

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
December 5, 2013, 7:00 P.M.**

CALL TO ORDER: Mayor Durr called the meeting to order at 7:00 p.m.

FLAG SALUTE: Led by Mayor Durr

ROLL CALL: Mayor Durr
Deputy Mayor Butler
Committeeman Delorenzo
Committeeman Moscatiello
Committeeman Quackenboss

Also present: Municipal Clerk Cindy Dye and Township Attorney Mark Roselli

SUNSHINE STATEMENT: “The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted by email to the Bordentown Register News, Burlington County Times and The Trenton Times as well as given to those having requested same and posted on the Township bulletin board located in the foyer of the municipal building”.

Mayor Durr opened the meeting for public comment.

Tom Edwards of 2 Curtis-Liam Court questioned if the Township has taken responsibility for Curtis-Liam Court. He expressed concerns regarding the condition of the road. Mayor Durr explained the history and problems with the project. He continued stating that the Township Engineer is looking into a possible bond that the Township has obtained to fix the problems with the road. He assured Mr. Edwards that the Township is very concerned regarding the condition of this road and is looking to every possibility to getting it fixed.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Committeeman Delorenzo

Seconded By: Deputy Mayor Butler

All were in favor by roll call vote.

ENGINEER’S REPORT

Justin Gibson stated that the Schoolhouse Road Park improvements are complete. The final change order, payment and acceptance of maintenance bond are scheduled this evening for action. There are some concerns regarding the basketball courts and tennis court holding water. He assured the committee that the slope of the courts is in an acceptable range; however, if there is an issue, the maintenance bond will protect the Township.

DEPARTMENT REPORTS FOR OCTOBER 2013

- a. Tax Collector
- b. Construction, Zoning & Mobile Homes
- c. North Hanover, Wrightstown & Chesterfield Courts
- d. Police Department (September and October)

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo		X	X			
Committeeman Moscatiello			X			
Committeeman Quackenboss	X		X			

MINUTES FOR APPROVAL

- November 7, 2013 Regular Meeting
- November 7, 2013 Executive Session Meeting

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

BILLS AND CLAIMS FOR APPROVAL

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

Committeeman Delorenzo abstained from Purchase Order 13-00934.

ORDINANCE – ADOPTION

2013-08 An Ordinance Granting Renewal of Municipal Consent to Comcast of Garden State L.P. to Construct, Connect, Operate and Maintain a Cable Television and Communications System in the Township of North Hanover New Jersey

ORDINANCE # 2013-08

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF GARDEN STATE L.P. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF NORTH HANOVER NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF NORTH HANOVER, AS FOLLOWS:

SECTION 1. PURPOSE OF THE ORDINANCE

The municipality hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the municipality, poles, wires, cables, underground

conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Municipality of a cable television and communications system.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Township" or "Municipality" is the Township of North Hanover, County of Burlington, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast of Garden State L.P.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Municipality currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS

Public hearings conducted by the municipality, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the municipality, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE

The non-exclusive Municipal Consent granted herein shall expire 15 years from the date of expiration of the previous Certificate of Approval issued by the Board with a 10-year automatic renewal as provided by N.J.S.A. 48:5A-19 and 25, and N.J.A.C. 14:18-13.6.

In the event that the Municipality shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Municipality shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the Municipality shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Municipality or any higher amount permitted by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance to the renewal of the franchise shall apply to the entirety of the Municipality and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE

The Company shall be required to proffer service to any residence or business along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application.

SECTION 8. CONSTRUCTION REQUIREMENTS

Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

Relocation: If at any time during the period of this consent, the Municipality shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Municipality, shall remove, re-lay or relocate its equipment, at the expense of the Company.

Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the municipality so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

SECTION 9. CUSTOMER SERVICE

In providing services to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared to report on it to the municipality upon written request of the Municipality Administrator or Clerk.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (NCTA).
- d. Nothing herein shall impair the right of any subscriber or the Municipality to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the Complaint Officer for the Municipality pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The Municipality shall have the right to request copies of records and reports pertaining to complaints by Municipality customers from the OCTV.

SECTION 11. LOCAL OFFICE

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours, and in no event (excepting emergent circumstances) less than 9:00 A.M. to 5:00 P.M., Monday through Friday.

