

ORDINANCE NO. 27-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AUTHORIZING THE FURNISHING AND INSTALLATION OF TWO PEDESTRIAN GATES AND OTHER RELATED IMPROVEMENTS BY THE MORRISTOWN AND ERIE RAILWAY FOR THE PEDESTRIAN AT-GRADE RAIL CROSSING AT THE INTERSECTION OF THE WESTERLY SIDE OF SOUTH JEFFERSON ROAD AND THE MORRISTOWN & ERIE RAILWAY MAIN LINE AND FURTHER APPROPRIATING THE SUM OF \$30,000.00 FROM THE UNALLOCATED PORTION OF THE TOWNSHIP'S 2017 CAPITAL IMPROVEMENT FUND AND ALL PRIOR YEARS FOR THE FINANCING OF THE IMPROVEMENTS DESCRIBED HEREIN

WHEREAS, during calendar year 2016, the Township of Hanover constructed new sidewalks along the westerly side of South Jefferson Road for the purpose of pedestrian access with the exception of that portion of the right-of-way which crosses the **Morristown & Erie Railway's** main line; and

WHEREAS, there is an existing gated vehicular at-grade crossing of the **Morristown & Erie Railway** main line with South Jefferson Road in the Township of Hanover; and

WHEREAS, although the Township has jurisdiction over the roadway where the at-grade crossing exists, the railroad track falls under the jurisdiction of the **Morristown & Erie Railway**; and

WHEREAS, the Township desires to cross the railroad main line to complete the pedestrian sidewalks; and

WHEREAS, in accordance with New Jersey Department of Transportation regulations, it will be necessary for the **Morristown & Erie Railway** to furnish and install pedestrian gates so that the Township can then complete the installation of sidewalks.

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 Township to enter into an agreement with the **Morristown & Erie Railway** whereby the **Railway** will furnish and install two (2) pedestrian gates and other related improvements for the pedestrian at-grade rail crossing at the intersection of the westerly side of South Jefferson Road and the **Morristown & Erie Railway** main line. Although the Township has jurisdiction over the roadway where the at-grade crossing exists, the railroad track

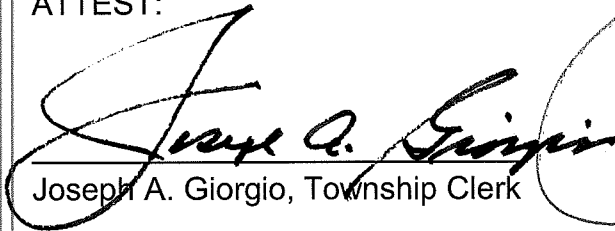
falls under the jurisdiction of the **Morristown & Erie Railway**, and therefore, the installation of the two (2) pedestrian gates must be erected by the M&E Railway.

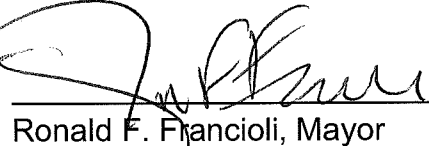
Section 2. As the Township of Hanover will be responsible for the payment of the installation of the two (2) pedestrian gates and any related improvements, there is hereby appropriated the sum of \$30,000.00 from the unallocated portion of the Township's 2017 Capital Improvement Fund and all prior years for the purpose of reimbursing the **Morristown & Erie Railway**.

Section 3. This Ordinance shall take effect in accordance with the law.

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

ATTEST:


Joseph A. Giorgio, Township Clerk

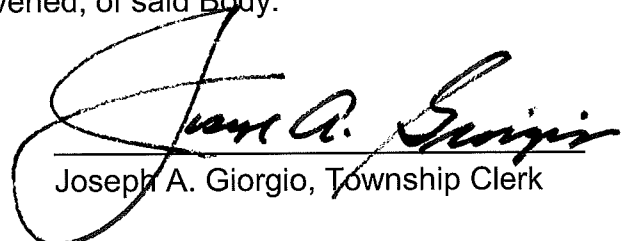

Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: November 20, 2017

DATE OF ADOPTION: December 14, 2017

CERTIFICATION

I, Joseph A. Giorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 14th day of December, 2017 at a meeting duly convened, of said Body.


Joseph A. Giorgio, Township Clerk