

**NORTH HANOVER TOWNSHIP  
TOWNSHIP COMMITTEE MEETING MINUTES  
July 20, 2017, 7:00 P.M.**

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

**FLAG SALUTE:** Led by Mayor DeLorenzo and followed by a moment of silence.

**ROLL CALL:** Mayor DeLorenzo  
Deputy Mayor DeBaecke  
Committeeman Doyle  
Committeeman Kocubinski  
Committeeman O'Donnell

Absent: None

Also Present: Clerk Picariello and Township Attorney 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 Courier Post, 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 AS IT RELATES TO AGENDA ITEMS**

Mayor DeLorenzo opened the meeting to the public. There were no public comments this evening.

**MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Deputy Mayor DeBaecke  
Seconded By: Committeeman Kocubinski

**REVIEW OF CORRESPONDENCE**

There was no correspondence this evening.

**ENGINEER’S REPORT**

Engineer Hirsh reported the reimbursement has been submitted for the Green Acres Park project. He noted we are still awaiting awards for 2016. The 2015-2016 NJDOT projects are almost complete. He noted all of Jones Mill was completed and the balance of Jacobstown-Arneytown. He noted a 20,000.00. Mayor DeLorenzo suggested looking at additional signage. He stated a decision needs to be made on the next round of NJDOT projects. He stated he felt the only road left is Schoolhouse Road. He stated bids for the Provinceline Road project were being accepted on August 1<sup>st</sup>.

**DEPARTMENT REPORTS FOR JUNE 2017**

- a. Tax Collector
- b. Construction, Zoning & Mobile Homes
- c. North Hanover & Chesterfield Courts
- d. Jacobstown Volunteer Fire Company
- e. Fire Marshall
- f. Police Department

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke	X		X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell		X	X			
Mayor DeLorenzo			X			

**MINUTES FOR APPROVAL**

- July 6, 2017 – Regular Session

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke	X		X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell		X	X			
Mayor DeLorenzo			X			

**BILLS AND CLAIMS FOR APPROVAL**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

**ORDINANCE – ADOPTION**

2017-07 An Ordinance of the Township of North Hanover, Burlington County Amending the Code of the Township of North Hanover by Adding New Section Entitled “Maintenance of Sidewalks, Driveway Aprons and Curbs”

**ORDINANCE 2017-07  
COUNTY OF BURLINGTON  
TOWNSHIP OF NORTH HANOVER**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, BURLINGTON COUNTY AMENDING THE CODE OF THE TOWNSHIP OF NORTH HANOVER BY ADDING NEW SECTION ENTITLED “MAINTENANCE OF SIDEWALKS, DRIVEWAY APRONS AND CURBS”**

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of North Hanover in the County of Burlington, State of New Jersey that the Code of the Township of North Hanover is hereby amended by adding new section entitled “Maintenance of Sidewalks, Driveway Aprons and Curbs” as follows:

**SECTION I.** Maintenance of Sidewalk, Driveway Apron and Curb

**A. Purpose.** The Township has determined that there is a need to address the repair and or replacement of certain sidewalks and curbs throughout the Township. It being the further intent of the Township Committee that sidewalk and curb replacements be done by the abutting property owner for all sidewalks and curbs requiring repair or removal both presently and as the need arises and after the completion of any sidewalk replacement program. It is the purpose of this section to establish a procedure whereby sidewalks and curbs will be replaced, assigning the responsibility to the abutting landowner, and assessing for costs where the Township is forced to replace the sidewalk and curb.

**B. Definitions.** As used in this section:

a. “Street” shall mean any road, highway, public way, public alley, easement or other right-of-way accepted or maintained by the township as a public street including unimproved areas within the right-of-way, or any road or access way which, while not accepted or maintained by the township, is open to use by the public, as well as any State or county road or highway over which the township has acquired jurisdiction by agreement.

b. “Sidewalk” shall mean any surface provided for the exclusive use of pedestrians, including the area between the curb of any street and the property line adjacent thereto, or, if there is no curb, the area between the edge of the street and the property line adjacent thereto, and shall include the public right-of-way along such street or sidewalk and shall include the paved area between the curb and right-of-way line at driveways commonly known as a "driveway apron".

