Phil, P.E., P.P.
and the Firm of
SUBURBAN CONSULTING ENGINEERS, INC.
96 U.S. Highway 206, Suite 101
Flanders, New Jersey 07836

for the purpose of performing the following tasks related to the construction of the Bee Meadow Nature Trail – Phase II at Bee Meadow Park:

2. Survey and Base – Mapping Phase – Lump Sum Fee.....	\$ 7,450.00
2. Environmental Permitting	
Task 1 – Wetland Delineation and GP #17 Application.....	\$ 7,500.00
Task 2 –Flood Hazard Area Individual Permit Application.....	\$ 6,500.00
3. Design Development and Construction Documents	\$15,300.00
4. Bidding Phase.....	\$ 2,000.00
5. Construction Phase Services.....	\$ 3,500.00
6. Construction Stakeout Services (3 days).....	\$ 8,750.00

JULY 11, 2019

TOTAL AMOUNT:..... \$51,000.00; and

2. The contract amount for the scope of services to be performed by **Suburban Consulting Engineers, Inc.** shall not exceed \$51,000.00 plus out-of-pocket disbursements in an amount not to exceed \$1,000.00.
3. The June 18, 2019 written proposal and quotation submitted by **Daren J. Phil, P.E., P.P.** of **Suburban Consulting Engineers, Inc.**, is attached hereto and made a part of this resolution as if set forth in full.
4. In accordance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, the Business Entity Disclosure Certification Form, the Chapter 271 Political Contribution Form and the Stockholder Disclosure Certification submitted by **Suburban Consulting Engineers, Inc.** shall be placed on file with this resolution. The Determination of Value form certified by the Township's Business Administrator, as a Qualified Purchasing Agent, is attached hereto and made a part of this resolution as if set forth in full.
5. This appointment is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law because the services to be performed are by persons authorized by law to practice recognized professions as professional engineers and environmental scientists licensed by the State of New Jersey and such services are not subject to competitive bidding.
6. The Mayor and Township Clerk are hereby authorized to execute a Professional Services Agreement with the **Suburban Consulting Engineers, Inc.**, in an amount not to exceed \$51,000.00 for the scope of services outlined herein, plus out-of-pocket disbursements in an amount not to exceed \$1,000.00. The total contract amount shall not exceed \$52,000.00.
7. That a brief notice of this award shall be published in the Daily Record as required by law within ten (10) days of its passage.

RESOLUTION NO. 146-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-33-021-003 AS AN INACTIVE POCKET LICENSE FOR HANOVER ACQUISITION LIQUORS LLC FOR THE LICENSE TERM COMMENCING JULY 1, 2019 THROUGH JUNE 30, 2020 ALL IN ACCORDANCE WITH A SPECIAL RULING TO PERMIT THE RENEWAL OF AN INACTIVE LICENSE PURSUANT TO N.J.S.A. 33:1-12.39

WHEREAS, on June 4, 2019, **Hanover Acquisition Liquors LLC** filed a Verified Petition with the Director of the Division of ABC requesting authorization for the Township Committee of the Township of Hanover, as the local issuing authority, to consider a renewal application for inactive Plenary Retail Consumption License No. 1412-33-021-003 for the 2019-2020 license term pursuant to the provisions of NJSA 33:1-12.39; and

WHEREAS, by letter dated June 14, 2019, **Hanover Acquisition Liquors LLC** 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 2019-2020 license term; and

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

WHEREAS, the Township Committee desires to approve the renewal application as an Inactive Pocket License during the 2019-2020 license term.

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. 1412-33-021-003 as an Inactive Pocket

JULY 11, 2019

License held by **Hanover Acquisition Liquors LLC** (whose managing member is Marc Schlusel) located at 153 Fort Lee Road, Teaneck, New Jersey 07666 for the 2019-2020 license term beginning July 1, 2019 through June 30, 2020. The licensee has paid the Township and Division of ABC license renewal fees for the 2019-2020 license term.

