

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
June 4, 2015, 7:00 P.M.**

CALL TO ORDER

FLAG SALUTE:

ROLL CALL:

Mayor Durr
Deputy Mayor Delorenzo
Committeewoman Butler
Committeeman Moscatiello
Committeeman Quackenboss

Also present: Acting Municipal Clerk Mary Picariello 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”.

PUBLIC COMMENT

Mayor Durr opened the meeting to the public. There was no public comment

MOTION TO CLOSE PUBLIC COMMENT

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

PRESENTATION TO CHIEF MARK R. KEUBLER ON HIS RETIREMENT

Mayor Durr read Resolution 2015-71 into the record. Mayor Durr presented Chief of Police, Mark R. Keubler, with his retirement badge and the Officials Commendation Medal. Committeeman Michael Moscatiello presented the Meritorious Police Service Commendation Medal and the Chaplains Plaque. Committeeman DeLorenzo presented to, Melanie Keubler, the Queens Honor Medal. Committeewoman Debra Butler presented the Honorable Discharge Commendation. Committeeman Quackenboss presented a plaque of appreciation from the Township Committee and the Residents of North Hanover Township. Officer in Charge, Budd Wells presented a shadow box, on behalf of the North Hanover Township Police Department.

The Jacobstown Volunteer Fire Company also presented a plaque of appreciation. Chief Mark Keubler presented the Township Committee with a plaque and thanked them for creating a wonderful place to live and work. Chief Keubler thanked his family and the North Hanover Township Police Department and several other constituents.

ENGINEER’S REPORT

Justin Gibson was present to give his report. He indicated that everything is set to go with the Road Improvement Program. He stated there is nothing new out of the County. As requested, he did take a look at the Crosswicks Road culvert, he saw some issues that need to be addressed and stated that they will be with the Road Improvement Program. He also investigated 118 Orr Road Culvert and noted areas of concern that would also be addressed with the Road Improvement Program. He stated, in the interim, the Township should set cones at the sunken sidewalk to provide warning to pedestrians. At Mayor Durr’s request, Justin will meet with Lou Delorenzo, before the June 18th meeting, to discuss the Road Program.

MINUTES FOR APPROVAL

- May 21, 2015 – Regular Meeting
- May 7, 2015 – Executive Session

The approval of the minutes was tabled until the next meeting.

BILLS AND CLAIMS FOR APPROVAL

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

NON-CONSENT AGENDA

2015-71 Recognizing the Retirement of Mark R. Keubler Chief of Police

RESOLUTION 2015–71

**TOWNSHIP OF NORTH HANOVER
 COUNTY OF BURLINGTON
 RECOGNIZING THE RETIREMENT OF
 MARK R. KEUBLER SR. CHIEF OF POLICE AND RETIRING BADGE NO: 4600**

WHEREAS, the Township Committee has been informed that Chief of Police Mark R. Keubler Sr. is retiring from the North Hanover Township Police Department after Twenty-one

(21) years of distinguished service and having brought personal and professional acclaim to both himself and the Department in the course of said service;

WHEREAS, the Township Committee desires to recognize said service by providing a permanent record of his service;

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

- That the Township Committee, for the aforementioned reasons, in recognition of Chief Keubler’s twenty one years (21) years of distinguished service to the Township of North Hanover, hereby authorizes and directs that all official future correspondence to Chief Mark R. Keubler Sr. will retain the title Retired Chief of Police with the issuance of a badge of authority to indicate the same, effective June 1, 2015.
- That Badge Number 4600 be hereby retired from service or use by any other member of North Hanover Township Police Department indefinitely.
- That the Township Committee on behalf of the citizens of North Hanover present Chief Mark R. Keubler with the “Officials Medal”, for his Courage and high quality in carrying out the mission of Government.
- That the Township Committee hereby directs the Township Clerk to forward a copy of the Resolution to Chief of Police Mark R. Keubler Sr.

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

2015-72 Resolution to Amend Resolution 2015-63 Establishing Salaries for various officials

**RESOLUTION 2015 –72
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
A RESOLUTION TO AMEND RESOLUTION 2015-63 ESTABLISHING SALARIES
FOR VARIOUS OFFICIALS OF THE TOWNSHIP OF NORTH HANOVER,
BURLINGTON COUNTY, NEW JERSEY**

\$97.50 per hour Holiday

Contracts signed less than twenty-four (24) hours in advance of assignment:
Officers hourly rate \$97.50 per hour Monday-Sunday and Holiday

Administrative costs ~~\$ 40.00 per hour~~ \$15.00 per hour
Patrol Vehicle ~~\$90.00 per vehicle~~ \$150.00 per vehicle

1. *If job exceeds eight (8) hours in a day, the police officer(s) shall receive time and one half for time worked after eight (8) hours*
2. *If a private employer or entity cancels a job at least two (2) hours prior to the scheduled start time, it will not be responsible for any rate for officer time for said cancellation*
3. *If a private employer or entity cancels a job with less than two (2) hours notice, it will be charged for four (4) hours as follows:*
 - a. *\$260.00 per police officer*
 - b. *\$60.00 administrative fee; and*
 - c. *\$150.00 per police vehicle per day.*