SECTION 12. PERFORMANCE BONDS

During the life of the franchise the Company shall give to the municipality a bond in the amount of twenty-five thousand (\$25,000.00) dollars. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY

- A. The Company shall provide Expanded Basic cable television service on one (1) outlet at no cost to each qualified existing and future school in the Municipality, public and private, elementary, intermediate and secondary, provided the school is within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service. Monthly service charges shall be waived on all additional outlets.
- B. The Company shall provide Expanded Basic cable television service at no cost on one (1) outlet to each qualified existing and future police, fire, emergency management facility and public library in the Municipality, provided the facility is located within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Municipality. Monthly service charges shall be waived on all additional outlets.
- C. The company shall provide free basic internet service, via high-speed cable modem, to one (1) non-networked personal computer in each qualified existing and future public school in the township, elementary, intermediate and secondary, at no charge provided the facility is located within 175 feet of active cable distribution plant. The internet service shall be installed on a personal computer that is accessible to the students and not for administrative use only.
- D. The company shall provide free basic internet access via high-speed cable modem on one (1) non-networked personal computer in each qualified existing and future public library at no charge provided the facility is located within 175 feet of active cable distribution plant. The internet service shall be installed on a personal computer that is accessible to library patrons and not for administrative use only.
- E. Within ninety (90) days of the issuance of a Renewal Certificate of Approval the Company shall provide to the Municipality a one-time Technology Grant in the amount of fifteen thousand dollars (\$15,000) to help meet the technology and/or cable related needs of the community.
- F. The communications act of 1934, as amended [47 u.s.c. §543 (b)], allows the company to itemize and/or identify: (1.) The amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) The amount on the bill assessed to satisfy any requirements imposed on the company by the cable franchise to support public, educational, and/or governmental access channels or the use of such channels; and (3.) Any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The company reserves these external cost, pass-through rights to the extent permitted by law.

SECTION 15. EMERGENCY USES

The Company will comply with the Emergency Alert System (“EAS”) rules in accordance with applicable state and federal statutes and regulations.

The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein.

SECTION 16. LIABILITY INSURANCE

The company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000.

SECTION 17. INCORPORATION OF THE APPLICATION

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

SECTION 18. COMPETITIVE EQUITY

Should the municipality grant a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the company may substitute such language that is more favorable or less burdensome for the comparable provision of this ordinance subject to the provisions of N.J.A.C. 14:17-6.7.

SECTION 19. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 20. THIRD PARTY BENEFICIARIES

Nothing in this franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or franchise.

SECTION 21. EFFECTIVE DATE

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

OPEN PUBLIC HEARING FOR ORDINANCE 2013-08

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler	X		X			
Committeeman Delorenzo			X			
Committeeman Moscatiello			X			
Committeeman Quackenboss		X	X			

CLOSE PUBLIC HEARING FOR ORDINANCE 2013-08

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss		X	X			

MOTION TO ADOPT ORDINANCE 2013-08

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

2013-09 An Ordinance of the Township of North Hanover, in the County of Burlington, New Jersey, Providing for the Cost of School House Road Park Improvements, Appropriating \$300,000 Therefor, and Authorizing the Issuance of \$285,500 in General Improvement Bonds or Notes of the Township to Finance the Same

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
ORDINANCE 2013- 09**

AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE COST OF SCHOOL HOUSE ROAD PARK IMPROVEMENTS, APPROPRIATING \$300,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$285,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NORTH HANOVER, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township as a general improvement. For

the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$300,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$14,500 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$285,500, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is improvement to the Township park on School House Road, including the scope of work set forth in the plans and specifications prepared by Remington, Vernick and Arango which are on file in the Office of the Township Clerk and including all work and related materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$285,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. The Township anticipates the receipt of \$250,000 in grant proceeds from the County of Burlington. Upon receipt, this money is hereby appropriated and any additional grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

OPEN PUBLIC HEARING FOR ORDINANCE 2013-09

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler	X		X			
Committeeman Delorenzo		X	X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

John Kocubinski of 950 Provinceline Road stated that he does not understand the reasons for the adoption of the bond ordinance and recommended that the money be taken out of surplus rather than adopting this ordinance. Mayor Durr explained the reasoning why our professional suggested this approach.

CLOSE PUBLIC HEARING FOR ORDINANCE 2013-09

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

MOTION TO ADOPT ORDINANCE 2013-09

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

CONSENT AGENDA DEFINED:

All matters listed on tonight’s consent agenda are to be considered as one vote by Township Committee and will be enacted by one motion. There will be no discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

2013-125 Setting the Reorganizational Meeting Date for 2014

RESOLUTION NO. 2013-125

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

SETTING THE REORGANIZATIONAL MEETING DATE FOR 2014

WHEREAS, the “Open Public Meetings Act,” Chapter 231, P.L. 1975, requires adequate notice of meetings of public bodies as defined therein.