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

RESOLUTION NO. 147-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1412-33-019-006 AS AN INACTIVE POCKET LICENSE FOR RESTONNA LLC FOR THE LICENSE TERM COMMENCING JULY 1, 2019 THROUGH JUNE 30, 2020 ALL IN ACCORDANCE WITH A SPECIAL RULING TO PERMIT THE RENEWAL OF AN INACTIVE LICENSE PURSUANT TO N.J.S.A. 33:1-12.39

WHEREAS, in June, 2019, **Restonna LLC** filed a Verified Petition with the Director of the Division of ABC requesting authorization for the Township Committee of the Township of Hanover, as the local issuing authority, to consider a renewal application for inactive Plenary Retail Consumption License No. 1412-33-019-006 for the 2019-2020 and 2020-2021 license terms pursuant to the provisions of NJSA 33:1-12.39; and

WHEREAS, by letter dated June 20, 2019, **Restonna LLC** 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 2019-2020 license term; and

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

WHEREAS, the Township Committee desires to approve the renewal application as an Inactive Pocket License during the 2019-2020 license term.

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. 1412-33-019-006 as an Inactive Pocket License held by **Restonna LLC** in care of Oster Properties LP located at 429 Sylvan Avenue, Englewood Cliffs, New Jersey 07632 for the 2019-2020 license term beginning July 1, 2019 through June 30, 2020. The licensee has paid the Township and Division of ABC license renewal fees for the 2019-2020 license term.
2. That certified copies of this resolution shall be transmitted to the New Jersey Division of Alcoholic Beverage Control and the Hanover Township Police Department for reference and information purposes.

RESOLUTION NO. 148-2019

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

JULY 11, 2019

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

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

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

WHEREAS, the Township is a member of Sourcewell, formerly known as The National Joint Powers Alliance Cooperative Purchasing Program; and

WHEREAS, in accordance with N.J.S.A. 52:34-6.2(3), the Township intends to participate in the Sourcewell National Cooperative Procurement Service by utilizing the surplus auction services of GovDeals conducting an on-line public auction of Township personal property no longer needed for public use, and tangible personal property found or recovered by the Hanover Township Police Department, pursuant to N.J.S.A. 40A:11-36 and N.J.S.A. 40A:14-157; and

WHEREAS, GovDeals was awarded a contract by Sourcewell under NJPA Contract No. 041316-GDI for the period beginning June 22, 2016 through June 22, 2020; and

WHEREAS, GovDeals, with its principal place of business located at 100 Capitol Commerce Boulevard #110 in Montgomery, Alabama 36117 will conduct the on-line public sale of Township personal property no longer needed for personal use and, tangible personal property found or recovered by the Police Department; and

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

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

1. That **GovDeals**, with its principal place of business at 100 Capitol Commerce Boulevard #110 in Montgomery, Alabama 36117 is hereby authorized to conduct the public sale of Township personal property no longer needed for public use all in accordance with N.J.S.A. 40A:11-36 and the sale of tangible personal property found or recovered by the Police Department pursuant to N.J.S.A. 40A:14-157 by auction via the internet.
2. The Mayor and Township Clerk are hereby authorized and directed to execute **GovDeals’** “Contract for On-Line Auction”, a copy of which is attached hereto and made a part of this resolution as if set forth in full.
3. That a certified copy of this resolution shall be transmitted to **US GovDeals**, 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.

