

February 14, 2019

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, February 14, 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 and 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) John L. Ferramosca, Deputy 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

OPEN TO THE PUBLIC

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

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

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of January 31, 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 January 31, 2019 have been accepted and approved as presented by the Township Clerk. The motion was seconded by Member Ferramosca and was unanimously passed.

DEPARTMENTAL REPORTS

The following reports were presented and ordered filed as received:

Engineering	G. Maceira	2 Reports
CFO/Treasurer	S. Esposito	Report on all revenue as of Feb 8
Construction	S. Donlon	Report of all activities as of Feb.
Public Works	B. Foran	Reports on all activities Feb. 13

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

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PUBLIC HEARING AND ADOPTION OF ORDINANCES:

Mr. Giorgio: We are going to take several ordinances as a consent agenda, they will be Ordinance 1, 2, 3 and 7.

ORDINANCE NO. 1-2019

ESTABLISHING THE SALARIES OF THE FULL-TIME EMPLOYEES IN THE PUBLIC WORKS BUILDINGS & GROUNDS AND PARKS MAINTENANCE DEPARTMENT REPRESENTED BY IBT LOCAL 97 FOR CALENDAR YEAR 2019

We will note for the record that the Notice of Introduction appeared in full in the January 16th issue of the Daily Record in accordance with the law.

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

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

Now on Adoption, Be it resolved, that an Ordinance entitled, **“ESTABLISHING THE SALARIES OF THE FULL-TIME EMPLOYEES IN THE PUBLIC WORKS BUILDINGS & GROUNDS AND PARKS MAINTENANCE DEPARTMENT REPRESENTED BY IBT LOCAL 97 FOR CALENDAR YEAR 2019,”** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

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

So Adopted.

ORDINANCE NO. 2-2019

AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED “RECREATION DEPARTMENT FEES” UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP ENTITLED FEES WITH THE INCLUSION OF NEW RESIDENT AND NON-RESIDENT POOL MEMBERSHIP FEES FOR THE YEAR 2019 BEE MEADOW SWIMMING POOL SEASON AND NEW FEES RELATED TO VARIOUS RECREATION AND PARK ADMINISTRATION DEPARTMENT PROGRAMS AND ACTIVITIES

We will note for the record that the Notice of Introduction appeared in full in the February 6th issue of the Daily Record in accordance with the law.

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

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

Now on Adoption, Be it resolved, that an Ordinance entitled, **AMENDING AND SUPPLEMENTING SECTION 125-4. ENTITLED “RECREATION DEPARTMENT FEES” UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP ENTITLED FEES WITH THE INCLUSION OF NEW RESIDENT AND NON-RESIDENT POOL MEMBERSHIP FEES FOR THE YEAR 2019 BEE MEADOW SWIMMING POOL SEASON AND NEW FEES RELATED TO VARIOUS RECREATION AND PARK ADMINISTRATION DEPARTMENT PROGRAMS AND ACTIVITIES,”** be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

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

So Adopted.

ORDINANCE NO. 3-2019

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE HANOVER TOWNSHIP LITTLE LEAGUE, INCORPORATED FOR THE OPERATION OF THE BLACK BROOK PARK CONCESSION STAND COMMENCING APRIL 6, 2019 THROUGH AUGUST 31, 2019

We will note for the record that the Notice of Introduction appeared in full in the February 6th issue of the Daily Record in accordance with the law.

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

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

Now on Adoption, Be it resolved, that an Ordinance entitled, **AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE HANOVER TOWNSHIP LITTLE LEAGUE, INCORPORATED FOR THE OPERATION OF THE BLACK BROOK PARK CONCESSION STAND COMMENCING APRIL 6, 2019 THROUGH AUGUST 31, 2019**” be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2018 issue of the Daily Record.

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

So Adopted.

ORDINANCE NO. 4-2019

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

We will state for the record that we have the Proof of Publication that the Notice of Pending Warranty Ordinance and Summary appeared in full in accordance with statute in the February 4th issue of the Daily Record in accordance with law.

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

William P. Kuehner, Jr. 26 Hamilton Court, Whippany: I have two questions, hopefully there will not be a default but if there is default on the mortgage who gets the building?

Mr. Semrau: That would be the Township. If there is any default the Township would become the owner of the building. We have conducted a Title Search and there are no other liens or obligations but for this obligation, so it would be the Township's property.

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Mr. Kuehner: It would not go to the County?

Mr. Semrau: Correct.

Mr. Kuehner: Second question, on the sale of the existing fire building is there any definition to where that money goes, does it go to the down payment of the principal on the bonds or will it just be used in general by the fire company?

Mr. Semrau: Couple of things first, the Governing Body this evening is not going to move forward to the adoption of the Ordinance because there is still a State requirement that which the Department of Community Affairs needs to approve the proposed financing so the County and the Fire Company still need that approval. So that means that the Township does not proceed tonight but there is a public hearing that has been advertised and it is a good exercise to answer these questions. There will also be a Memorandum of Understanding that the parties will work on which will account for what happens with the moneys from the sale of the firehouse and it could include some type of basically an allocation where some of the funds go to complete the new facility and some of the funds go to pay off the debt or additional collateral.

Mr. Kuehner: But that is going to be sometime in the near future?

Mr. Semrau: No, that will be spoken for when the Governing Body takes action on this Bond Ordinance. Not tonight because it is not permitted to do so but they wanted to have the public hearing none the less for any discussion.

Mr. Kuehner: I did notice, if I understand it correctly, that the cell tower income is included in the financing of the bond?

Mr. Semrau: That is correct. But in a very positive way that the proceeds from the cell tower rent will be dedicated to the payment of the bond so that is a real good form of collateral in itself and it will be dedicated funds towards the payoff of the actual debt.

Mr. Kuehner: Fred back here answered a lot of the questions that I had for you guys he took care of me before you came in so I'm satisfied. Thank you very much and I would expect to see the financing details will be made public also right?

Mr. Semrau: It's something that the Committee is working very diligent manner and also had last year commissioned an independent evaluation to make sure that this was something that the Township could work with.

Mr. Kuehner: Actually one more question which just came to mind who oversees to ensure that the fire company is making payments on the bond on a regular basis?

Mr. Semrau: What I would say to that is if there wasn't a payment made in a timely manner then the Township would be notified (interrupted)

Mr. Kuehner: who would notify the Township?

Mr. Semrau: That would be the County, they would notify the Township and the fire company and it will take only one missed payment for that to occur and then the default provisions would immediately be triggered.

Mr. Kuehner: Just one missed payment?

Mr. Semrau: Yes.

Mr. Kuehner: Is there any annual inspection of the building by the bond holders to make sure it's being maintained in the proper levels?

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Mr. Semrau: I don't know if there will be an annual inspection as much as that the facility like any other facility has to be approved, any work has to be approved by the construction department and there (interrupted)

Mr. Kuehner: I'm not talking about new construction I'm making sure that the current owner of the property is being (inaudible) on a regular basis. For instance, my insurance company comes around once or so every two years and takes pictures of my property and make sure that I am maintaining it properly at the current level price level. I'm looking to see if the same thing someone to inspect the property.

Mr. Semrau: I think the way that it is covered it that the facility has to be used in accordance with the appropriate zoning construction for firematic and fire protection services and it can't be any different so I would say that the answer to that is yes if you read the agreement in its totality that will ultimately be put together and the requirements of the bond but I can verify that by the next public hearing.

Mr. Kuehner: I just wanted to make sure that the building is maintained in its maximum quality.

Mr. Semrau: There has been a very good commitment by all of the parties to make sure that things such as the conditions of the building, the financing and the funding is all for the benefit of fire protection services and the public so there are a number of checks and balances that everyone is verbally committed to and will ultimately put in writing.

Mr. Kuehner: Thank you.

Mr. Giorgio: As the Township attorney indicated the Local Finance Board as of yesterday did not review the application of the Whippany Fire Company and in that regard and based on the opinion of the Township Attorney he is suggesting that the Township Committee that the public hearing this evening be continued to the meeting of March 14th because the Local Finance Board is set to review the application of March 13th the day before. So at this point absent any other comments into the record I would ask the Township Committee move to carry the public hearing to March 14th.

Motion to carry public hearing and Ordinance adoption to March 14, 2019 made by Member Francioli and seconded by Member Gallagher and unanimously passed.

Notice will appear that the newspaper indicating that this Ordinance will be carried to the meeting of March 14, 2019.

