

MARCH 24, 2022

Regular Meeting of the Township Committee of the Township of Hanover, County of Morris and State of New Jersey was held on Thursday, March 24, 2022, at 6:00 o'clock in the evening, prevailing time, at the Municipal Building, 1000 Route 10, in said Township.

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, Mayor

ROLL CALL: Committeemen Cahill, Francioli, Gallagher, Mihalko and Mayor Ferramosca

ABSENT: Committeeman Gallagher left meeting at 7:21 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG & OPENING PRAYER

OPEN TO THE PUBLIC

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

Terri Baird, 180 Parsippany Road, Whippany: Good evening. In regards to Resolution Number 62-2022, could you please explain that further than what's in the title.

Mayor: Okay, I'm going to turn this over to Mr. Giorgio.

Joe Giorgio: Terri, what we have at the former Pine Plaza development, now Towne Center, are two (2) easements; one is a Patriot's Path easement, another is another walking easement. We found through the Engineering department and Planning, that those two easements, if they remain the way they are, would be impacted by development, so under regulations promulgated by the NJDEP's Green Acres Program, there is a process known as disposal and diversion. So, one of those easements which is the Patriot's Path easement, is on the Township's Recreation and Open Space inventory. So, the two easements, and Gerry can correct me because there's some spurs that go with it, have to be relocated on site. It's less than one acre and the NJDEP regulations require that we do a resolution and a pre-application to NJDEP to do a disposal and then to relocate those easements, and the developer, Mr. Forgione has pledged that he will replace those easements and give a little more than what they are right now. Right now, it's less than one acre. He's pledging that the easements will be more than an acre, so that's in general what it's about.

Ms. Baird: Will that require a scoping hearing also?

Joe Giorgio: It will require a hearing before the Township Committee, that is correct, and then it has to get State House Commission approval.

Ms. Baird: Okay. I just wanted confirmation on that. Thank you.

Fred Semrau, Esq.: Mayor, if I can, Mr. Giorgio has explained it so well, a very complicated process, but I just want to add that the present easement is not being used. You know when Pine Plaza existed, it never really was in place and the proposed change connects, I believe, to sidewalks and is more of a real Patriots Path connection. It never was in effect, because we've learned a lot about this. I just wanted to share that so everybody's aware, this complication, it's just a technical aspect but again, in the long run, it's accuracy as far as it'll be a real easement as opposed to what was out there.

Mayor: Any other member of the public would like to address the Township Committee at this time please do so by stating your name and address at the podium.

Matt Van Loon, 3 Palm Court, Morris Plains: Thank you so much. I just want to thank the Board for the time. I've been to all the meetings addressing the situation with The American Road entrance. I voted originally to close it off. I appreciate the work and the time in having the traffic study done and having a resolution of a one way out, so thank you for that. It sounds like a good alternative for us. One thing I want to mention though that wasn't brought up in the traffic study, I know a lot of people had addressed the Board saying it was an inconvenience for some people. One thing that wasn't brought up though was the economic impact of having a through way going through Forest Way, and what it would do with our housing. I spoke with a few attorneys and a couple of realtors, and they said it could be a ten percent decrease in the housing value, so it is a little bit of an inconvenience for us having a one-way out, is a lot better than taking a hit on the prices of our houses so thank you.

Mayor: Thank you. The floor is open if anyone would like to address the Township Committee at this time, please do so again by stating your name address.