JULY 11, 2019

RESOLUTION NO. 149-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING GOVDEALS TO CONDUCT AN ON-LINE PUBLIC SALE AUCTION VIA THE INTERNET OF TOWNSHIP PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE AND THE PUBLIC SALE OF TANGIBLE PERSONAL PROPERTY FOUND OR RECOVERED BY THE POLICE DEPARTMENT COMMENCING ON THURSDAY, AUGUST 1, 2019 AND ENDING ON WEDNESDAY, AUGUST 7, 2019, ALL IN ACCORDANCE WITH N.J.S.A. 40A:11-36 AND N.J.S.A. 40A:14-157

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

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

WHEREAS, the Township has selected **GovDeals**, to conduct the on-line auction of the vehicle, equipment and other property listed below; and

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

WHEREAS, by resolution dated July 11, 2019, the Township Committee retained the services of **GovDeals** located at 100 Capitol Commerce Boulevard, #110 in Montgomery, Alabama 36117 to conduct the on-line public auction of the Township's personal property and tangible personal property found or recovered by the Police Department; and

WHEREAS, **GovDeals** was awarded a contract by Sourcewell under NJPA Contract No. 041316-GDI for the period beginning June 22, 2016 through June 22, 2020; and

WHEREAS, the on-line public auction via the Internet will commence on Thursday, August 1, 2019 and end on Wednesday, August 7, 2019.

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

1. In accordance with N.J.S.A.40A:11-36 and N.J.S.A. 40A:14-157, **GovDeals** is hereby authorized and directed to sell to the highest bidders the following Township personal property no longer needed for public use and tangible personal property found or recovered by the Police Department through an on-line public auction via the Internet:

TOWNSHIP PERSONAL PROPERTY AS FOLLOWS

DESCRIPTION OF VEHICLE AND EQUIPMENT

CONDITION:

- | | |
|--|------|
| 1. 2004 Chevrolet Impala, Approx. Mileage: 31,800
VIN: 2G1WF52E949302471, | Fair |
| 2. 2006 Freightliner Johnson Sweeper,
Approx. Mileage: 24,000
VIN: 1FVAB6BV46DN91854 | Fair |
| 3. 1998 ODB Leaf Vac Machine,
Approx. Hours: 1,550 | Poor |

JULY 11, 2019

- VIN: 05982438
- 4. 1991 ODB Leaf Vac Machine Poor
 Approx. Hours: 4,200
 VIN: 9911253
- 5. 1986 Morbark Chipper Good

BICYCLES FOUND OR RECOVERED BY POLICE DEPARTMENT:

<u>DESCRIPTION AND COLOR:</u>	<u>CONDITION:</u>
Bicycle #1 Men's Roadmaster (Silver)	Good
Bicycle #2 Men's Mongoose (Green)	Poor
Bicycle #3 Next "Shimano" Mountain Bike (Black)	Good
Bicycle #4 Men's Next "PX6. 0" (Black with Red Lettering)	Good
Bicycle #5 Women's Next "Tiara Pro" 21 Speed (Purple/Pink)	Poor
Bicycle #6 Crestwood Quest 10 Speed (Green/Silver)	Good
Bicycle #7 Next Power Climber Mountain Bike (Gold/Silver)	Very Good
Bicycle #8 Men's Mongoose Mountain Bike (Red/White/Black)	Very Good
Bicycle #9 Huffy Bike (Orange/Purple)	Poor

GOLF CLUBS: **CONDITION:**

Set with Bag Good

2. The on-line public auction via the Internet will open on Thursday, August 1, 2019 at 9:00 a.m. and will close on Wednesday, August 7, 2019 at 7:00 p.m. on the web site www.govdeals.com
3. Any person wishing to inspect the items listed in paragraph 1 above may do so on Monday, August 5, 2019 and Tuesday, August 6, 2019 from 10:00 a.m. to 3:00 p.m. These will be the only dates and times that the items listed above may be inspected. The vehicles and bicycles are located at the Township's DPW Garage located at 25 North Jefferson Road in Whippany. The equipment is located in the storage room at the Township's Municipal Building located at 1000 Route 10 in Whippany.
4. The 2019 Terms and Conditions for an On-Line Auction by **GovDeals** is on file in the Business Administrator/Township Clerk's office and available for public inspection on any weekday between the hours of 8:00 a.m. and 4:30 p.m., Mondays through Thursdays and on Fridays between 8:00 a.m. and 1:00 p.m. except legal holidays.
5. That a notice of the date, time and place of the public sale by auction via the internet together with a description of the items to be sold and the conditions of sale shall be published in the Daily Record on Wednesday, July 24, 2019 all in accordance with N.J.S.A. 40A:11-36(3).
6. That certified copies of this resolution and the Contract shall be transmitted to **GovDeals** and filed with the Business Administrator/ Township Clerk, the Chief Municipal Finance Officer and the Superintendent of the Public Works, Buildings and Grounds and Park Maintenance Department for reference and information purposes.