*Strike through deleted; underline & italics replaces

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of North Hanover, County of Burlington, that the change in the fees for Off-duty Police Officers and related expenses are hereby adopted; and

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

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

2015-74 Resolution Authorizing Renewal of the Term of a Shared Services Agreement with Bordentown, Chesterfield, New Hanover and Springfield Townships concerning Extra Duty Assignment of Police Officers

**RESOLUTION 2015 –74
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING RENEWAL OF THE TERM OF A
SHARED SERVICES AGREEMENT WITH BORDENTOWN, CHESTERFIELD, NEW
HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY
ASSIGNMENT OF POLICE OFFICERS**

WHEREAS, the Townships of North Hanover, Springfield, Bordentown, New Hanover and Chesterfield are neighboring Townships in Northern Burlington County; and

WHEREAS, their Police Departments provide traffic control and other off-duty police services to third parties; and

WHEREAS, the Townships often rely upon each other for additional officers to provide such services to third parties; and

WHEREAS, The Township has entered into a Shared Services Agreement with the aforementioned Township which requires annual renewal; and

WHEREAS, the Township wishes to renew the Shared Services Agreement in accordance with its terms until December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Township of North Hanover, in the County of Burlington, State of New Jersey, that the Mayor and Municipal Clerk are authorized and directed to notify the Townships of Springfield, Bordentown, New Hanover and Chesterfield that the Committee has elected to renew the agreement for the ensuing year until December 31, 2015 and provide each Township with a certified copy of this Resolution.

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

2015-75 Resolution Authorizing Refund of Tax Sale Premium

**RESOLUTION#2015-75
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
A RESOLUTION AUTHORIZING THE REFUND
OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate#14-00003 was redeemed on May 26, 2015, in the amount of \$16,585.47

WHEREAS, MTAG Cust for Crestar NJ Fund I, LLC paid tax sale premium, in the amount of \$15,200.00, for said lien.

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of North Hanover that, as requested by the Tax Collector, it hereby authorizes a refund of tax sale premium, in the amount of \$15,200.00 to MTAG Cust for Crestar NJ Fund I, LLC; for Lien 14-00003, Block 700 Lot 11, commonly known as 250 Jacobstown-Cookstown Road.

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

2015-76 Resolution Authorizing Agreement between the Township of North Hanover and the North Hanover Township School District to jointly provide a Summer Recreation Program

RESOLUTION 2015-76

TOWNSHIP OF NORTH HANOVER

COUNTY OF BURLINGTON

AUTHORIZING AGREEMENT BETWEEN TOWNSHIP OF NORTH HANOVER AND NORTH HANOVER TOWNSHIP SCHOOL DISTRICT TO JOINTLY PROVIDE A SUMMER RECREATION PROGRAM

WHEREAS, an agreement has been made between the Township of North Hanover and the North Hanover Township School District to jointly provide a Summer Recreation Program; and

WHEREAS it is in the best interest of the Township and the District to jointly sponsor and provide a summer recreation program for the children of the North Hanover Township Schools and the Community.

NOW THEREFORE BE IT AGREED as follows:

- The Township shall hire and compensate the necessary staff including, at a minimum, a Director, Aides/Assistants, and a Nurse.
- The Township shall contract with the District for the provisions of busses and drivers for local field trips as per schedule provided by Director.
- The Director, in coordination with the appropriate Township and District Officials, shall design and develop a six (6) week summer program to be made available to the children from June 29, 2015 through August 7, 2015.
- The District shall notify the parents of the availability of the program and provide sites for registration.
- The Township shall conduct registrations and collect fees.
- The Township shall order the necessary supplies utilizing, if desired, the contracts the District has negotiated with various vendors.
- The District shall pay the Township, upon receipt of the appropriate and fully executed voucher, the amount of \$10,800.00 subject to Board of Education approval.

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

Municipal Clerk are hereby authorized to execute the agreement on behalf of the Township Committee.

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

2015-77 Resolution Authorizing the Award of Professional Services Contract for Special Counsel for Affordable Housing litigation with Ronald Morgan Esq. of Parker McCay, PA.

TOWNSHIP OF NORTH HANOVER

COUNTY OF BURLINGTON

RESOLUTION NO. 2015-77

RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL FOR AFFORDABLE HOUSING LITIGATION TO PARKER MCCAY, PA.