Janice Allen, 53 Forest Way, Morris Plains: I just want to comment again on the options that are before the committee regarding the end of Forest Way. Two meetings ago, not the last one but the one prior to that, I came to hear about what the results of the traffic study were and what the recommendations were going to be. I walked in the door with the thought that my best recommendation would be to close Forest Way. I thought for safety that that was probably the best for the community. After hearing the recommendations of the company that you hired to do this study, they made some really good points about why we should not close it off right now at this point, and why making it a one way out and then you can't come back in would be their recommendation. I think that, you know, I would still like to see it closed, but if that's not an option, the next best thing would be to go out one way in my opinion and not be able to come in. I think that's a compromise, and in life you have to compromise. You're never going to please as you know, everybody, and as far as the do nothing, I would really like to say I hope that the committee just throws that out because doing nothing to me is just being in my opinion, lazy. It's not addressing the problem, it's kicking the can down the street. It's just not making a decision on a problem, and if we do nothing and find out that there is a problem a couple of years from now, now it's going to fall on the Township to pay for this to have something done. Also, if I understand, are they going to use some of Morris Plains property to, we're not going to have any of Morris Plains property with this one way out, are we? Is the builder...

Mayor: If the Township approves this resolution, all of the work will be done in the Borough of Morris Plains. That's where the activity is being generated from. All of the work will be done in Morris Plains.

Ms. Allen: Which to me is huge. And the other thing is I don't know, I'm not a lawyer obviously, I don't know if the association group from the people that are living in those housing, if we decided it was a real issue and we needed to close it if they could try and sue the town. I mean anybody can sue anybody and I don't think the

town wants to be in a position to have to defend even if it's a frivolous, even if they have no leg to stand on, case, so I would really hope that you would strongly consider the recommendation of the company that you hired, obviously you think they are a good company or you wouldn't have hired them. It's like going to your doctor and your doctor tells you to do something and you don't take their advice, why go? Why hire this company if you're not going to really put a lot of weight on their recommendations.

Mayor: Thank you. Any of the costs associated with this in the event will be approved, will be borne by the developer, not the Hanover Township. Hanover Township's residents would not pay for this change if the Township Committee moves forward with this. Any other individual would like to address the Township Committee at this time on any subject please do so by stating your name and address.

Tracy Brown, 4 Appletree Lane, Morris Plains: I guess just a quick question. If we do move forward with Option A, one-way out, you had mentioned that all of the work would be done in Morris Plains. I guess my question, or my hope would be that we're still considering narrowing Forest Way at the end so it can be a one-way out. I think that was part of the proposal from the company.

Mayor: The engineering design will be such that our Township Engineer, Mr. Maceira, who is a traffic engineer as well, will deal with the engineer in Morris Plains, and based upon the commentary, do a design for that so that it's a safe means of exit and it would be, if approved, a denied way to enter so it would be marked very well.

Ms. Brown: Okay. I mean that's fine. I guess my concern is if we don't narrow it and make it very visible that it's a one-way out, there's nothing stopping people coming around that circle and right back into Forest.

Mayor: Yes, if this is approved, the entire circle will be redesigned. It'll be a fully functioning cul-de-sac that will have one lane allowing an exit if it goes forward tonight.

Ms. Brown: Thank you.

Mayor: Thank you. Any other member would like to address the Township Committee at this time, please do so by stating your name and address.

Rosemary Randolph, 8 Evergreen Lane, Morris Plains: I've been at a few of the meetings listening to some of these things that you want to do with Forest Way, and I don't agree with it. I do agree that there is a problem with speeding coming through the neighborhood, and I think that a lot of it has to do with the way that the road is aligned right now, and yes there is some additional traffic during the morning, but I think that doing this and shutting, you know, making it a one way, is certainly going to be an inconvenience for residents of Forest Way. I'm also wondering what sort of traffic that this is going to put now on Appletree, Countrywood, Manger, McNab of all the people that we used to come in the Forest Way, now they all have to be redirected and come in one of the four other roads. All of our deliveries, all of our food trucks, lawn trucks, you name it, anything that used to come in Forest Way is now going to have to go by other houses and use other streets. I'm more concerned about the access to and from my house and I didn't really catch the whole comment from the gentleman on Palm Court, but I too wonder what it might do to our property values. You know, people buy houses because of the convenience and I'm not sure you know people would see that as inconvenient or what if that would have anything to do with them wanting to buy a house in our neighborhood or not. I also went and replayed the presentation from the traffic engineer, and he says very clearly that if the Township and the residents want to do something, that he recommends Alternate A, and he said there's still a decent amount of people who said let's wait and see, and so I think you really have to kind of have to take that into effect. I talked to a lot of people up there in the neighborhood and a lot of people are not aware of this sadly, a lot of people didn't come, or I don't know if they communicated their thoughts to you or not, but I'm just not sure making a drastic, drastic change like this right off the bat is the correct thing to do. Maybe get an escrow from the builder and let's wait for