RESOLUTION NO. 150-2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN FIRST ACCESS EQUIPMENT, LLC AND THE TOWNSHIP AS IT RELATES TO THE CONSTRUCTION OF A WAREHOUSE/OFFICE BUILDING AND RELATED IMPROVEMENTS AT 36 SOUTH JEFFERSON ROAD IN THE WHIPPANY SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 5 IN BLOCK 2904, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER WHICH EXECUTION OF THE AGREEMENT IS SUBJECT TO THE

JULY 11, 2019
RECEIPT OF VARIOUS FEES, AND ANY OTHER INSTRUMENTS AS DESCRIBED
IN THE DEVELOPER'S AGREEMENT

WHEREAS, by resolution adopted on November 20, 2018, the Planning Board granted preliminary and final site plan approval to **First Access Equipment, LLC**, as Applicant, for the construction of a Warehouse/Office Building, parking area, storm water management facilities, landscaping, and other related site improvements on property located at 36 South Jefferson Road in the Whippany Section of the Township and designated as Lot 5 in Block 2904 as set forth on the Tax Map of the Township of Hanover and situated in the I Industrial Zone District; 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 2904, Lot 5, 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.

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 **First Access Equipment, LLC**, the Developer, for the for the construction of a Warehouse/Office Building, parking area and driveways, storm water management facilities, landscaping and other related site improvements on property located at 36 South Jefferson Road in the Whippany Section of the Township, and designated as Lot 5 in Block 2904 as set forth on the Tax Map of the Township of Hanover, and situated in the I Industrial Zone District. 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:"

2. The Developer will deposit security with the Township Clerk to guarantee completion of all public improvements. Such security shall require the posting of a performance bond or Irrevocable Standby Letter of Credit in the amount of \$18,108.00 and the sum of \$2,012.00 in cash or certified check. The total performance guarantee is \$20,120.00.

3. In accordance with paragraph 5(b) of the Developer's Agreement, and the Township Engineer's Schedule "A", the Developer shall deposit with the Township Clerk at or before the signing of the Developer's Agreement the sum of \$8,547.00 to cover the cost of Township engineering review, inspection and supervision of all the improvements as required to be installed by the Developer. However, in accordance with N.J.S.A. 40:55D-53.h. the Developer, has the option to pay the \$8,547.00 in four (4) installments. The first installment would be \$2,136.00. When the balance on deposit drops to 10% of the required amount, the Developer shall make an additional installment deposit.

4. The Developer shall also be required to pay to the Township the sum of \$10,000.00 to cover the cost of the Hanover Sewerage Authority's engineering review, inspection and supervision of the sanitary sewer facilities and improvements required for this project subject to the provisions of N.J.S.A. 40:14A-40.; and

JULY 11, 2019

5. **First Access Equipment, LLC** subject to payment of a Mandatory Development Fee for Affordable Housing pursuant to N.J.S.A. 40:55D:8.1-8.7 and shall pay a development fee of 2.5% of the equalized assessed value of any non-residential property as determined by the Tax Assessor, as applicable.

6. Submission of a Certificate of Insurance to the Township Clerk naming the Township of Hanover and the Hanover Sewage Authority as “an additional insured”, all in accordance with paragraph 14 of the Developer’s Agreement.