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

1. The Reorganization Meeting of the Township Committee for the year 2014 will be held at the North Hanover Municipal Building, 41 Schoolhouse Road, New Jersey at 12:00 p.m. on Wednesday, January 1, 2014.
- 2.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo	X		X			

Committeeman Moscatiello		X	X			
Committeeman Quackenboss			X			

2013-126 Approval of Mobile Home License Renewals

RESOLUTION 2013-126
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

APPROVAL OF MOBILE HOME LICENSE RENEWALS

WHEREAS, pursuant to Chapter 4-040 of the Revised General Ordinance of the Township, the Township Committee has the authority to either issue a mobile home license or issue the license on conditions or deny the license; and

WHEREAS, the Mobile Home Inspector has checked the applications and ascertained that the requirements of Chapter 4-040 have been met;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of North Hanover, County of Burlington, that in accordance with Chapter 4-040 and based upon the Mobile Home Inspector's certification, the governing body authorizes the following Mobile Home Parks and Mobile Homes Outside Mobile Home Parks to be issued a Mobile Home License Renewal for the year 2014:

Parks: South's Mobile Home (52), Spartan Village (221), Deep Well Terrace (46), Hanover Village (99), California Village (129), Wagon Wheel Estates (41), Townsend (9), Wiggins (3)

Mobile Homes Outside Parks: Wm. Roscoe, Jr. (1), Ronald Miller (1), Mr. & Mrs. Fred Vitale (1), Estate of Edna Palmer (1), Lloyd Koon (1), Mr. & Mrs. J. Moschera (2), Else Turner (Gradlyn Kennels) (1), Ronnie L. Miller (1), John Marsh (1)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Mobile Home Inspector for his/her files.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-127 Resolution to Authorize the Hiring of Temporary Clerical Help for Rabies Clinic

RESOLUTION 2013-127

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

**RESOLUTION TO AUTHORIZE THE HIRING OF
TEMPORARY CLERICAL HELP FOR RABIES CLINIC**

WHEREAS, there is a need for temporary office help in the Municipal Clerk’s Office to assist with the 2014 Annual Free Rabies Clinic; and

WHEREAS, the Mayor and Township Committee desire to hire up to three (3) persons to work temporarily to track said data entry, to assist the veterinarian and to issue dog licenses during the duration of the clinic.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover the following:

- 1) That up to three (3) persons be hired to work temporarily in the Municipal Clerk’s Office for a period not to exceed 2 hours on Saturday, January 11, 2014 from 9:00 a.m. to 11:00 a.m.
- 2) That the salary for said persons will be as follows:
 - Cindy Dye, Dog Registrar, \$150 flat.
 - Alexandra DeGood, Clerical Help \$50 flat.
 - Joseph Greene, Clerical Help, \$50 flat.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-128 Amending and Supplementing the Manual of Rules and Regulations and Standard Operating Procedures for the Township of North Hanover Police Department

RESOLUTION 2013-128

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

**AMENDING AND SUPPLEMENTING THE MANUAL OF RULES AND
REGULATIONS AND STANDARD OPERATING PROCEDURES FOR THE
TOWNSHIP OF NORTH HANOVER POLICE DEPARTMENT**

**WHEREAS, THE TOWNSHIP OF NORTH HANOVER HAS ADOPTED A
MANUAL OF RULES AND REGULATIONS AND STANDARD OPERATING
PROCEDURES FOR THE TOWNSHIP OF NORTH HANOVER POLICE
DEPARTMENT; AND**

WHEREAS, in accordance with N.J.S.A. 40A:14-118 and Rule 1:1.2 of the Manual, the Township may by Resolution amend or revoke any of the rules, regulations, or procedures previously adopted, and

WHEREAS, the Township Committee desires to adopt the Standard Operating Procedures (S.O.P.) numbered and entitled as follows:

<u>Number</u>	<u>Entitled</u>
26	Internal Affairs

as attached hereto and made a part of this Resolution; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington that the above changes to the Manual of Rules and Regulations for the Township of North Hanover Police Department here hereby adopted.

BE IT FURTHER RESOLVED that in the event that any portion of this resolution is determined to be invalid, such determination shall not affect the remaining portions of the resolution, which are hereby declared to be severable.