another year, two years, see what kind of traffic does come in. If it doesn't get any worse, I can't see why we would want to do something like that to our neighborhood, and he himself even admitted that there was and this is a quote "There is not a high amount of traffic coming into The American Road". He said our counts were between 20 to 25 cars, so I'm not sure why we need to close the road off and restrict our access for not a huge amount of traffic. Thank you.

Mayor: Thank you. Any other member in the community would like to address the Township Committee at this time, please do so by stating your name and address at the podium.

Sean Rodriguez, 1 Palm Court, Morris Plains: I thank the committee for taking the time and effort of getting a traffic study done, and I appreciate that. The traffic study only studies what's currently happening, and I would hope that everybody remembers that in a few months to a year from now we're going to have 400 plus cars at the end of American Way and that will be more traffic if we don't do the closure, so I would like to once again state that I'm for making a one-way out. Thank you.

Mayor: Thank you. Any other member of the public would like to address the Township Committee at this time, please do so by stating your name and address.

John Zunin, 55 Forest Way, Morris Plains: I'm for having it closed permanently but if that's not a solution, I would accept the one way. Again, the value of the property values that we have so also, like Sean just mentioned, the study was done now. There's not 400 cars down there trying to exit. The amount of buildings they're putting in there, everybody's going to have two cars so you know there's going to be at least 400 hundred cars and they're not going to all go out Hanover Ave, that light's going to back all the way up, there's going to be multiple people trying to go other ways and besides that, even coming home people are not going to want to go that way because of the traffic being heavy and they're going to start cutting through the development to go out so it's a combination that I would prefer to be closed. Thank you.

Mayor: Thank you. Any other member of the public would like to address the Township Committee at this time, please do so by stating your name and address.

Janice Allen: Quick comment when I was up, I forgot I neglected to mention a couple of things that have been already mentioned as far as the property value, I did speak to a couple of realtors also. I'm sure he was from, everybody knows him from town, Chris Patrick, I don't think he'd mind that I mentioned his name. I called him when we were talking about this, I said Chris let me pick your brain, what do you think is going to happen if we don't do anything and he absolutely said emphatically, and he's been doing this a long time, your property values will go down about 10 percent. And I don't think anybody wants that to happen but more importantly, it's safety versus convenience and for me, I think it's very selfish that people aren't considering you know, want this nothing done, because they want to get to Dunkin Donuts to get their cup of coffee five minutes sooner. I just think we have to really look at safety versus convenience, and yes, we are giving up a convenience. And I want to just quickly address the fact that I know another resident said that there's so many people that want it open, so many people, I don't see them here and I actually walked around Forest Way with a petition which I think the committee had months ago. There were sixty (60) some signatures on that petition. Every signature was to close Forest totally and when I went and spoke to people, there were a few many people to me said you know out of the 60 there were some others that said I don't know, I don't really want to close, I'd like to see out, but not in, but if I can't see out and not in, I want it closed. I do not want to do nothing. Those people did not sign my petition because I wouldn't let them sign the petition because I said that's not what this is, this is just to close it. So, you took all the people I had that wanted it closed, the 60-some people and the other people that wanted out but not in and didn't want to do nothing, that's a great majority of all the people I spoke to. There was a handful of people that want to do nothing and it is really, truly a handful so I think that you know, I know you're making the decision for everybody and that's what

you guys should do but I think you really do need to consider the majority so I just wanted to comment on that.

Mayor: The Deputy Mayor needs to express his thoughts on this matter and the reason he needs to do that now is he's got an important matter that he needs to deal with representing the Township of Hanover, so Deputy Mayor Gallagher, the floor is yours.