7. In accordance with paragraph 5(e) of the Developer’s Agreement, the Developer upon satisfactory completion of the improvements, shall provide the Township Engineer with a Two (2) Year Maintenance Guarantee in an amount of \$1,890.00 which represents 15% of the cost of the installation of all bonded improvements and the installation of the following private site improvements: storm water management basins, in-flow and water quality structures within the basin and the out-flow pipes and structures of the storm water management systems which cost shall be determined by the Township Engineer. Prior to the release of the Two (2) Year Maintenance Guarantee, the Township Engineer shall conduct a final inspection. If, the Township Engineer determines that all of the improvements have been satisfactorily constructed, this resolution authorizes the Township Engineer to release the Two (2) Year Maintenance Guarantee.

8. Furthermore, the Developer shall comply with all the requirements and conditions more specifically outlined in full in the attached Developer’s Agreement and Schedule “A”.

9. The Developer’s Agreement shall not be signed by the Mayor and Township Clerk until the Township Engineer has received all of the guarantees and 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.

10. 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 **First Access Equipment, LLC** for reference and action purposes.

RESOLUTION NO. 151-2019

**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.

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 2019, which item is now available as a revenue from:

County of Morris:	\$11,949.00
Municipal Alliance	

JULY 11, 2019

Section 2.

BE IT FURTHER RESOLVED, that a like sum of \$11,949.00 be and the same is hereby appropriated under the caption of:

Other Operations Excluded from "CAPS":
State and Federal Programs Offset by Revenues: \$11,949.00
Municipal Alliance - 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. 152-2019

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL ONE (1) CAPITAL ACCOUNT ITEM

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:

ORDINANCES:
Capital Account:

NUMBER	DESCRIPTION	AMOUNT
32-2018	SPEF – Life Guard Stands	\$ 7,200.00

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. 153-2019

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:

BLOCK	LOT	QUAL. #	NAME	AMOUNT
7602	14		Corelogic PO Box 9202 Coppell, TX 75019-9766 RE: 6 Hillcrest Rd/Lin	\$2,177.43

Motion made by Member Francioli to approve all resolutions as a consent agenda and seconded by Member Gallagher and unanimously passed.

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of **\$6,097,395.77** 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 Francioli 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.

JULY 11, 2019

RAFFLE APPLICATIONS:

- RL-3216 – Our Lady of Mercy – Calendar Raffle**
- RL-3217 - Elizabeth Ann Seton Council 6904 Kof C – on premise 50/50**
- RL-3218 – Parents Guild Oratory Prep – off premise raffle**
- RL-3219 – Parents Guild Oratory Prep – on premise 50/50**
- RL-3220 – Parents Guild Oratory Prep – tricky tray**

Motion for approval of raffle applications made by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

REPORT OF THE TOWNSHIP ATTORNEY CONCERNING THE STATUS OF THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION

Fred Semrau, Esq:

OPEN TO THE PUBLIC

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

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

REPORT OF THE TOWNSHIP ATTORNEY CONCERNING THE STATUS OF THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION

Fred Semrau, Esq: Just a brief update that on July 23, 2019 the Planning Board will be considering an area in need of redevelopment study for both Pine Plaza Shopping Center property and the River Park property that does not mean that there will be any development application that just is a tool to encourage an appropriate type of development for both properties and it just puts a designation on the property again there is no development planned it just gives a tool to the Township to provide for various type of development opportunity for those properties and ultimately consideration of that designation will come back to the governing body at the August meeting and again it’s just a designation it’s not a rezoning but that is all part of the process and that is all part of the affordable housing agreement that the Township has with fair share housing and which was presented to the court back in May of this year and that is my update for now Mayor.

OTHER BUSINESS

Member Gallagher: Just prior to this meeting Mr. Kelly called and said how much he appreciated his track team being recognized tonight and I said that it was our honor and we are very very proud of all of our students and these guys went above and beyond so congratulation again to our students and athletes they did a great job and make us very proud. Mr. Kelly could not be here tonight due to a scheduling conflict but he was very happy they could be recognized the athletes.