WHEREAS, there exists a need for services of Special Counsel for Affordable Housing litigation in the Township of North Hanover, in the County of Burlington, State of New Jersey; and

WHEREAS, the law firm Parker McCay, PA has submitted a proposal for the provision of these legal services to the Township for a period expiring December 31, 2015; and

WHEREAS, the Township Committee desires to provide consent to the appointment of Parker McCay, PA. as Special Counsel for Affordable Housing litigation and approve the Township’s entry into a Professional Services Agreement; and

WHEREAS, the services to be provided are considered to be “Professional Services” pursuant to the Local Public Contracts Law, N.J.S.A. 40:A11-1, et seq.; and

WHEREAS, the Chief Financial Officer, as required by N.J.A.C. 5:30-1.10 has certified that there are sufficient funds available in Account#T-16-56-801-001 in an amount not to exceed \$10,000.00, as evidenced by the Chief Financial Officer’s Certification, for the purpose of awarding this contract.

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for “Professional Services” without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover that it does hereby approve of the awarding of the aforesaid Professional Services contract and the Mayor and Township Clerk are authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of North Hanover and Parker McCay PA, 9000 Midlantic Drive, Suite 300, Mt. Laurel, New Jersey 08054, in an amount not to exceed \$10,000.00

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

2015-78 Resolution Authorizing the Filing of a Declaratory Judgment Complaint with the Superior Court as Authorized by the Supreme Court in in Re Adoption of N.J.A.C. 5:96 AND 5:97 by the New Jersey Council on Affordable Housing

**RESOLUTION 2015-78
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION AUTHORIZING THE FILING OF DECLARATORY JUDGMENT COMPLAINT WITH THE SUPERIOR COURT AS AUTHORIZED BY THE SUPREME COURT IN IN RE ADOPTION OF N.J.A.C.5:96 and 5:97 BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on December 17, 2008, the Township of North Hanover and its Land Use Board adopted and endorsed a third round Housing Element and Fair Share Plan (collectively “Compliance Plan”) based upon the revised third round “growth share” rules and methodologies that were adopted by the New Jersey Council on Affordable Housing (“COAH”) as codified at N.J.A.C. 5:96 and 5:97; and

WHEREAS, the revised “growth share” rules were under challenge in the Appellate Division at the time that the Township adopted the Compliance Plan; and

WHEREAS, the Township petitioned COAH for substantive certification on December 30, 2008 and COAH granted substantive certification on May 14, 2009 notwithstanding the pending challenges to the growth share rules; and

WHEREAS, the revised growth share rules upon which the Township’s Compliance Plan was based were ultimately invalidated by the Appellate Division on October 8, 2010; and

WHEREAS, the Appellate Division decision invalidating the rules was upheld by the Supreme Court on September 26, 2013 in In re Adoption of N.J.A.C. 5:96 & 5:97 by the Council on Affordable Housing, 215 N.J. 578 (2013); and

WHEREAS, the Supreme Court remanded to COAH with specific instructions as to new rulemaking and the calculation of new third round fair share numbers for all municipalities in the State; and

WHEREAS, COAH failed to abide by the Supreme Court’s rulemaking directives which resulted in judgement enforcement proceedings before the Supreme Court; and

WHEREAS, the Supreme Court issued a decision and Order on March 10, 2015 which divested COAH of further rulemaking and administrative review authority and determined that the Court must once again resume its roles as the forum of first resort in ensuring municipal affordable housing compliance; and

WHEREAS, the Supreme Court crafted a procedure for municipalities that participated in the COAH review process to retain repose and immunity against builder’s remedy litigation and exclusionary zoning challenge while trying to address their third round fair share obligation when it is established by the Court by authorizing municipalities to file declaratory judgment proceedings with the Court by July 8, 2015 pursuant to N.J.S.A. 52:27D-313(a) and by committing to prepare and submit a new third round Compliance Plan once the Court resolves the third round rules and calculates third round fair share obligations; and

WHEREAS, the Township wishes to retain its repose and immunity against builder’s remedy litigations and exclusionary zoning challenges and hereby authorizes its attorney to file declaratory judgment proceedings with the Court on or before July 8, 2015.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of North Hanover that it’s affordable housing attorney be and is hereby directed to file declaratory judgment proceedings with the Court pursuant to N.J.S.A. 52: 27D-313(a) on or before July 8, 2015.

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

TOWNSHIP COMMITTEE “COMMENTS”

Mayor Durr gave a brief explanation concerning the Award of Parker McCay as Special Counsel for Affordable Housing. Committeeman Quackenboss discussed Resolution 2015-76. He stated the School Districts contribution was reduced by ten percent. He had a discussion with the Superintendent and asked why the reduction. He was told they have reduced every school department by the ten percent. Committeewoman Butler stated this was on top of a substantial reduction over the past several years. She stated it’s a worthy program and would like to have a meeting with the summer recreation program coordinators to learn more about the ideas for the program moving forward. Committeeman Quackenboss also announced the New Jersey Gas Company will be having a meeting on the Pipeline, June 11, 2015, 5 PM at the UES.

EXECUTIVE SESSION RESOLUTION (if needed)

2015-79 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

This resolution was tabled.

MOTION TO ADJOURN: 7:29 PM

Respectively submitted,

MaryAlice Picariello
Acting Township Clerk