ORDINANCE NO. 7-19

AMENDING SECTION 117-10.F. AND SECTION 198-2.C.1 OF THE CODE OF THE TOWNSHIP OF HANOVER AS ADOPTED UNDER ORDINANCE NO. 34-18, BY THE TOWNSHIP COMMITTEE ON DECEMBER 13, 2018, IN CLARIFYING MUNICIPAL PROPERTY ACCESS FOR SERVICE DOGS

We will note for the record that the Notice of Introduction appeared in full in the February 6th issue of the Daily Record in accordance with the law.

Motion to open public hearing made by Member Mihalko and seconded by Member Gallagher and unanimously passed.

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

Now on Adoption, Be it resolved, that an Ordinance entitled, **AMENDING SECTION 117-10.F. AND SECTION 198-2.C.1 OF THE CODE OF THE TOWNSHIP OF HANOVER AS ADOPTED UNDER ORDINANCE NO. 34-18, BY THE TOWNSHIP COMMITTEE ON DECEMBER 13, 2018, IN CLARIFYING MUNICIPAL PROPERTY**

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ACCESS FOR SERVICE DOGS,” be passed on final reading and that a Notice of the final passage of the Ordinance be published in the February 20, 2019 issue of the Daily Record.

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

So Adopted.

ORDINANCES FOR INTRODUCTION:

ORDINANCE NO. 8-2019

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

WHEREAS, on November 2, 1999, by a vote of almost two to one in favor, the voters of Hanover Township approved a binding referendum question concerning the creation of an Open Space Trust Fund for the Township; and

WHEREAS, the binding referendum asked the voters whether the Township should adopt an ordinance establishing an “Open Space and Parkland and Facilities Preservation Trust Fund” and if so, should the Trust Fund be funded through the collection of local property taxes in the amount of two cents (\$.02) for each one hundred (\$100.00) dollars of assessed valuation; and

WHEREAS, the creation of the Open Space Trust Fund would complement any other available funding sources to be used exclusively for the purchase of property or easements within the Township, for the preservation of resource open space and/or the maintenance and improvement of the Township’s existing parkland and related facilities for outdoor recreation purposes; and

WHEREAS, the Township Committee, on December 9, 1999, adopted Ordinance No. 32-99 which established an Open Space and Parkland and Facilities Preservation Trust Fund and the Open Space and Parkland and Facilities Preservation Advisory Committee (OSAC); and

WHEREAS, the ordinance also established for the year 2000 and subsequent years, a two cent (\$.02) per hundred (\$100.00) dollar valuation tax which would be specifically dedicated for the acquisition of property for open space and recreational purposes and the maintenance and improvement to the Township’s parkland and related facilities; and

WHEREAS, the two cents (\$.02) dedicated tax is shown as a separate line item on each property owners tax bill and not as part of the municipal tax rate in that the tax was established as a dedicated tax for the purposes described above; and

WHEREAS, since its inception in the year 2000, the two cent (\$.02) dedicated tax rate has not changed with the exception of calendar years 2009, 2010 and 2011 when the governing body reduced the dedicated open space tax rate from two cents (\$.02) to one (\$.01) cent; and

WHEREAS, in 2012, 2013, 2014, 2015 and 2016, the governing body reduced the dedicated open space tax rate from two cents (\$.02) to one-half cent (\$.005); and

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WHEREAS, in 2017, the governing body increased the dedicated open space tax rate to one (\$.01) cent; and

WHEREAS, as with calendar year 2018, the Township Committee proposes to decrease the two (\$.02) cent dedicated open space tax rate and maintain it at one and one-half (\$.015) per hundred dollars of assessed valuation in 2019 only; and

WHEREAS, although the Township will receive grant funds through the State Green Acres Program for the forthcoming acquisition of approximately sixty-five (65) acres of excess Route 24/178 open space land, and County grant funds to acquire another parcel of land on Parsippany Road, it will be necessary for the Township to supplement these grant funds with moneys collected through the Township's dedicated open space tax; and

WHEREAS, while the two (\$.02) cent open space tax rate is being reduced to one and one-half (\$.015) cent of assessed valuation, it represents a one-half (\$.005) cent increase over 2017 in order to provide supplemental funds for the acquisition of the properties described above; and

WHEREAS, although the dedicated open space tax is not computed as part of the municipal tax rate which supports municipal operations and services, the reduction in the open space tax rate will help to minimize the impact of the property taxpayers' total 2019 tax bill.

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. That the Open Space Trust Fund dedicated tax rate, as established by Ordinance No. 32-99, and codified under Chapter 50 of the Code of the Township entitled Open Space, Parkland and Facilities Preservation Trust Fund Advisory Committee, shall be reduced from two cents (\$.02) per hundred (\$100.00) dollars of assessed valuation to one and one-half cent (\$.015) per hundred (\$100.00) dollars of assessed valuation for calendar year 2019, the same as in calendar year 2018.

Section 2. That the Township's Chief Municipal Finance Officer is hereby authorized and directed to collect the one and one half cent (\$.015) per hundred dollars of assessed valuation for calendar year 2019 only. The funds derived from this dedicated tax shall continue to be maintained in a separate account and shall only be utilized for the purposes described in Ordinance No. 32-99 which established the Open Space and Parkland and Facilities Preservation Trust Fund.

Section 3. That certified copies of this ordinance shall be transmitted to the Division of Local Government Services, the Township's Chief Municipal Finance Officer and members of the Township's Open Space Advisory Committee.

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

Section 5. 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 6. This ordinance shall take effect in accordance with the law.

Ordinance will be further considered for Public Hearing on March 14th 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 February 20, 2019 issue of the Daily Record in accordance with the law.

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Motion on introduction made by Member Ferramosca and seconded by Member Francioli and unanimously approved.

So Introduced

ORDINANCE NO. 9-19

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

WHEREAS, the Route 24 Freeway terminates in Hanover Township where it connects to Interstate Route 287; and

WHEREAS, over twenty-five (25) years ago, the State of New Jersey abandoned plans to extend the Route 24 Freeway beyond Hanover Township and construct a new Route 178 connector road in a westerly direction; and

WHEREAS, with the abandonment of plans, the Township expressed interest in purchasing approximately sixty-five (65) acres of excess, surplus right-of-way parcels no longer needed for highway construction which parcels are located within the boundaries of Hanover Township; and

WHEREAS, the Township desires to acquire the approximately sixty-five (65) acres of land for open space preservation including passive recreation and the extension of the Township's connectivity pedestrian trail; and

WHEREAS, through legislation sponsored by Senator Richard J. Codey, and signed into law by Governor Chris Christie on September 11, 2014, the Routes 24/178 excess, surplus parcels were de-legislated thereby permitting the New Jersey Department of Transportation to offer the parcels to the Township at the fair market appraisal values established in the early 1960's; and

WHEREAS, it is the intention of the Township Committee to authorize acquisition of the approximately sixty-five (65) acres of excess, surplus Routes 24/178 Section 9 parcels from the New Jersey Department of Transportation at an estimated cost of \$479,364.00; and

WHEREAS, the Township is the recipient of Planning Incentive Grants through the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, sufficient funds are available in the Township's Planning Incentive Grant Account which funds will underwrite the acquisition on a reimbursable basis; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement.

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 the fee simple acquisition of New Jersey Department of Transportation Routes 24/178 Section 9, excess, surplus

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right-of-way parcels at an estimated cost of \$479,364.00 which parcels are no longer needed for highway construction. The parcels shall be utilized by the Township for open space preservation including passive recreation purposes and the extension of the Township's connectivity pedestrian trail.

SECTION 2. The Township Attorney is authorized and directed to prepare the required Contract For Sale of Real Estate, the Deed and all other related documents for the fee simple acquisition of the excess, surplus right-of-way parcels.

SECTION 3. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 4. The Mayor and Township Clerk are also authorized and directed to execute the Contract For Sale of Real Estate, the Deed and any other documents necessary for the acquisition of the property described herein.

SECTION 5. No debt is to be authorized by the enactment and passage of this Ordinance.

SECTION 6. For the acquisition and all related acquisition costs described in Section 1. above, there is hereby appropriated the sum of \$500,000.00 from the Township's Green Acres Program Planning Incentive Grant, Project No. 1412-99-009.

SECTION 7. 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 8. 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 9. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Ordinance will be further considered for Public Hearing on March 14th 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 February 20, 2019 issue of the Daily Record in accordance with the law.

Motion on introduction made by Member Ferramosca and seconded by Member Francioli and unanimously approved.