**C. Responsibility of Property Owner.**

a. Where the lands of any owner abut a street, it shall be the responsibility of such property owner to keep the area between the property line and the street line, including the sidewalk, driveway apron and curb as the case may be, in good repair. The street

line for the purposes of this article is designated as the edge of the paved surface of the street.

b. It shall be the duty of any owner of land abutting a public street to repair any curb if damaged by the property owner's actions or the actions of the property owner's lessee, tenant, employees, agents or occupants of the property.

**D. Order to Repair.** If it comes to the attention of the Township that the area described in paragraph C above is kept in such a state of disrepair as to endanger the health and general welfare of the citizens of the township, the appropriate Township official may order the property owner to repair the area upon notice in writing to be served upon the owner of or occupant of such lands requiring the necessary specified work to such sidewalk or curb to be done by such owner within a period of 30 days from the date of service of such notice, such notice to be served postage prepaid to the address of the property owner as provided by the tax assessor. If his/her address cannot be ascertained, then the notice may be inserted for four weeks, once a week, in an official newspaper of the township.

**E. Repair by Township; Recovery of Costs.** If the owner of the lands in question shall refuse or neglect to abate or remedy the condition within thirty (30) days following receipt of notice pursuant to paragraph D, it shall be lawful for the appropriate Township official, upon filing of proof of service or publication of the aforesaid notice with the Township's Municipal Clerk and Township Administrator and upon the Township Administrator's direction, to cause the required work to be done and paid for out of the monies of the Township available for that purpose. Upon completion of the work, the amount expended therefore shall be certified by the Chief Financial Officer to the Township Committee. The Township Committee upon receipt of the certification of charges shall by resolution certify the amount of the cost of such work and shall create same as a lien upon the lands abutting the sidewalk or curb where such work was done. Said lien shall become an assessment for local improvements to the same extent and manner as local improvement liens are in the Township and shall be collected in the manner provided by law for the collection of such other assessments and shall bear interest at the same rate.

Nothing herein shall prohibit the Township from commencing an action to recover the amount expended against the owner of land in any court having competent jurisdiction thereof. A certified copy of the aforesaid amount shall in such action be prima facie evidence of the existence of the debt due from the owner/occupant to the Township.

**SECTION II.** Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION III.** This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by the law.

**MAYOR OPENS THE MEETING TO THE PUBLIC**

Mayor DeLorenzo opened the meeting to the public. There were no public comments this evening.

**MOTION TO CLOSE PUBLIC HEARING**

Proposed By: Deputy Mayor DeBaecke

Seconded By: Committeeman Doyle

**Vote to Adopt Ordinance 2017-07:**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke	X		X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell		X	X			
Mayor DeLorenzo			X			

**ORDINANCE – ADOPTION**

2017-08 An Ordinance of the Township of North Hanover, Burlington County Rescinding and Replacing Ordinance 2008-04 (An Ordinance Establishing Chapter 15-080.12

**ORDINANCE 2017-08  
COUNTY OF BURLINGTON  
TOWNSHIP OF NORTH HANOVER**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, BURLINGTON COUNTY RESCINDING AND REPLACING ORDINANCE 2008-04 (AN ORDINANCE ESTABLISHING CHAPTER 15-080.12 (B)) AND AMENDING ORDINANCE 2009-10 (AN ORDINANCE AMENDING CHAPTERS 19-030.3 AND 19-030.4)**

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of North Hanover in the County of Burlington, State of New Jersey that Ordinance 2008-04 establishing Chapter 15-080.12 (B) of the Township Code of North Hanover and Ordinance 2009-10 amending Chapters 19-030.3 and 19-030.4 of the Township Code of North Hanover are hereby amended as follows:

**SECTION 1.** Ordinance 2008-04 establishing Chapter 15-080.12 (B) of the Township Code of North Hanover which provided for the assessment of fee for revisions to the Official Tax Map required by certain site plan applications be and is hereby rescinded and replaced as follows:

**15.080.12 (B) Tax Map/GIS database update fee.**

(1) Purpose.

(a) It is the purpose of this subsection to impose upon developers/applicants the costs incurred by North Hanover Township in updating its municipal Tax Map/GIS database as a result of the approval of various site plans, subdivisions or the creation of any new lots within North Hanover Township. Said costs are directly related to the development process, and therefore North Hanover Township hereby determines that they should be borne by the developer/applicant.