Member Gallagher: Thank you Mayor. Just in case I have to leave, I'm not going to be here for the vote, I want to weigh in on this because I think it's only fair with the amount of time the Township Committee spent on this with our professionals. Just to be clear, we spent a very long time on this long before they broke ground, to make the new housing units on American, so I'm in full support of this item. We're making it one way out. We have a great opportunity to have a traffic solution including a cul-de-sac which is worth a lot of money. It's going to make the whole area much, much, safer and just to conclude with public safety, this Township Committee, eight and a half years ago created the School and Park Traffic Safety Advisory Committee which was recognized by the New Jersey DOT, and I started with Committeeman Cahill when he was on the Board of Ed, public safety is number one. Convenience is very, very important but where we are now with the influx of new vehicles and the problem we have right now, God forbid something happens, we don't get to hit reset and that's what I told both my children when they got their driver's licenses, God forbid somebody gets hurt or killed you don't get to hit reset if for reason, we're three, four down years down the line, say hey it wasn't that bad, big deal. We open it back up, we say hey you know what thank God nobody got hurt, nobody got killed and we did what we had to do, so some people are going to be annoyed, but in my heart, this is the right thing to do. So, guys, I'm going to run, but I fully support this, so if I'm not here for the vote, I don't think I can legally vote by saying prior to the roll call that I vote, but I support this.

Fred Semrau, Esq.: That's correct, but the record can certainly reflect your comments.

Member Gallagher: Okay, in that case John, I'm going to go. Thank you. Thank you everybody.

Motion to close this portion of the meeting made by Member Cahill and seconded by Member Gallagher and unanimously passed.

COMMUNICATIONS:

Submission of Letter of Retirement from Janet Firetto.

Krista DiGiorgio: Good evening ladies and gentlemen. What we have on the agenda is a letter from Janet Firetto to the Police Chief, Michael Loock announcing her retirement in the Township after twenty six (26) years of service. She will be greatly missed. May I have a motion to accept her retirement.

Motion made on accepting the retirement letter by Mayor Ferramosca and seconded by Member Cahill and unanimously passed.

APPROVAL OF MINUTES:

Krista DiGiorgio: Next order of business is the approval of the Bid Committee Meeting Minutes of March 8, 2022. May I have a motion to approve.

Member Mihalko moved that the approval of Bid Committee Meeting Minutes of March 8, 2022 be accepted and approved and seconded by Mayor Ferramosca and unanimously passed.

RESOLUTIONS AS A CONSENT AGENDA:

RESOLUTION NO. 60-2022

**A PROCLAMATION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HANOVER SUPPORTING THE 2022 UDRIVE. UTEXT. UPAY.
DISTRACTED DRIVING CRACKDOWN IN HANOVER TOWNSHIP
BETWEEN APRIL 1, 2022 THROUGH APRIL 30, 2022**

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2019 alone distracted driving-related crashes resulted in 3,142 deaths and 400,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in forty-nine (49%) of all motor vehicle crashes in 2019; and

WHEREAS, the State of New Jersey will participate in the nationwide *Distracted Driving 2022 Crackdown* from April 1 - 30, 2022 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways; and

WHEREAS, the Township Committee wholeheartedly supports the efforts by the Hanover Township Police Department to crackdown on distracted driving related accidents in our community during the period beginning April 1 through April 30, 2022 and on a daily basis thereafter.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover as follows:

1. The governing body declares it's support for the *Distracted Driving 2022 Crackdown* both locally and nationally from April 1 - 30, 2022 and pledges to increase awareness of the dangers of distracted driving throughout the year.
2. That a certified copy of this proclamation shall be transmitted to the Chief of Police for posting on the Police Department's official bulletin board.