So Introduced

ORDINANCE NO. 10-19

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

WHEREAS, the Township of Hanover ("the Township") has acquired title in fee simple of certain real property designated as Block 5801, Lots 2 and 5 on the Tax Map of the Township of Hanover for the purpose of public improvements; and

WHEREAS, as a condition of the acquisition, the Township is required to convey to the County of Morris, New Jersey, a right-of-way dedication pertaining to Lots 2 and 5, as more fully described and depicted in the "Metes & Bounds Description – County

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Right-of-Way Dedication, and Boundary Survey – 67 Whippany Road Survey”, attached hereto as part of Exhibit A; and

WHEREAS, the Township is also required to convey to Bayer Corporation the remaining lands pertaining to Lot 2, and remaining lands pertaining to Lot 5, all of which are more fully described and depicted in the “Metes & Bounds Description – Remaining Lands - Lot 2, Metes & Bounds Description – Remaining Lands - Lot 5, and Survey”, all of which are included in the attached Exhibit A; and

WHEREAS, the Township is also required to retain a sidewalk easement pertaining to Lots 2 and 5, all of which are more fully described and depicted in the “Metes & Bounds Description – Sidewalk Easement, and Survey”, all of which are included in the attached Exhibit A; and

WHEREAS, the Township Engineer has reviewed the legal descriptions of the proposed easements and found them to be acceptable; and

WHEREAS, the Township Attorney has reviewed the proposed Deeds of Easement and found them to be acceptable as to form; and

WHEREAS, the Township Committee of the Township of Hanover has determined that it is in the best interest of the Township to grant such easements.

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 County Right-of-Way Dedication, with the Township of Hanover as Grantor and the County of Morris, New Jersey, as Grantee, on file in the Office of the Township Business Administrator/Township Clerk, and being part of Block 5801, Lots 2 and 5, is hereby granted.

SECTION 2. The Sidewalk Easement, with the Township of Hanover as Grantor and the Township of Hanover, as Grantee, on file in the Office of the Township Business Administrator/Township Clerk, and being part of Block 5801, Lots 2 and 5, is hereby granted.

SECTION 3. The conveyance of Remaining Lands, with the Township of Hanover as Grantor and the Bayer Corporation, as Grantee, on file in the Office of the Township Business Administrator/Township Clerk, and being part of Block 5801, Lot 2, is hereby granted.

SECTION 4. The conveyance of Remaining Lands, with the Township of Hanover as Grantor and the Bayer Corporation, as Grantee, on file in the Office of the Township Business Administrator/Township Clerk, and being part of Block 5801, Lot 5, is hereby granted.

SECTION 5. 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 6. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 7. This ordinance shall take effect in accordance with the law.

EXHIBIT “A”

**METES & BOUNDS DESCRIPTION
REMAINING LANDS
LOT 5
BLOCK 5801
TOWNSHIP OF HANOVER**

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MORRIS COUNTY, NEW JERSEY

Beginning at a point on the southeasterly line of Whippany Road (A.K.A. County Route 511, Variable width), said point being the corner common to Lots 2 and 5, Block 5801 and 54.75 feet from centerline, from said point of beginning running, thence:

1. Along said new southerly line of Whippany Road, north 61 degrees – 04 minutes – 52 seconds east, a distance of 66.95 feet to a point at the corner common to Lots 3 and 5, Block 5801, thence;
2. Along the dividing line between Lots 3 and 5, Block 5801, south 39 degrees – 16 minutes – 28 seconds east, a distance of 255.49 feet to a point at the corner common to Lots 1.03 and 5, Block 5801, said point marked by a found concrete monument, thence:
3. Along the dividing line between 1.03 and 5, Block 5801, south 44 degrees – 14 minutes – 32 seconds west, a distance of 116.60 feet to a point at the corner common to Lots 1.03, 2 and 5, Block 5801, thence;
4. Along the dividing line between Lots 2 and 5, Block 5801, north 29 degrees – 10 minutes – 28 seconds west, a distance of 285.11 feet to the point and place of beginning.

Containing 24,343 square feet or 0.559 acres.

This description was prepared with reference to a plan entitled “Boundary Survey, 67 Whippany Road, Lots 2 & 5, Block 5801, Hanover Township, Morris County, State of New Jersey” prepared by Control Point Associates, Inc., dated May 15, 2018, last revised November 13, 2018.

CONTROL POINT ASSOCIATES, INC.
James A. Conway, Jr.
State of New Jersey
Professional Land Surveyor #04323500

EXHIBIT “A”
METES & BOUNDS DESCRIPTION
REMAINING LANDS
LOT 2
BLOCK 5801
TOWNSHIP OF HANOVER
MORRIS COUNTY, NEW JERSEY

Beginning at a point on the new southeasterly line of Whippany Road (A.K.A. County Route 511, Variable Width), said point being the corner common to Lots 2 and 5, Block 5801 and 54.75 feet from centerline, from said point of beginning running thence:

1. Along the dividing line between Lots 2 and 5, Block 5801, south 29 degrees – 10 minutes – 28 seconds east, a distance of 285.11 feet to a point at the corner common to Lots 1.03, 2 and 5, Block 5801, thence;

Along the dividing line between Lots 1.03 and 2, Block 5801, the following two (2) courses and distances:

2. South 58 degrees – 51 minutes – 28 seconds west, a distance of 94.00 feet to a point, thence;
3. North 29 degrees – 10 minutes – 34 seconds west, a distance of 288.45 feet to a point on the new southeasterly line of Whippany Road, thence;

Along said new southeasterly line of Whippany Road, the following two (2) courses and distances:

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4. North 60 degrees – 20 minutes – 40 seconds east, a distance of 23.96 feet to a point, thence;
5. North 61 degrees – 04 minutes – 52 seconds east, a distance of 70.00 feet to the point and place of beginning.

Containing 26,953 square feet or 0.619 acres.

This description was prepared with reference to a plan entitled “Boundary Survey, 67 Whippany Road, Lots 2 & 5, Block 5801, Hanover Township, Morris County, State of New Jersey” prepared by Control Point Associates, Inc., dated May 15, 2018, last revised November 13, 2018.

CONTROL POINT ASSOCIATES, INC.
James A. Conway, Jr.
State of New Jersey
Professional Land Surveyor #04323500

EXHIBIT “A”
METES & BOUNDS DESCRIPTION
SIDEWALK EASEMENT
LOTS 2 & 5
BLOCK 5801
TOWNSHIP OF HANOVER
MORRIS COUNTY, NEW JERSEY

Beginning at a point on the new southeasterly line of Whippany Road (A.K.A. County Route 511, Variable Width), said point being a corner common to Lots 1.03 and 2, Block 5801 and being 50.75 feet from centerline from said point of beginning running, thence:

Along said new southeasterly line of Whippany Road, the following two (2) courses and distances:

1. North 60 degrees – 20 minutes – 40 seconds east, a distance of 23.96 feet to a point, thence;
2. North 61 degrees – 04 minutes – 52 seconds east, a distance of 115.36 feet to a point, thence;

Through Lots 2 and 5, Block 5801, the following (4) courses and distances:

3. South 22 degrees – 41 minutes – 14 seconds west, a distance of 64.58 feet to a point of curvature, thence;
4. Along a curve curving to the left, having a radius of 84.33 feet, an arc length of 29.59 feet and a chord bearing north 72 degrees – 37 minutes – 39 seconds west, a distance of 29.44 feet to a point of compound curvature, thence;
5. Along a curve curving to the left, having a radius of 103.29 feet, an arc length of 61.61 feet and a chord bearing south 74 degrees – 32 minutes – 56 seconds west, a distance of 60.70 feet to a point of tangency, thence;
6. South 57 degrees – 48 minutes – 35 seconds west, a distance of 9.32 feet to a point on the dividing line between Lots 1.03 and 2, Block 5801, thence;
7. Along the dividing line between Lots 1.03 and 2, Block 5801, north 29 degrees – 10 minutes 34 seconds west, a distance of 4.92 feet to the point and place from the beginning.

Containing 2,141 square feet or 0.049 acres.

February 14, 2019

This description was prepared with reference to a plan entitled "Boundary Survey, 67 Whippany Road, Lots 2 & 5, Block 5801, Hanover Township, Morris County, State of New Jersey" prepared by Control Point Associates, Inc., dated May 15, 2018, last revised November 13, 2018.