We just had our fireworks at new location for the third year, it was great planning, team work very safe it’s great. Now we have done it enough times where everybody says they like it a lot better I personally do to. It reminds me of Times Square New York they shut it off to all vehicular traffic and it’s safe and everybody has a great time and everybody gets to interact with each other and the fireworks were above and beyond, they were great. All of the departments came together and worked hard and it was really nice.

I want to say something funny about what I saw at the fireworks one of our police officers recommended that our students wear bike helmets and they bickered a little bit and said we don’t have to wear a bike helmet they replied when your 17 or under you have to wear a bike helmet so we are renovating our basement and I have a lot of articles from one day one school dating way back and ironically I had a newspaper the

JULY 11, 2019

Florham Park Eagle from 2008 and somebody wrote an article about the law where you had to wear a bike helmet from 17 and under so it's not a new law, we have one of our finest here now, it's been a law for a very long time and that law is in place to just protect our kids a little bit better. So it's not a new law and Hanover Township did say that they wanted to see the people respect that law a little more and it's for their own benefit so again it's a good solid law cause most of us are parents and grandparents and it will make our kids a little safer.

The School and Park Traffic Safety is going to have their meeting for back to school for vehicular and pedestrian traffic and we will report at our August meeting about some of the improvements and some upgrades that we will be doing.

Mr. Cahill: Speaking of safety I will start with the Youth Public Safety Academy tomorrow will finish up their first week they had an exciting week there actually are 12 participants and of course some background the Youth Academy is hosted by Hanover Police Department, Morris County Sheriff Dept. both Whippany and Cedar Knolls Fire Department and EMS as well as the OEM department. It is coordinated between Recreation Department and various safety public groups. They had an exciting week this week and I was told that they went up to the Morris County safety academy today and they were introduced to the officer training simulator so we can imagine what that was like simulating crimes and how to react under quick and short circumstances and they also visited the Communication Center at the Morris County Training Center and then they went to visit the Youth Detention Facility so I image that was quite an experience as well.

In addition to that yesterday, Chief Roddy posted with a gentleman Shawn Dill as Chief for the Day and Chief Roddy brought him over to the Youth Academy during the class going on and it was cool and they made him an honorary member of the Youth Academy and that was nice and things are going well on that end.

Moving on to the Landmark we talked about the 4th of July Whippany Burying Yard tour was anybody able to make that I was not? I did speak with one of the members they said they had close to 70 attendees so it's still a popular event, people are still interested in coming to it, the weather was good they enjoyed the tour it was given by multiple volunteers and as they always do, they wore period costumes to enhance the experience.

Another reminder the Cedar Knolls Fire Department is having their 100th year anniversary which is September 7th same day as Hanover Township Day beginning at 6:00 and ending 11:00pm.

On July 8th you probably saw this on NJ.com and all the local papers a 61 year old construction worker became trapped in a collapsed trench in Pequannock so several mutual aid departments responded including Cedar Knolls Fire Department. At the request of Cedar Knolls Fire the Hanover Sewerage Authority dispatched their back truck which was operated by Frank Sanchelli and Mark Stokes to the scene. This back truck is used to clean out sewerage drains and pipes and that sort of thing, what they did is once they had the trench stabilized they came in and used the vac truck with some specialized hoses from another first responder organization to basically vacuumed out the rubble and rock so they can clear the way, this man from the waist down he was being crushed by all of this debris. They got him out very fortunately for him, he did go to the hospital via medivac and I believe he is out of the hospital. I just wanted to share that story because it shows how all the preparation and the cooperation throughout the towns and different departments throughout the community it works out well in a lot of cases.

Member Mihalko: First Senior Citizens we had a meeting the other day even though it was light there was still about 100 members. They are always very active and I can't stress enough if you are of age come out to the senior meetings and join the group and they are a great group of people. They had the county recycling there talking to them.

The Veteran's had the flag retirement that is a very solemn nice ceremony; the Boy Scouts were there we got to meet with several of those afterwards. Like

JULY 11, 2019

Committeeman Gallagher had done I met with several of them while working on their badges also, it's a great time to work with those guys.