2013-129 Resolution to Cancel Taxes

RESOLUTION 2013-129

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

RESOLUTION TO CANCEL TAXES

WHEREAS, the United States Department of Veteran Affairs has classified Paul Barry O. George 100% Permanently and Totally Disabled.

WHEREAS, by application from Donald Kosul, Tax Assessor in the Township of North Hanover, the said exemption is granted from October 24, 2013.

WHEREAS, N.J.S.A. 54:4-3.30a – Allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute.

WHEREAS, the following taxes must be canceled and any monies paid by the owner should be refunded.

THEREFORE BE IT RESOLVED, that the following taxes be canceled:

BLOCK 604.03	LOT 7 2013	\$703.60
	2014 1 st half	\$1918.89

THEREFORE BE IT RESOLVED FURTHER, that a copy of this Resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Municipal/Regional School Board to advise them of the action taken by the Township Committee on this matter.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-130 Resolution Authorizing Budget Transfers for the 2013 Budget

RESOLUTION 2013-130

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR THE 2013 BUDGET

WHEREAS N.J.S.A. 40A:4-58 states: "Should it become necessary, during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefor and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient"; and

WHEREAS the Chief Financial Officer has recommended that the attached list of transfers, being in compliance with N.J.S.A. 40A:4-58, be made.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington, (not less than 2/3 of the full membership concurring affirmatively) that the 2013 budget transfers be made a permanent part of this resolution, are hereby made and approved.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-131 A Resolution Authoring Schoolhouse Road Park Improvements (Phase II) Change Order 1 Final

RESOLUTION 2013-131

TOWNSHIP OF NORTH HANOVER

COUNTY OF BURLINGTON

**A RESOLUTION AUTHORIZING SCHOOLHOUSE ROAD PARK IMPROVEMENTS
(PHASE II) CHANGE ORDER 1 FINAL**

WHEREAS, the Township Committee of North Hanover Township authorized a contract with Command Company, Inc., 1318 Antwerp Avenue, Egg Harbor, NJ 08215 in the amount of \$325,807.70, for the Reconstruction of Jacobstown-Arneytown Road (Phase1); and

WHEREAS, the Township Engineer recommended that Change Order # 1 Final which decreases the contract amount by \$150.00 as there was a reduction in the bituminous concrete pavement reclamation, 6” thick.

NOW THEREFORE BE IT RESOLVED by the Township Committee of North Hanover Township, County of Burlington, State of New Jersey:

1. Change Order Number 1 and final in the decreased amount of \$150.00 is hereby approved to amend the contract with Command Company, Inc. to a final contract amount of \$325,657.70.
2. The Mayor of North Hanover is hereby authorized to sign the attached Change Order Number 1 Final.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-132 A Resolution Authorizing Final Payment to Command Company, Inc. in Connection with the Schoolhouse Road Park Improvements (Phase II)

RESOLUTION 2013-132

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

A RESOLUTION AUTHORIZING FINAL PAYMENT TO COMMAND COMPANY, INC. IN CONNECTION WITH THE SCHOOLHOUSE ROAD PARK IMPROVEMENTS (PHASE II)

WHEREAS, the Township of North Hanover’s Engineers, Remington, Vernick & Arango Engineers, Inc., has reviewed the Command Company, Inc.’s Payment Certificate No. 2 Final, representing the final payment in the amount of \$223,743.87, for the Schoolhouse Road Park Improvements (Phase II); and

WHEREAS, the Township's Engineer has determined that the condition of the improvement is satisfactory; and

WHEREAS, it is the recommendation of the Township’s Engineer that the Township of North Hanover authorize the final payment on voucher in the total amount of \$223,743.87, to Command Company Inc.; and

WHEREAS, it is the intention of the Township Committee to approve the payment on voucher in the amount referenced herein, in accordance with the Township Engineer’s recommendations.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of North Hanover, that the Township authorizes the release the final payment on voucher in the total amount of \$223,743.87 to Command Company, Inc.

BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the Finance Director and the Township Engineer for their information and attention.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-133 A Resolution Accepting Maintenance Bond for Command Company, Inc. for the Schoolhouse Road Park Improvements (Phase II)

RESOLUTION 2013-133

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

A RESOLUTION ACCEPTING MAINTENANCE BOND FOR COMMAND COMPANY, INC. FOR THE SCHOOLHOUSE ROAD PARK IMPROVEMENTS (PHASE II)

WHEREAS, the project engineer, Justin Gibson, PE, of Remington & Vernick has inspected the improvements by Command Company, Inc. for the Schoolhouse Road Park Improvements (Phase II) project and recommended that the retainage fee be release subject to monies being withheld for delayed damages and due to the posting of the following:

Maintenance Bond number HGNE-NE-10-239-0277M by Hudson Insurance Company in the amount of \$325,657.70 for the Schoolhouse Road Park Improvements (Phase II) project to expire two years from the date of this resolution of acceptance of the work.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of North Hanover hereby authorizes the release of the retainage fee and performance bond to Command Company, Inc. for the Schoolhouse Road Park Improvements (Phase II) project due to the posting and acceptance of the bonds cited above.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			

Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-134 Resolution Authorizing Approval of a Fire Company Members Enrollment into NJ State Firemen’s Association

RESOLUTION 2013-134

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION AUTHORIZING APPROVAL OF A FIRE COMPANY MEMBERS ENROLLMENT INTO NJ STATE FIREMEN’S ASSOCIATION

BE IT RESOVLED, by the Township Committee of the Township of North Hanover that we hereby approve and authorize David A. Crammer to enroll in the New Jersey State Firemen’s Association;

BE IT FURTHER RESOLVED that the Township Committee hereby authorized the Township Clerk to certify said membership applications.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Fire Chief

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

2013-135 A Resolution Authorizing a Hazard Mitigation Plan for the Township of North Hanover

RESOLUTION 2013-135

TOWNSHIP OF NORTH HANOVER

COUNTY OF BURLINGTON

A RESOLUTION AUTHORIZING A HAZARD MITIGATION PLAN FOR THE TOWNSHIP OF NORTH HANOVER

WHEREAS, by Resolution 2013-114, North Hanover Township entered into a Memorandum of Understanding with the New Jersey Office of Emergency Management (“NJOEM”), on behalf of the State of New Jersey; and

WHEREAS, under the Memorandum of Understanding, it is required that North Hanover Township adopt a Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington, State of New Jersey, hereby approves the attached Hazard Mitigation Plan for the Township of North Hanover.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

TOWNSHIP COMMITTEE “COMMENTS”

Committeeman Quackenboss advised that the Tree Lighting will be held tomorrow evening at 7 p.m. The Recreation Commission is considering replacing the wood split rail fence around the soccer fields. He questioned the process for the purchase. Mr. Roselli explained the purchasing procedures.

MOTION made by Committeeman Moscatiello and SECONDED by Deputy Mayor Butler to move forward with the purchase of the wooden split rail fence. All were in favor.

Committeeman Delorenzo suggested that the Township Engineer go around with Jason Barber to review the conditions of the Township roads. Mr. Gibson can provide us with recommendations and an evaluation of all of the Township streets and a priority on what needs to be fixed first. The Township Committee held a discussion regarding the roads in the Township.

Deputy Mayor Butler reminded the Committee that Carol Rossell, the Township’s Court Administrator will be retiring at the end of December. She indicated that her replacement, Rita Williams, has started at the beginning of this month.

Committeeman Moscatiello reiterated Committeeman Delorenzo’s concerns regarding the Township’s roads.

Mayor Durr responded to statements made by Mr. Kuc last meeting. He indicated that he spoke with the Chief Financial Officer and clarified his response. He indicated that this may be the last meeting this year and wished everyone a Merry Christmas.

EXECUTIVE SESSION RESOLUTION (if needed)

2013-136 Authorizing a Closed Session Meeting to discuss the following matter(s) pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12; Personnel, Contract Negotiation and Litigation matters.

RESOLUTION 2013-136

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

AUTHORIZING A CLOSED SESSION MEETING

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of North Hanover Township wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS, the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Township Committee to discuss certain matter(s) in private, and in this case for the purpose of the Township Committee to discuss personnel, possible litigation and contract negotiations of which requires attorney-client privilege in this regard.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of North Hanover Township that it will go into an Executive Session for the purpose of the Township Committee to discuss personnel, possible litigation and contract negotiations of which requires attorney-client privilege in this regard.

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Township Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello		X	X			
Committeeman Quackenboss			X			

BACK TO PUBLIC SESSION

2013-137 Agreement Between Township of North Hanover and North Hanover Township Fraternal Order Of Police Association

MOTION made by Committeeman Moscatiello and SECONDED by Committeeman Delorenzo to table Resolution 2013-137. All were in favor.

MOTION TO ADJOURN 8:29 PM

Respectively submitted,

Cindy A. Dye, RMC
Township Clerk