CONTROL POINT ASSOCIATES, INC.
James A. Conway, Jr.
State of New Jersey
Professional Land Surveyor #04323500

EXHIBIT "A"
METES & BOUNDS DESCRIPTION
COUNTY RIGHT-OF-WAY DEDICATION
LOTS 2 & 5
BLOCK 5801
TOWNSHIP OF HANOVER
MORRIS COUNTY, NEW JERSEY

Beginning at a point on the existing southeasterly line of Whippany Road, (A.K.A. County Route 511, Variable Width), said point being a corner common to Lots 1.03 and 2, Block 5801 and being 33' from centerline, from said point of beginning running, thence:

Along said existing southeasterly line of Whippany Road, the following two (2) courses and distances:

1. North 58 degrees – 15 minutes – 46 seconds east, a distance of 73.02 feet to a point of curvature, thence;
2. Along a curve curving to the right, having a radius of 683.78 feet, and arc length of 84.46 feet and a chord bearing north 61 degrees – 48 minutes – 05 seconds east, a distance of 84.41 feet to a point of non-tangency, thence;
3. Through the right-of-way of Whippany Road, south 39 degrees – 16 minutes – 28 seconds east, a distance of 20.31 feet to a point on the dividing line between Lots 3 and 5, Block 5801, said point being 52.63 feet from the center line of Whippany Road, thence;

Through Lots 2 and 5, Block 5801, the following two (2) courses and distances:

4. South 61 degrees – 04 minutes – 52 seconds west, a distance of 136.95 feet to a point, said point being 51.61 feet from the centerline of Whippany Road, thence;
5. South 60 degrees – 20 minutes – 40 seconds west, a distance of 23.96 feet to a point, said point being 50.75 feet from the centerline of Whippany Road, thence;
6. Through the right-of-way of Whippany Road, north 29 degrees – 10 minutes – 34 seconds west, a distance of 17.76 feet to the point and place of beginning.

Containing 3,248 square feet or 0.075 acres.

This description was prepared with reference to a plan entitled "Boundary Survey, 67 Whippany Road, Lots 2 & 5, Block 5801, Hanover Township, Morris County, State of New Jersey" prepared by Control Point Associates, Inc., dated May 15, 2018, last revised November 13, 2018.

CONTROL POINT ASSOCIATES, INC.
James A. Conway, Jr.
State of New Jersey
Professional Land Surveyor #04323500

February 14, 2019

Ordinance will be further considered for Public Hearing on March 14th 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 February 20, 2019 issue of the Daily Record in accordance with the law.

Motion on introduction made by Member Ferramosca and seconded by Member Francioli and unanimously approved.

So Introduced

ORDINANCE NO. 11-2019

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

WHEREAS, the current B-P2 zone regulations permit a range of commercial and residential uses, including multifamily housing; and

WHEREAS, the B-P2 zone was created by Ordinance 31-06 and subsequently amended by Ordinance 18-09, the latter which increased the maximum permitted density for multifamily housing to 8 units per acre and established a set-aside for affordable housing; and

WHEREAS, subsequent to the adoption of Ordinance 18-09, the Supreme Court invalidated the rules of the New Jersey Council on Affordable Housing and assigned responsibility for determining municipal affordable housing obligations and municipal compliance with such obligations to various lower Courts; and

WHEREAS, the Township has for several years been working with the Court to determine its affordable housing obligation and to develop a plan that would address its obligation; and

WHEREAS, the Township through its attorney submitted a letter dated September 28, 2018 to the Court advising that it had directed its attorney to take the necessary steps to accept and effectuate a settlement with 26 Parsippany Road that would modify the Township's Third Round housing plan to increase the permitted density for inclusionary development to 11 units per acre; and

WHEREAS, based upon the foregoing settlement, the Planning Board amended the land use element of the master plan on October 30, 2018 to increase the recommended density limitation in the B-P2 zone district; and

WHEREAS, the N.J. Municipal Land Use Law anticipates that in most cases the zoning regulations in a municipality will be substantially consistent with the policies set forth in the land use element of the master plan; and

WHEREAS, in order to achieve greater consistency between the land use element and the zoning regulations, the B-P2 zone regulations should be amended; and

WHEREAS, in order to achieve the increased density called for in the master plan, and to be consistent with State regulations, certain other requirements should also be amended.

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:

February 14, 2019

Section 1. Paragraph (13) in Subsection A. of Section 166-186.11., *Required conditions*, in Article XXXIB, *B-P2 Business and Professional District*, is hereby repealed.

Section 2. Subsection B. of Section 166-186.11., *Required conditions*, in Article XXXIB, *B-P2 Business and Professional District*, is hereby amended to read as follows:

- B. Multifamily and single-family attached residential dwellings. The development of multifamily and single-family attached residential dwellings shall be subject to the following requirements:
- (1) Minimum tract area: 10 acres, with at least seven contiguous acres located outside of wetland areas or wetland transition areas as determined by a letter of interpretation and as may be determined by the issuance of a permit or permits under the Freshwater Wetlands Protection Act from the New Jersey Department of Environmental Protection.
 - (2) Maximum tract density: eleven dwelling units per gross acre of the tract.
 - (3) Minimum front yard, buildings: 50 feet from Parsippany Road or Whippany Road.
 - (4) Minimum side and rear yards: 40 feet, but 50 feet from any lot used primarily for a detached single-family dwelling.
 - (5) Minimum distance between buildings. The following minimum dimensions shall separate principal buildings:
 - (a) Front wall or rear wall facing front wall, side wall or rear wall: 45 feet.
 - (b) Intentionally left blank
 - (c) Intentionally left blank
 - (d) End/side wall facing end/side wall: 20 feet.
 - (e) Intentionally left blank
 - (f) Intentionally left blank
 - (g) In case of uncertainty as to the definition of "front," "rear," "end/side" walls, or in case the angle of the walls facing each other makes interpretation of the required setbacks uncertain, the more restrictive of possible interpretations shall apply.
 - (6) Maximum height of principal buildings. No building shall exceed 50 feet in height or three stories.
 - (7) Accessory buildings. Accessory buildings shall comply with the applicable provisions of §166-114.; provided, however, that a building designed and used as a community center, meeting rooms, indoor recreational facilities, etc., shall comply with the following requirements:
 - (a) The height of such buildings shall not exceed 30 feet.
 - (b) Such buildings shall comply with the setbacks applicable to principal buildings.
 - (c) Such buildings shall be prohibited in the front yard.
 - (8) Maximum coverage by buildings and other roofed structures. The coverage by buildings and other roofed structures shall not exceed 20% of the tract area.
 - (9) Maximum coverage by all improvements. The coverage by all improvements, including buildings, paved areas and other improvements other than soil, organic mulch and vegetation, shall not exceed 50% of the tract area.
 - (10) Buffer requirements. All of the applicable requirements of §166-125. shall be complied with; in addition, development of multifamily or single-family attached dwellings on any property abutting a property in the B-P2 District that is developed with a single-family or two-family detached residential use shall provide a planted buffer with a minimum depth of 20 feet, located and

February 14, 2019

planted in the same manner as a multifamily residential zone abutting a residential zone, as required by §166-125.

- (11) Intentionally left blank
- (12) Open space and recreation. At least one area of at least 4,000 contiguous square feet shall be developed and improved as a common open space amenity, such as a clubhouse, pool, playground, passive park with benches, etc. In addition, an area shall be set aside and improved for a pathway along the Whippany River, subject to applicable environmental regulations.
- (13) Building design.
 - (a) Building dimension. The horizontal dimension of buildings shall not exceed 200 feet on any facade.
 - (b) Front wall horizontal projection. The front wall of all principal buildings shall provide horizontal projections and/or recesses designed to provide visual interest and avoid large blank walls as viewed from the street or internal roadways.
 - (c) Front wall material. The front wall of all principal buildings shall be surfaced with at least two different materials, including but not limited to brick, wood, stucco, decorative cementitious siding and/or panels and similar materials. Each of the two required materials shall comprise at least 25% of the front wall surface area.
 - (d) Roof pitch. The minimum roof pitch of all buildings shall be at least 33% (i.e., 1:3).
 - (e) Windows and doors. At least 15% of the surface area of the exterior wall on the front and rear of all principal buildings shall be comprised of windows and doors. Both pedestrian and garage doors shall be included in determining compliance with the foregoing requirement. The wall surface area shall be measured from the ground to the roof eaves, exclusive of gables located above the roof eaves. Walls facing interior courts shall be exempted from this requirement.
- (14) Access, circulation and parking. The design and amount of site access, circulation and parking shall be in accordance with the requirements of the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.). In addition, the following provisions shall apply:
 - (a) Parking areas shall not be located in the front yard between principal buildings and any improved public street. Individual driveways providing access to garage parking spaces shall not have direct access to a public street but may have direct access to an internal roadway.
 - (b) Buildings shall be located at least 10 feet from internal roadways, driveways and access aisles, except for driveways located in front of garage doors.
 - (c) Parking areas and driveways shall be set back at least 20 feet from all property lines abutting a residential zone or property developed with a residential use, and at least 10 feet from all other property lines, except when more stringent requirements may apply pursuant to this chapter.
 - (d) Parking areas shall be set back at least 10 feet from building walls, except garage parking and parking spaces in driveways located in front of garage doors.
- (15) Landscaping.
 - (a) Attractive landscape plantings shall be provided as required by all applicable laws and regulations and approved during the site plan review process.
 - (b) Existing trees shall be retained wherever possible. Removal and preservation of trees shall comply with all applicable regulations of the Township of Hanover and any other entity having jurisdiction.