Recreation, first off the playground at the brickyard is almost done, it is moving along if you have not had the chance stop over, swing by it is coming out terrific. Very pleased with this progress. I was already formulating ideas on how to expand it in the future, while talking to a few other groups and possibly getting some donations and to work with them to make it even bigger and better so we are already looking ahead. Mr. Davis said before about how we are focusing on Bee Meadow and that area we are always several steps ahead and looking down the road to what is going to come next again with our trail program. We already got the third program lined up and a lot of stuff going on and we are trying to consolidate it down if you guys have noticed in some of ordinances the work we are doing at the swimming pool, we are approving money now to put a new sliding board for next year, a two lane slid, so we are always improving and looking ahead.

Fireworks were one of the best ever, we had a huge crowd it was a beautiful night the fireworks themselves were great, the band was great, we had about a dozen food trucks, games, bounce houses, hopefully you all came out and enjoyed it if not make sure you put it on your calendar for next year.

We are getting into our concerts now, every Monday night through July we have our concerts at the Brick Yard so mark your calendar for that. If it does rain we have it at Memorial Junior School.

Camps are moving along and half way through summer plus, traveling teens and like Brian said our Youth Public Safety, I poked my head in there today and they were all bundled up in their fire gear blind folded crawling on the ground to simulate going through a fire. It was neat to see the kids doing it and they even brought some of the older kids back that had graduated to help out the younger guys it was a really good crew again I can't encourage enough to get some of those young kids out there.

We have a drama camp that is going on now, we are going to have the production of 101 Dalmatians at the community center Friday and Saturday they will have two productions a day.

Also, at the pool the cardboard boat borgata is on Saturday the 13th 5:30 it's a lot of fun and neat to see. Families make a boat out of cardboard and try to sail it across the pool.

Charity Classic which was mentioned before is August 10th and then Hanover Township Day 1-5 at Malapardis Park put them on your calendar.

Member Ferramosca: I'm going to present you the E&E highlights report engineering and environment. In July and August we are planning to complete three roads, East Fairchild, Maher Place, Old Stone Lane in August and September we are planning to do Korda Place, Parker Avenue, North Belair and Cooke Place.

From an environmental standpoint I want to complement the green team and those who came out who supported what we free paper shred day. It was on Saturday the 22nd and it was a record turnout it was a beautiful day almost 100 participants and we recycled over 1 ton of sensitive material at no cost to our residents.

Mayor: I just want to bring people up to date with certain things especially the Board of Health, one of the big concerns and discussions that we have and this is Ace this is something you are probably paying attention to is the vaping that is going on now. These are the mechanical cigarettes that are now supposedly taking over for regular tobacco cigarettes and a safer mode, they are not safer. It has been proven and shown that the vaping smoke actually causes a deformation of a gene in the throat. This is a serious matter why is it serious matter because the statistics that we have looked at so far from a Board of Health and I'm looking at a national level shows that 75% of the youngsters at the high school level have tried or use vaping. That is a high number, on the elementary level it is lower but it's still 35%, we are working with the Board of Health on to see some official regulations that we want to put to the state to get rid of these devices they are just too problematical for our kids.

JULY 11, 2019

Board of Health we have been getting a lot of complaints from our neighbors mostly around the Whippany sector of town particularly the Bee Meadow area are mosquito's. What we have done is made contact, Dr. Perez has made contact with the Morris County Mosquito Commission and they are giving him a report of what streets and area that have already been treated and what streets and areas that they will treat. So it is ongoing and we are going to try and stay ahead of that from that standpoint.

The farm is doing great the Stoney Brook Farm and Garden is great, engineering informs me that we are going to have a pavilion sometime in August, going out for quotes in August and we do want that to happen we want to give some shade and shelter and that will be coming soon.

ADJOURNMENT

Motion made to close at 9:20 p.m. was by Member Ferramosca and seconded by Member Gallagher and unanimously passed.

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

Joseph A. Giorgio, Township Clerk