RESOLUTION NO. 61-2022

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF
NEW JERSEY ACCEPTING AND APPROVING THE RECOMMENDATION OF
DYNAMIC TRAFFIC TO IMPLEMENT ALTERNATIVE "A" ESTABLISHING A
ONE-WAY OUT ROUTE FOR TRAFFIC ALONG A PORTION OF FOREST WAY
TO A NEW CUL-DE-SAC TO BE CONSTRUCTED ON THE AMERICAN ROAD IN
THE BOROUGH OF MORRIS PLAINS**

WHEREAS, with the construction of new multi-family housing and retail commercial development in municipalities contiguous to Hanover Township, the possibility exists that the township will experience an increase in traffic volume especially during the morning and evening rush hours; and

WHEREAS, the Trailwood and Countrywood neighborhoods in the Cedar Knolls section of the Township could be impacted with additional vehicles using Forest Way and other surrounding streets as a cut-through to major arteries such as Ridgedale avenue and Malapardis Road; and

WHEREAS, in June, 2019, the Township mailed a non-binding survey/poll to three hundred seventy-eight (378) homeowners in parts of the Trailwood and Countrywood neighborhoods seeking their input on the possible implementation of one of three options, or do nothing until all the development takes place; and

WHEREAS, of the one hundred forty-seven responses, a majority of the respondents felt that creating a dead-end on Forest Way prohibiting the flow of traffic in and out of Forest Way was the best option at this time; and

WHEREAS, between the time of the Study and the fall of 2021, the Township Committee discussed with the Township Attorney the legal ramifications that might develop should the Township decide on any of the options described in the 2019 survey; and

WHEREAS, the governing body was especially concerned about what it dubbed as "cut through" traffic activity through the Trailwood and Countrywood neighborhoods that would increase with residential and commercial development already taking place, and, in particular on The American Road in the Borough of Morris Plains; and

WHEREAS, the Township Attorney opined that the Legislature granted municipalities broad power to regulate their streets and other public facilities, to assure the safety and convenience of citizens, but there is no "hard and fast rule" regarding the appropriate creation or elimination of a roadway, the result each case, is reached upon by consideration of intention, and the particular circumstances involved, including among other things, all conditions, such as physical, economic and social; and

WHEREAS, in September, 2021, the Township Committee decided that in order to make an informed decision on what it should do, if anything, that it was contingent upon the Township to authorize a traffic study and report that would evaluate the current traffic situation, and set forth the positives, negatives and potential impacts associated with each of the three alternative (3) scenarios described in the 2019 survey; and

WHEREAS, as a result, the Township, in October, 2021 authorized Dynamic Traffic and its principal, Andy Jafolla, PE, PTOE, to prepare a traffic evaluation of key intersections in Cedar Knolls that would include, but not be limited to traffic volume recordings, a field inspection to obtain an inventory of existing

roadway geometry, roadway characteristics and features, and estimates of traffic to be generated by several nearby developments; and

WHEREAS, at various Township Committee meetings during the fall, residents offered their comments and observations about current traffic conditions and their suggestions about how to handle the potential additional volume; and

WHEREAS, during it open, public conference work session on January 27, 2022, the governing body announced that it would convene a public information/public hearing session on February 24, 2022 at 7:00 PM at which time, Mr. Jafolla would present Traffic Dynamic's "Cut-Through Traffic Evaluation" Study and, following the presentation members of the public would be given an opportunity to comment or ask questions about the findings and determinations;

WHEREAS, notice of the meeting appeared on the Township's website and published as a legal ad in the February 4, 2022 and February 14th issues of the Daily Record; and

WHEREAS, subsequently, on March 10, 2022, Mr. Jafolla again appeared at the open, public conference meeting of the Township Committee and reiterated his opinion, based on the findings of the "Cut-Through Traffic Evaluation" that Alternative "A", a one-way out of Forest Way to a new cul-de-sac to be built on The American Road in the Borough of Morris Plains would appear to provide the maximum benefit to residents, balancing the need for access to the surrounding streets, while also reducing existing and potential future cut-through traffic volumes through Trailwood and Countrywood; and

WHEREAS, based on the results of the "Cut-Through Traffic Evaluation" Study prepared by Dynamic Traffic and Andy Jafolla, PE, PTOE, the Township

Committee accepts the findings and determinations that the advantages of Alternative "A" far outweigh the disadvantages by having vehicular traffic flow out only along a portion of Forest Way to a proposed cul-de-sac in the Borough of Morris Plains.