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- (c) Shade trees shall be evenly distributed within and/or around the perimeter of parking areas at a ratio of at least one tree for each 10 parking spaces, exclusive of spaces located within garages, beneath buildings or within driveways providing direct access to garages.
- (16) Signs. Signs shall be required to comply with the provisions of §166-143. and all other applicable provisions of Article XX, Signs.
- (17) Affordable housing requirements. Any development of multifamily and single-family attached dwellings containing at least five dwelling units shall be required to include as part of the development affordable housing in accordance with the following:

- (a) When the affordable units are to be for-sale units, at least 20% of the total number of housing units shall be affordable. When the affordable units are to be rental units, at least 15% of the total number of housing units shall be affordable.
- (b) Affordable housing units shall be constructed in accordance with the following schedule:

Percentage of Market-rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25 + 1 unit	10
50	50
75	75
90	100

- (c) To the extent feasible, affordable units shall be fully integrated with market-rate units.
- (d) The development shall ensure that affordable units utilize the same heating source as market-rate units within the inclusionary development and have access to all community amenities available to market-rate units and subsidized in whole by association fees, if applicable.
- (e) The first floor of all townhouse dwelling units and other multistory dwelling units shall comply with all applicable accessibility requirements of the Fair Housing Act at N.J.S.A. 52:27D-301 et seq. and all applicable building codes.
- (f) The affordable units shall comply with the rules of the Council on Affordable Housing at N.J.A.C. 5:93-7 and 5:93-9 and the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq., as amended.
- (g) Prior to marketing completed affordable housing units, the following documentation shall be submitted to and approved by the Township:
 - [1] A draft or adopted operating manual that includes a description of the program procedures and administration in accordance with the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.
 - [2] An affirmative marketing plan in accordance with the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.
 - [3] Designation of an experienced administrative agent, including a statement of his or her qualifications, in accordance with N.J.A.C. 5:96-18.
- (h) Affordable housing units shall comply with all other applicable requirements of the New Jersey Council on Affordable Housing at N.J.A.C. 5:93 and the Fair Housing Act at N.J.S.A. 52:27D-301 et seq.
- (i) At least 13% of the affordable units shall meet the definition of “very low income housing” as defined by the Fair Housing Act at N.J.S.A. 52:27D-304.

Section 3. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or

February 14, 2019

provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

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

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

Ordinance will be further considered for Public Hearing on February 14th 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 February 20, 2019 issue of the Daily Record in accordance with the law.

In accordance with the Municipal Land Use Law the Hanover Township Planning Board will review this Ordinance and give the Township Committee a recommendation before the Public Hearing of March 14, 2019.

Motion on introduction made by Member Francioli and seconded by Member Gallagher and unanimously approved.

So Introduced

RESOLUTIONS:

RESOLUTION NO. 45-2019

A RESOLUTION AUTHORIZING THE ADVANCEMENT IN GRADE AND COMPENSATION FOR EMPLOYEE SHELBY SNOW IN THE DEPARTMENT OF ADMINISTRATION HAVING RECEIVED A SATISFACTORY JOB PERFORMANCE EVALUATION AT THE CONCLUSION OF HER SIX (6) MONTH PROBATIONARY PERIOD

WHEREAS, in accordance with Section 61-18. of Chapter 61 of the Code of the Township entitled "Employee Job Performance Evaluation System", the employee named below has received satisfactory job performance evaluation from her Department Head, and subject to Township policy, is entitled to advance in grade and compensation; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris and State of New Jersey, that the individual named below, in accordance with Salary Ordinance No. 8-2018, shall be advanced in grade and compensation at the conclusion of her probationary period on February 1, 2019:

DEPARTMENT:

Shelby Snow	\$ 30.25 per hour
Group V – Salary Range Guide "C"	Effective 02/01/19

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be transmitted to the Township's Chief Municipal Finance Officer and Superintendent of the Public Works Department for reference and action purposes.

RESOLUTION NO. 46-2019

A RESOLUTION AUTHORIZING THE ADOPTION OF 2019 SALARIES AND RATES OF PAY FOR THE TOWNSHIP'S PUBLIC WORKS, BUILDINGS AND GROUNDS AND PARK MAINTENANCE DEPARTMENT EMPLOYEES REPRESENTED BY THE TEAMSTERS LOCAL 97 UNION PURSUANT TO ORDINANCE NUMBER 1-2019

February 14, 2019

BE IT RESOLVED, by the Township Committee of the Township of Hanover, County of Morris and State of New Jersey, in accordance with Salary Ordinance No. 1-2019, adopted February 14, 2019 that the rates of compensation for full-time employees in the Public Works, Buildings & Grounds and Park Maintenance Department represented by IBT Local 97, effective January 1, 2019, shall be as follows:

2019 PUBLIC WORKS:

Division: Buildings and Grounds

<u>Name</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Kasiski, Steven	IBT A-1	I	5	\$ 24.43 per hour
Arpino, Anthony	IBT A-1	IV	5	\$ 31.15 per hour

Division: Roads

<u>Name</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Ritz, Edward	IBT A-1	VII	5	\$ 38.37 per hour
Hegarty, Stephen	IBT A-1	V	5	\$ 33.71 per hour
Drake, William	IBT A-1	IV	5	\$ 31.15 per hour
Stumpf, Robert	IBT A-1	IV	5	\$ 31.15 per hour
Halko, Leo	IBT A-1	III	5	\$ 28.65 per hour
Cobane, Thomas	IBT D1	III	-	\$ 22.75 per hour
Didow, Nicholas	IBT D1	IV	-	\$ 21.86 per hour
Falkman, Gary	IBT D1	III	-	\$ 23.43 per hour
Michetti, Louis	IBT D1	III	-	\$ 23.43 per hour
Malet, Anthony	IBT D1	VII	-	\$ 25.51 per hour
Beresh, Joseph	IBT D1	IV	-	\$ 21.00 per hour

Division: Sanitation

<u>Name</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Moore, Paul	IBT A-1	IV	5	\$ 31.15 per hour
Costa, John	IBT A-1	IV	5	\$ 31.15 per hour
Keating, Jeffrey	IBT A-1	IV	5	\$ 31.15 per hour
Kelly, John	IBT A-1	IV	5	\$ 31.15 per hour
DeSimone, John	IBT D1	IV	-	\$ 22.74 per hour

Division: Park Maintenance

<u>Name</u>	<u>Schedule</u>	<u>Group</u>	<u>Step</u>	<u>Rate</u>
Caughy, James	IBT A-1	VI	5	\$ 36.30 per hour
Korn, Robert	IBT A-1	IV	5	\$ 31.15 per hour
McClain, Brian	IBT A-1	IV	-	\$ 31.15 per hour
Koba, Jack	IBT D1	III	-	\$ 23.43 per hour
Rigas, Nicholas	IBT D1	III	-	\$ 23.43 per hour

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as that a certified copy of this resolution be transmitted to the Chief Municipal Finance Officer for record and action purposes.