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 March 3, 2022 Traffic Study for "Township of Hanover Cut-Through Traffic Evaluation prepared by Dynamic Traffic and presented to the governing body and public by Andy Jafolla, PE, PTOE, a principal of the Firm, is hereby accepted and approved.
2. The Study took into account major considerations such as existing traffic patterns, current and projected traffic volume, emergency services, access to Township schools and the impact of modifications under Alternatives "A", "B" and "C". The analyses concluded that Alternative "A" was the best, realistic option in reducing potential new development traffic, the reduction of existing cut-through traffic and the impact to other nearby streets in the Trailwood and Countrywood neighborhoods. Therefore, based on the findings and determinations of the Study, the Township Committee authorizes the implementation of Alternative "A".
3. The Township Engineer and Chief of Police are hereby authorized and directed to collaborate with the Morris Plains Borough Engineer in preparing a

plan that will effectuate and implement Alternative "A" including any traffic ordinance that might be required and the posting of warning and advisory signage as prescribed in the Manual on Uniform Traffic Control Devices.

4. That certified copies of this resolution shall be transmitted to the Township Engineer, the Chief of Police, the Mayor of the Borough of Morris Plains, The Morris Plains Borough Engineer, JMF-Morris Plains, LLC and the Hanover Township Attorney for reference and information purposes.
5. This resolution shall be published in the Daily Record and on the Township's website including the March 3, 2022 Traffic Study.

RESOLUTION NO. 62-2022

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY SUPPORTING THE STATE HOUSE COMMISSION PRE-APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM FOR THE DISPOSAL AND RELOCATION OF THE EXISTING PATRIOT'S PATH EASEMENT AT THE HANOVER TOWNE CENTER COMMERCIAL AND RESIDENTIAL DEVELOPMENT ON ROUTE 10 EAST IN THE WHIPPANY SECTION OF THE TOWNSHIP

WHEREAS, Block 4001, Lots 12 and 14, and also known as the Hanover Towne Center Commercial and Residential development (formerly the Pine Plaza Shopping Mall) within the Township of Hanover contain easements which are a part of the Township's Patriot's Path and listed on the Township's Recreation and Open Space Inventory; and

WHEREAS, the easements totaling 36,449 square feet or 0.8368 acres are encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's (NJDEP) Green Acres Program; and

WHEREAS, in conjunction with the proposed Hanover Towne Center mixed use commercial and residential development, it is necessary to remove the Green Acres restrictions from the 23.41 acre development site; and

WHEREAS, the developer proposes to replace the 0.8368 acre easements with 46,670 square feet or 1.0714 acres to serve as a new Patriot's Path easement and Conservation easement on the Hanover Towne Center development; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the NJDEP and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the Township of Hanover wishes to apply for approval of the disposal of the 0.8368 acres under N.J.A.C. 7: 36-26; and

WHEREAS, the first step in the application process for approval of a minor disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7: 36-26.4; and

WHEREAS, in accordance with N.J.A.C. 7: 36-26.4(d)10, it is necessary for the Township of Hanover to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland.

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

1. The governing body of the Township endorses the filing of a pre-application for the disposal and relocation of the Patriot's Path easements on the mixed-use commercial and residential development known as the Hanover Towne Center (formerly the Pine Plaza Shopping Mall) on Route 10 East in the Whippany Section of the Township and also known as Lots 10, 11, 12, 13 and 14 in Block 4001 and Lot 17 in Block 8803 on the Tax Map of the Township of Hanover.
2. That a certified copy of this resolution shall be submitted to the Green Acres Program along with the Township's Pre-Application Local Parkland Minor Disposal/Diversion and to the Township Engineer, Township Attorney, And JMF Properties, the owner of the Towne Center development.