RESOLUTION NO. 47-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER APPOINTING DR. NADIA MIAN TO SERVE AS THE ALTERNATE 6 MEMBER OF THE HANOVER TOWNSHIP ECONOMIC DEVELOPMENT ADVISORY COMMITTEE FOR A TWO (2) YEAR TERM OF OFFICE COMMENCING FEBRUARY 15, 2019 AND EXPIRING ON DECEMBER 31, 2020, ALL IN ACCORDANCE WITH SECTIONS 21-2.D. AND 21-2.E. OF CHAPTER 21 OF THE CODE OF THE TOWNSHIP ENTITLED ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

February 14, 2019

WHEREAS, on September 24, 2009, the Township Committee adopted Ordinance No. 12-09 which established an Economic Development Advisory Committee (hereinafter referred to as "EDAC") and set forth the duties and responsibility of EDAC; and

WHEREAS, to enhance the diversification of backgrounds and expertise in membership, the governing body adopted Ordinance No. 5-2010 during its February 25, 2010 regular meeting increasing the membership from seven (7) to nine (9) regular members and from four (4) to six (6) alternate members; and

WHEREAS, the regulations governing the establishment and organization of the Economic Development Advisory Committee is codified as Chapter 21 of the Code of the Township entitled Economic Development Advisory Committee; and

WHEREAS, since its inception in 2009, the Alternate 6 position has remained unfilled; and

WHEREAS, **Dr. Nadia Mian**, a resident of 401 Monroe Court in the Whippany Section of the Township has expressed an interest to serve as an alternate member of EDAC; and

WHEREAS, the Chairman and members of EDAC interviewed **Dr. Mian** and recommend that **Dr. Mian**, with an extensive background in public and urban planning, would be an excellent addition to EDAC due to her experience and expertise in the corporate sector; and

WHEREAS, because of her background and skills, Committeeman Ferramosca as Liaison to EDAC, believes that **Dr. Mian** can bring to EDAC a wealth of experience that will be beneficial in helping to formulate an economic development plan for the Township that will help to retain current businesses and attract new commercial development; and

WHEREAS, pursuant to the provisions set forth in Sections 21-2.D. and 21-2.E., related to alternate membership and terms of office, under Chapter 21 of the Code of the Township entitled Economic Development Advisory Committee, it is the intention of the Township Committee to appoint **Dr. Nadia Mian**, to serve as EDAC's Alternate 6 member.

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 Chapter 21 of the Code of the Township entitled Economic Development Advisory Committee, as set forth under Sections 21-2.D. and 21-2.E., **Dr. Nadia Mian** residing at 401 Monroe Court in the Whippany Section of the Township is hereby appointed to serve as the Alternate 6 member of the Economic Development Advisory Committee.
2. Pursuant to Section 21-2.E. of Chapter 21, **Dr. Mian's** term of office shall commence on February 15, 2019 and shall expire on December 31, 2020, or until such time as her successor shall be duly appointed and qualified.
3. That a certified copy of this resolution shall be transmitted to the Chairman of EDAC.

INTRODUCED AND SPONSORED BY COMMITTEEMAN JOHN L. FERRAMOSCA AS LIAISON TO EDAC.

RESOLUTION NO. 48-2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN OSTER HANOVER PROPERTIES, LLC AND THE TOWNSHIP AS IT RELATES TO THE CONSTRUCTION OF A KIDDIE ACADEMY CHILD CARE CENTER AND RELATED IMPROVEMENTS IN THE CEDAR KNOLLS SECTION OF THE TOWNSHIP AND DESIGNATED AS LOT 4 IN BLOCK 1801, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER WHICH EXECUTION OF THE AGREEMENT IS SUBJECT TO THE RECEIPT OF VARIOUS FEES, AND ANY OTHER INSTRUMENTS AS DESCRIBED IN THE DEVELOPER'S AGREEMENT

February 14, 2019

WHEREAS, by resolution dated July 10, 2018, the Planning Board granted preliminary and final site plan approval to **Oster Hanover Properties, LLC**, as Applicant, for the construction of a Kiddie Academy Child Care Center, parking areas and driveways, storm water management facilities, associated utilities, landscaping and other related site improvements on property located at 201 Ridgedale Avenue in the Cedar Knolls Section of the Township and designated as Lot 4 in Block 1801 as set forth on the Tax Map of the Township of Hanover and situated in the I-5 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 1801, Lot 4, 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 **Oster Hanover Properties, LLC**, the Developer, for the for the construction of a Kiddie Academy Child Care Center, parking areas and driveways, storm water management facilities, associated utilities, landscaping and other related site improvements on property located at 201 Ridgedale Avenue in the Cedar Knolls Section of the Township, and designated as Lot 4 in Block 1801 as set forth on the Tax Map of the Township of Hanover, and situated in the I-5 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 \$51,644.00 and the sum of \$3,738.00 in cash or certified check. The total performance guarantee is \$57,382.00.

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 \$18,290.00 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 \$18,290.00 in four (4) installments. The first installment would be \$4,573.00. When the balance on deposit drops to 10% of the required amount, the Developer shall make an additional installment deposit.

February 14, 2019

4. The Developer shall also be required to pay to the Township the sum of \$25,000.00 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

5. The Kiddie Academy development is 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 \$6,547.00 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 the Attorney representing **Oster Hanover Properties, LLC** for reference and action purposes.

RESOLUTION NO. 49-2019

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

WHEREAS, at the Township of Hanover Municipal Tax Sale held on December 1, 2011, a lien was sold on Block 1502, Lot 21, Qualifier C0150, also known as 250 Vista Drive, Cedar Knolls, New Jersey 07927, for 2010 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate 2011-01, was sold to A. Raphael Investments LLC for a 0% redemption fee and a \$400.00 premium paid; and,

WHEREAS, Michael Chavkin, owner has affected redemption of Certificate 2011-01 in the amount of \$3,262.46.

NOW, THEREFORE, BE IT RESOLVED, that the Certified Municipal Finance Officer be authorized to issue a check in the amount of \$3,262.46, payable to A. Raphael

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Investments LLC, 7512 Park Avenue, #22, North Bergen, New Jersey 07047, Morristown, NJ.07962 for the redemption of Tax Sale Certificate 2011-01.

BE IT FURTHER RESOLVED, that the Chief Municipal Finance Officer be authorized to issue a check in the amount of \$400.00 (Premium) to the aforementioned lien holder.

RESOLUTION NO. 50-2019

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:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL. #</u>	<u>NAME</u>	<u>AMOUNT</u>
4902	1		Day Pitney LLP Trustee: Ravine Development 1 Jefferson Road Parsippany, NJ 07054-2891 Location: 10 Park Ave Reserve for Tax Appeals	\$462,583.94
5303	6		Scott Reid 1 Jacque Terrace Whippany, NJ 07981	\$3,428.04

RESOLUTION NO. 51-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF HANOVER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 3801, LOT 2 AND BLOCK 4101, LOTS 1 AND 23, QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment

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Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”); and

WHEREAS, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township’s Planning Board, pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6, to undertake such preliminary investigation of the study area which includes property designated as Block 3801, Lot 2 and Block 4101, Lots 1 and 23 (“study area”); and

WHEREAS, the Township of Hanover wishes to direct the Planning Board to undertake a preliminary investigation utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation to determine whether the proposed study area qualifies as an area in need of Non-Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, in the County of Morris, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of Non-Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 4A:12A-5.

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:12A-1 *et seq.*, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condemnation Redevelopment Area”).

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to the Planning Board of the Township of Hanover.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

RESOLUTION NO. 52-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF HANOVER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 4001, LOTS 5, 6, 7, 10, 11, 12, 13 AND 14 AND BLOCK 8803, LOT 17, QUALIFIES AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (“Redevelopment Law”), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment

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area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condensation Redevelopment Area”); and

WHEREAS, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township’s Planning Board, pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6, to undertake such preliminary investigation of the study area which includes property designated as Block 4001, Lots 5, 6, 7, 10, 11, 12, 13 and 14 and Block 8803, Lot 17 (“study area”); and

WHEREAS, the Township of Hanover wishes to direct the Planning Board to undertake a preliminary investigation utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation to determine whether the proposed study area qualifies as an area in need of Condensation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, in the County of Morris, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of Condensation Redevelopment according to the criteria set forth in N.J.S.A. 4A:12A-5.

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:12A-1 *et seq.*, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (“Condensation Redevelopment Area”).

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall to be forwarded to the Planning Board of the Township of Hanover.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Motion made by Member Ferramosca to approve resolutions and seconded by Member Gallagher and unanimously approved.

PAYMENT OF BILLS:

The governing body approved a grand total disbursement of **\$8,225,673.73** for the payment of all bills as of this Regular Township Committee Meeting. A copy of the “Bills

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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 Ferramosca 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.

RAFFLE APPLICATIONS:

- RL-3185 – Morristown Area Fortitude Found. – Tricky Tray**
- RL-3186 - Employment Horizons, Inc. – 3/15/19 – 50/50 on premise**
- RL-3187 - Employment Horizons, Inc. – 4/2/19 - 50/50 on premise**
- RL-3188 – St. John the Baptist Ukrainian Church – Tricky Tray**
- RL-3189 – St. John the Baptist Ukrainian Church -50/50 on premise**
- RL-3190 - Knights of Columbus – 3/16/19 – 50/50 on premise**

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

Mr. Semrau: Mayor we have continued to work with Fair Share Housing towards putting the plan that was discussed at the last meeting and agreed upon with the Township into effect it’s going to take time and many steps to do that, it calls, as I stated it does not mean that there are any approvals for these properties it means that the Committee has quit a bit of work to do and so does the Planning Board to take a look at various planning issues so that these projects are constructed or planned in such a way to protect the overall character of the community. There are two steps that are ongoing right now, we are getting ready to ask the Court for approval of the Town’s Third Round Plan and that will be sometime in the spring and the second issue is to start the process. It is appropriate to ask the Planning Board by way of resolution to conduct a study with respect to both Pine Plaza and River Park properties, a study to see if there are areas deemed for the law as Areas in Need of Redevelopment. So tonight, I would just ask the Governing Body if they would consider a Resolution to ask the Planning Board to authorize the Planner to undertake an investigation to determine whether the area which in this case is River Park would be an Area in Need of Redevelopment and that is for Block 3801 Lot 2; Block 4101 Lots 1 and 23 to see if in fact they qualify as an area of redevelopment that will give the Town more tools for effective planning. Again, it does not mean there is type of approval and as stated at the last presentation it is within certain guidelines like Legion Place are not included for any development for this particular project same with certain setbacks and restrictions from Eden Lane but it is just to conduct that study so that would be the first motion I would ask if the Governing Body would consider and that would be to ask the Planning Board to conduct a study to see if the River Park property qualifies for an Area in Need of Redevelopment.

RESOLUTION NO. 51-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF HANOVER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 3801, LOT 2 AND BLOCK 4101, LOTS 1 AND 23, QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

******RESOLUTION FOR RIVER PARK IS IN FULL UNDER RESOLUTIONS******

Motion made by Member Ferramosca to recommend the Planning Board to conduct an assessment of an area in need as specified by Mr. Semrau and seconded by Mayor Francioli and unanimously passed.

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Mr. Semrau: The second action would be as it relates to Pine Plaza and that shopping center and some ancillary properties as well. Again, just to evaluate whether that property is one that would qualify for an area of redevelopment. This would be a study for the Pine Plaza parcels and some of the ancillary commercial parcels next to Pine Plaza that may very well be need or part of ultimately a redevelopment and here as well I would ask for a motion of the Governing Body with one distinction that there is a request that it's considered whether the area of redevelopment will also qualify for this type of redevelopment plan which could include condemnation. It does not mean it would include condemnation, but it gives the option, if in fact there was a property, commercial property, that was in need of that type change whereby it wouldn't disrupt the rest of any type of improvement for project. So, this would be a request for a redevelopment study for the Pine Plaza property as well as some of the ancillary properties surrounding Pine Plaza the commercial ones along Route 10. So I would ask the Governing Body as well if they would consider a motion to ask the Planning Board just to conduct that study and I should note that the Township Committee is also looking and interviewing planners to recommend and assist in these studies. And, in both studies Pine Plaza and River Park must pay for whoever you hire as the Planner no matter what the outcome is it is for an independent type of evaluation.

RESOLUTION NO. 52-2019

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF HANOVER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 4001, LOTS 5, 6, 7, 10, 11, 12, 13 AND 14 AND BLOCK 8803, LOT 17, QUALIFIES AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

*****RESOLUTION FOR PINE PLAZA IS IN FULL UNDER RESOLUTIONS*****

Motion made by Member Ferramosca to recommend to the Planning Board to conduct an assessment of an area in need study for Pine Plaza per the attorneys stipulations and seconded by Member Gallagher and unanimously passed.

OPEN TO THE PUBLIC

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

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

OTHER BUSINESS

Mr. Gallagher: I am going to do a lightening round here but we have quite a bit and the first one is serious and the rest of it is kind of fun. First of all I would like to say thank you very much to the DPW for the storm we had this past Tuesday into Wednesday. A lot of us that are involved in this industry and Committeeman Mihalko who also plows, we say "where are these snowstorms where we get three to four inches and we plow, we salt, you go home?" It seems like we have snow, freezing rain, rain, sleet, snow and then it freezes; so these storms are very difficult and the timing and the management and execution really takes a life time to get it down. Even when we work at FDU we are constantly pivoting and changing our plan of attack, but the DPW did a fantastic job. I also want to take a minute to complement Hanover Township's residents; I can't tell you how many people I've seen in the last two days shovel sidewalks, more since I've moved here to be honest with you. So everybody is chipping in and doing their fair share and it makes a lot safer for our families especially for our kids. Thank you Hanover Township it goes noticed how much you have been working on cleaning your sidewalks so thank you.

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Couple of good things now, tomorrow night week seven Friday nights at Mennen Arena, we've had a lot of people there a lot of kids there and a lot of great activities and just a good time and the winter is flying and fortunately the winter is flying.

March 1st is our big night like I said you will see all of us there, it is Law Enforcement Night. Last year, we had almost 150 officers at Mennen Arena and, we plan to have about that many this year, hopefully a little more, we have equipment and the kids get water bottle, string bags and get to interact with our law enforcement and we are very happy to see that and we are really happy it caught on and happy we can offer this kind of activity to our kids. March 9th Whippany Park High School, New Jersey Teen Concert Series, Cultural Arts has really stepped in and taking this bull by the horns, they are doing a great job with the structure and logistics, but of course you can't do anything like this without a team. We have been working with the High School, with the New Jersey Coalition for Education and Positive Choices and we don't do very much now without Committeeman Mihalko interjecting the Recreation Department in all of our activities, and Mike we have you penciled in for some really nice rope lines and drum rise and we will talk about that later.

The following Saturday night we have a legend in this Town Joe Bergamini he is a great great drummer, he is doing a Master Class not only for our drummers but the drummers and teachers from all the surrounding municipalities. So, if you want to hear some great drumming that night come to Whippany Park High School it's free once again Cultural Arts are on the top of the ticket with the Drug Coalition and it's going to be a night of drums. Sandy Nelson said in the sixties "Let there be drums," and even ACDC said in the 70's the same thing. It's gonna be a great night a lot of drums a lot of volume and a lot of speed.

Chinese New Year with Cultural Arts two weeks ago, I think most of us were there, 400 plus a great, great day a lot of entertainment, a lot dancing, a lot of martial arts, and a lot of people, having a great time. So, it was great to be there and great to see it and I want to thank Cultural Arts for once again going above and beyond.

With the Drug Coalition last year we introduced a program that didn't get off the ground and we always say it's about territory and our Drug Coalition is a Hanover Township based coalition with 19 towns. We introduced something last year and we pulled it off last Sunday, it's called training with Hanover Township PD, we had our varsity athletes come out and train at Retro Fitness with our Police and they worked them and it was a great event. Chief Roddy gave a great inspirational talk to the kids about staying squared away and doing the right thing and it was just great and of course from that it's just like having kids you do for one you have to do it for the other. The Tigers have reached out and asked if they could be trained by the police and of course Mike Halibej with baseball said how about if we get to train baseball before opening day so now it's at the level of where we are going to talk to Committeeman Cahill who is the liaison for public safety but again these guys are leading by example interacting with our families like that on a new level it's just beautiful to us parents and I appreciate it and thank you HTPD great job.

Cultural Arts is currently looking for new members so if anyone would like to get involved in Cultural Arts we would love to have you, so please contact our Business Administrator, Joe Giorgio, we can use you. They are doing much more in town working with the kids in a different way than they ever have so we appreciate that so if anyone is interested please call Joe.

Mr. Cahill: Stepping back to Chief Roddy, I just wanted to mention that on February 1, 1989 he started here as a Patrolman so it was his 30 year anniversary. I just wanted to throw out there congratulations and we clearly worked his way up to run the department from everything that we have seen so far he is running a great department so hopefully we will keep him for another 30 years.