Mayor: I'll make a motion that we approve all three elements of this consent agenda and with supporting the motion on the subject matter that many members of the public spoke to tonight. I'll address that specifically. We recognize that this is a very sensitive matter contemplating a change in traffic patterns. We do not take that lightly. Much has been spoken about the impact of Forest Way. Please, it is far bigger than Forest Way. The work that this Committee has done over the past two years is taking into account what is the impact to Cedar Knolls, what is the impact to Countrywood, what is the impact to Trailwood's, it is far more than Forest Way. The question that we face is how do we best safeguard traffic flow given a development that is going to be larger than Trailwood. Trailwood's 278 units. What is being built is 280 units. Residential apartments generate traffic 24/7, not peak, as office buildings do. We need to consider the impact to, again, not just Forest Way. This will affect, if we do not address this, this will affect Poplar directly, Appletree directly, Countrywood directly, McNab directly. It's far more than Forest. We've heard from people throughout the evaluation process who expressed their thoughts their viewpoints, we listened. Some want complete closure, you heard that tonight. Some want "do nothing", some want "let's wait and see". We've evaluated all of these options. We issued a broad targeted survey to those individuals who would be most affected, and we learned about their perspectives. We read their commentary, we received numerous emails on this matter. Some pro, some against, some shut the whole thing down, some do nothing. We went on, we completed a formal traffic study to assess the impact of the greater area. Again, this is not just Forest Way. This is this whole area that we are considering the impact here. We counseled with our Police. The Chief of Police was involved in this. We counseled with our Fire Departments, we counseled with Emergency Medical Services, we counseled with school transportation to understand what would happen in the event we implemented this study, and the solutions are there. They all felt that they're manageable and expressed from a public safety standpoint that the public safety and emergency vehicles will be able to travel any which way they want, whenever they want because that is the right they have in serving the public. We shared with the community involving learning. We've had multiple meetings since January 1st here where we brought the traffic consultant back to address issues and questions. Questions like what would happen to school buses? It was detailed. Questions in terms of the routing, well what would happen with traffic going on Forest Way? Will Forest Way only become a one-way street? That's incorrect, that's false. It'll be fully functional as it is today. The only change that would happen, if we move forward with this, is that you would only be able to exit the community. Given the comprehensive strategic evaluation that we've undertaken, I think the best decision comes down to analyzing the intersection of what's called safety and convenience. Weigh in your minds the safety component of this and the convenience factor of this. Will it be inconvenient? Yes. Will it be inconvenient to me? Yes, it will. I live on a cul-de-sac, but I look at it in terms of the safety that this will provide the integrity of the entire system from entering it from Malapardis, entering it from Ridgedale Avenue, it will be greatly improved as a result of it. We surely do not want to inconvenience our residents, that's not what we're about throughout this neighborhood, but at the same time we need to do our job and promote safety of this greater neighborhood. As a result, I stand in terms of advancing this whole consent agenda to include this item.

Member Francioli: I would second it, Mr. Mayor with a comment. I think this may have covered all the details for the Township Committee very well. I don't think any of us here on this Dias are pleased with the impact of what is going on up there on American Way. There is no doubt from any of us that it's going to impact Forest in some way. The characteristic of Forest Way is a boulevard, we know that. It will only invite more traffic, more speed, more issues, and more safety. The idea of closing it off altogether if you look at Forest Way may not be the best solution from a safety standpoint and closing off altogether would put many of us in peril if emergency vehicles had to get into and through Forest. The idea of keeping Forest Way the same width that it is right now right to the end where it will become a cul-de-sac as the Mayor described, Mayor Jason Karr from the Borough will take responsibility for and construction for a full cul-de-sac the end of American Way. We will tie into that cul-de-sac with a full width of Forest Way. Why do I mention that? I sat on this committee long enough to know that most of us here want to think in issues of today, tomorrow and what the results of our actions will be and this matter and the decision that we make tonight, although will be formal going forward, the project of a one-way out is not cast in bronze. If we find over time that this is not working out for our neighbors for any reason, be it safety, be it for any other type of issue that comes out of a one-way out, be assured this Township Committee will address it. Nothing is fixed in concrete and but in bronze, it can be modified, but I will support the one-way out at this point. It's needed access for out. There's an argument that well people are still going to try and come in, well you know, that's a matter of law enforcement and we will do all we can on the one-way out, put up proper signs cautions of no in, one-way out, etc. from the cul-de-sac side. Having said that, I'm satisfied that the Township Committee over a great deal of time has done its due diligence. We have accepted the comments from our traffic consultant, we've accepted the comments from our own Public Safety Director, and the Police Department right here, and we've accepted your comments in the surveys that you've done, so on that note, I second with the idea of a one-way out. Thank you.