The other thing I want to touch base on just a little bit again our Town much like a number of other communities surrounding us have been touched by the thieves that are robbing cars and stealing from cars, we had another incident last week and I just want

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to use this opportunity to put out another reminder to keep your cars locked and to remove any valuables and I would also like to suggest and I know I have mentioned this before but it is a good time now go over to the Hanover Township Police Department website and sign up for their video system registration. If you have surveillance cameras it is a simple registration form just so that they know you have it and if something happens in your neighborhood then they know where they can go to and see the video. Of course the Rave system if you haven't signed up for that please do that as well and that will get you the notifications that we have got this week when those occurrence happened.

Saturday just a reminder, Fire Districts No. 2 & 3 are having their annual elections again from 2pm-9pm. Whippany Fire Company March 24th is their pancake breakfast at the Recreation Center starting at 8:00am. I encourage everyone to participate in that. We had this past Tuesday, our first School and Park Traffic Safety meeting of the year, so it went very well and I we kicked off 2019 spending a lot of time just discussing the open draft initiative that we were working on in 2018 that we haven't quite wrapped up and we put those in order of priority, one of those being crossing guard staffing to try and make me have a full complement of people to help cross our kids. With that said, I encourage anybody with any traffic safety issues or concerns not necessarily just around the school or park it could be anywhere in town there is another form on the Hanover Township Police website where you can register your concerns and make the police aware of it.

HSA had their reorganization meeting on February 6th it pretty much went as planned, Dennis Detrick continues as Chairman and everybody else is continuing in their former rolls and John Corona one of their commissioners was sworn in for his second 5 year term.

Member Mihalko: Recreation is busy as always, there is something always going on. Let me start with our Seniors, if you are of age and you have not joined yet please reach out to the group, they meet the first and third Wednesday of every month.. It's a great group of people, they are very active. I have a whole list of activities that are going on so check out the website. Mr. Coppola is going to be leading that group, so congratulations to him, he does a terrific job. They are also getting ready for their St. Patrick's luncheon which is March 20th.

In addition to that there are also a lot of adult clubs that go on at the Library which a lot of people don't know about there is a scrabble club, stitching and knitting club for adults, coloring for adults, rummy tile, a lot of these are weekly events so again check it out, we have a new website and there is a lot of stuff to get involved with so I can't stress enough what a good group of people they are, they like to have a lot of fun so check out the seniors and the library there is always stuff going on.

We just had our first meeting for the Memorial Day Parade, we met with the Veteran's last night Mike McCrory does a terrific job, when you talk about military efficiency he had that meeting organized step by step. Mark your calendars May 27th Memorial Day we are having our parade and hopefully we will have a beautiful day like we had last year, so mark that down.

Now we get to the Recreation Department, unfortunately if you are here tonight you missed it, there is a trip to the Papermill Playhouse tonight, it would have been a nice Valentine's Day event if you had again, check out the website there are so many events coming up, we have our traveling teens program, which goes to a waterpark that's on Monday, the kids are off school, it's for 6th graders, see it's one more thing that they do, it is too late to sign up for that, but keep your eyes open for the future.

We are talking about Memorial Day so guess what is coming out in the mail? Pool registrations packets will be coming out already, so keep your eyes open for that. It's a terrific facility, we are always looking to improve, we are putting in new slides this year and we have new life guard stands going in and also hopefully getting a rock wall this year, not sure if the budget is going to permit but we are working on it. We are always trying to add new activities and there are always other activities that go along at

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the pool, so you are going to hear me talk a lot about the pool drumming it up it's a fantastic facility Eddie Cashen does a lot of the programs for it and really gets people involved. Check out the website. It's not just for kids there is a lot of senior activities that go on there is a big group of seniors that meet up there and adults, they get together and play cards and Eddie and I were just talking we were looking to put some programs together for seniors over there, maybe bingo so again look to the pool that's another place for the summer time to get out to.

Just a couple more things, the Hanover Township Football actually put together a kick ball league for our kids in town; my daughters are playing right now. It's a five week program about 60 kids came out, different levels and they go to the Recreation Center and playing kickball. They play at lunchtime but now they have a little game going on and I was there last week, terrific time, the kids had a great time and thank you again for football league for putting that together. Keep the kids active, get them moving.

Thank you Whippany Park High School they invited the recreation basketball to come to the game on Monday night and the young ladies went over to watch the basketball game. Unfortunately Whippany Park lost by one point, I heard it was a nail bitter, I wasn't able to make it but they had a terrific time and they got to see the older girls play and it was a really nice function hopefully we can do it again soon.

Mayor: My point about the pool is that there so much going on over there, I was at a library meeting last night and we got to talking about the pool and some of our library members enjoy lap time, when they swim laps, so there are opportunities at the pool not only for youngsters but adults as well. It's a great recreational facility here in Hanover.

Member Ferramosca: EDAC has been real busy and the good news is that Hanover Township launched its newly updated website this week February 11th; it's what we call the official source of information if you want accurate information about what is going on in Hanover Township visit hanovertownship.com. I want to thank all the people who helped make that happen, special thanks goes out to Shelby Snow who coordinated with the EDAC team as well as Civic Plus the provider of the site to make that happen on time. I encourage you to visit it and encourage you to use your computer, you can you use your computer, your laptop, your iPad; your smart phone the website is accessible with every type of electronic device. It is easy to use and has lots of information, Mr. Mihalko spoke about many recreational events that are on the website and would encourage you to use a feature of it called Notify Me alerts. Notify Me is really cool, you apply what you want to be notified about and you will get that information. So, if you want to learn about pool events it will give you pool events on a regular basis. In addition, if you want to learn what the Township Committee has on its agenda on a given night or the Planning Board or Board of Adjustment or any other group look at the website, all of the agenda's will be published on the website. So, we are really trying to be as transparent as we can to provide the member of our community with all of the information that is available. Lastly, about that website, please sign up for emergency notifications if you haven't, do it. It is really important in the event of an emergency we want to be able to notify you.

Next subject I would like to talk to you briefly is the Environmental Commission. They are focused on solar energy in a big way. Dennis Wilson and Phil Glawe Hanover is blessed to have two individuals like this who are members of the Environmental Commission and the Green Team with significant knowledge in the industry and they are working on bringing to the Township Committee what they call an RFP which is a request for a proposal for a solar based integrated electronic storage system in techie speak a micro grid and the micro grid would be capable of providing power to the municipal campus in the event of a power outage. So, it is a very much a leading edge grid and very beneficial to Hanover Township. In addition, the second institutive that they are working on is something called Community Solar and it is new, it's new to the State of New Jersey and what that does is its providing individuals an opportunity to participate in solar energy who don't have the ability to put roof top panels on their house, etc., so this is designed more so for areas where you would have townhomes

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and things of that nature but it's a good opportunity to provide the opportunity to participate in solar energy for those who do not own a structure where you can install your own panels. So, it is a very good initiative you will be hearing more about that in the future.

Mayor: Just a couple of brief ones, Happy Valentine's Day, it's almost over, but we all on the Township Committee wish you a Happy Valentine's Day to you and your loved ones, we hope you had a great day. The spring is not too far away even though we had a wonderful ice storm last night so I want to remind you about Stoney Brook Community Farm that is ready for subscribers who would like to have gardens this year you can do so at the Recreation Department. If you would like to see the garden off of Stoney Brook Drive off the end near the ball fields take a ride past the Recycling Center and make a right turn into the Stoney Brook park area and look to your right and you will see the gardens. There are 144 gardens each one of them are about four foot wide and sixteen feet long it's yours for the sum of \$25 for the season and if you wish to continue the subscription to that that remains your garden year by year so everything is supplied to you there just so you understand, the top soil, mulch, etc., plants you bring to the garden the shed has tools for you and more progress will continue with the garden this spring they are putting in a gazebo which will have electrical capacity and the reason for that is that we do have a curriculum that we are working on for the schools so that our youngsters in the middle school might be exposed to hands on gardening and farming as well, so, I invite you to take a look at that. Also, I invite you to our meetings, Thursday, February 21 at the Recreation Department at 10am the garden team meets, if you would like to be a part of that please show up we are happy to have you there.

John mentioned to you our new website, for those who are not computer savvy it's probably the simplest site you can possibly use cause right on the top of the box on the homepage it says search and you can type whatever you want into that search box and if it's on the website whether it's a government agency, forms, information on schedules it's there it will pop up easy to use. A lot of time went into it and a lot of information, good information so please turn to it and give it a shot. Thank you all very much.

ADJOURNMENT

Motion made to close at 8:53 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