Member Mihalko: I'd like to make a comment on this also. We have a lot of people on Forest are for it. A lot of people have grave concerns about the rest of the neighborhood; McNab, Manger, Countrywood. They're going to feel the brunt of this traffic. I think we need to be ready or at least to anticipate possibly, and we've spoken about this before this, possibly even putting a light at the bottom of McNab. There's going to be impacts to this and I think what Mr. Francioli is saying too is, although it is going to be in stone, it's going to be in concrete, I did miss the last meeting, but I think I would've pushed for a cul-de-sac, and although I don't feel it's a cop out, almost a wait-and-see attitude what to do with that, but I understand also we kind of have a one bite at this apple. If we're going to get the developer to pay for it, we need to make a decision now. We heard the study, that's why we employ people that have this knowledge to give us their input, to give us their expertise, but again, it's not going to solve, and I think Chief Loock can attest to this, we complain or are we concerned about speeding, this is not going to solve the speeding problem and Chief Loock had said at one point too most of your speeders, they're not your out-of-towners, they're not the cut-throughs, they're your neighbors, ok? They know the turns, they know when they go fast. If you don't know the neighborhood, you're going to go slow. That's a separate issue, so don't think this issue is going to fix that issue. You know we're all in a hurry, we're all running late and again, be prepared for that again so be prepared because it's not going to solve our speeding issue and more than likely, if we pass this, we're going to have to put a traffic light in, more than likely, again, we'll get more studies and more concerns about that, more than likely there will be a traffic light needed to control which has already been an issue, we've already and we have already said that also. Is it too late to open the floor back up or?

Member Ferramosca: We're in the process of voting.

Member Mihalko: Okay. We're not voting right now. This was a comment.

Member Cahill: If I could just say one last comment too. If you remember, in one of the very first meetings to topics discussing this, I was on the same mind as Mike. I had basically stated I'm on the frame of mind where we should wait and see. After numerous meetings that we've had in the study, a combination actually of the

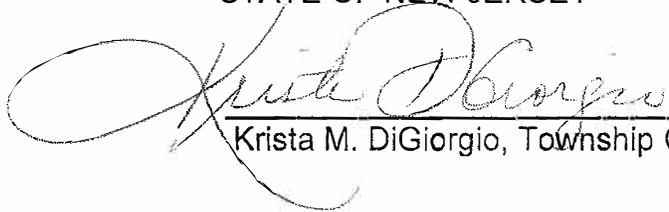
study, and listening to the public's input and kind of tallying what each comment equated to in whether it's closed, leave it open or one of the two options based on that and in combination with the study, I am definitely leaning towards Option A. I think that it's probably again, for all the right reasons, it's something we need to do and to Ron's point, nothing is permanent. If this does go hardly awry, it's not something that cannot be reversed although I don't anticipate that being necessary. That's all.

Roll Call Vote was taken to approve resolutions, vote was unanimous, Member Gallagher voted via telephone.

ADJOURNMENT

Motion was made to close meeting at 7:33 p.m. by Member Francioli and seconded by Member Cahill and unanimously passed.

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



Krista M. DiGiorgio, Township Clerk