(b) Tax Map/GIS database update fees: each applicant and/or developer, for any approval that results in the creation of any new lot(s), revision of any existing lot(s) and/or other alterations to the Tax Map/GIS database, shall be responsible for paying all reasonable charges incurred by North Hanover Township in updating said Tax Map/GIS database. These costs shall include, but not be limited to, update to the GIS database, revisions to existing Tax Map plates, creation/addition of new tax map plates, appropriate revisions to the Key Map(s), reprographic services for applicable Township, county and state submission copies, as well as any reasonable shipping and handling fees involved.

(2) Costs.

(a) Once final site plan, subdivision and/or new lot approval has been received, an escrow account shall be established by the applicant and maintained by North Hanover Township for the express purpose of maintaining the Tax Map/GIS database. No construction permit shall be issued until said escrows as outlined below are posted with the Township:

[1] Minor subdivisions: \$75 per lot.

[2] Major subdivisions are further broken down as follows:

[a] One to 25 lots: \$55 per lot.

[b] Twenty-six to 75 lots: \$50 per lot.

[c] Seventy-six to 125 lots: \$45 per lot.

[d] One hundred twenty-six to 175 lots: \$40 per lot.

[e] One hundred seventy-six or more lots: \$35 per lot.

[f] Commercial site plan: \$800.

[g] Condominium site plan: \$1,000 plus \$20 per unit for residential condominium projects.

[h] Each lot/Tax Map revision due to deed discrepancies, lot line adjustments, easement detailing, ownership labeling, acreage calculation and labeling, street name changes and other minor revisions: \$55 per lot or per change.

[3] If the initial escrow account is insufficient to cover the cost for revisions to the Tax Map/GIS database, then the developer/applicant shall be required to replenish the escrow account in such amounts as are required to satisfy the total cost of the revisions. In the event that the developer/applicant fails to do so, the Township shall have the option of revoking the construction permit and/or failing to issue a final certificate of occupancy or approval until such time as the applicant complies. If any portion of the escrow account remains unused following the appropriate revisions to the Tax Map/GIS database, it shall be refunded to the developer/applicant.

(b) In the event that any application for development is denied and the application is no longer pending before the respective Township board, then any portion of the aforementioned fee which has not been expended by the engineer responsible for maintaining the Tax Map/GIS database shall be refunded to the applicant.

(c) In addition to the maintenance fees noted, each approved applicant must supply a map of the new subdivision or new lot in a scale suitable for inclusion on the North Hanover Township Tax Map/GIS database. Said map must be submitted in both electronic and hard copy formats and must be compliant with current New Jersey Map Filing Law guidelines (N.J.S.A. 46-23.1).

**SECTION 2.** Ordinance 2009-10 which in part repealed and replaced Chapter 19-030.3 of the Township Code of North Hanover entitled “Fees and Escrow for Applications Submitted to the Joint Land Use Board for Subdivisions, Site Plans, and Residential and Commercial Development” is hereby amended as follows (deletions have strikethrough and additions are bolded and underlined):

**19-030.3 – Fees and Escrow for Applications Submitted to the Planning Board and Zoning Board of Adjustment for Subdivisions, Site Plans, and Residential and Commercial Development.**

- A. The application fees as set forth herein are nonrefundable flat fees and shall cover direct administrative expenses associated with processing the application at issue.
- B. An escrow account is hereby established to cover the costs of professional services, including engineering, legal, planning, professional salaried personnel and consultants retained to evaluate material submitted with the application, and other expenses connected with the review of the submitted materials, ~~except for those costs associated with the revision of the municipal tax map.~~ **Applicants are also directed to refer to the Township’s Land Use ordinances regarding requirements for establishment of escrow account for tax map/GIS database updates.**

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**SECTION 3.** At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

**SECTION 4.** This ordinance shall take effect upon final passage and publication according to law.

**SECTION 5.** The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S. 40:44D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.

**SECTION 6.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 7.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**MAYOR OPENS THE MEETING TO THE PUBLIC**

Mayor DeLorenzo opened the meeting to the public. There were no public comments this evening.

**MOTION TO CLOSE PUBLIC HEARING**

Proposed By: Deputy Mayor DeBaecke

Seconded By: Committeeman O'Donnell

**Vote to Adopt Ordinance 2017-08:**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski	X		X			
Committeeman O'Donnell			X			
Mayor DeLorenzo			X			

**ORDINANCE – INTRODUCTION**

2017-09 An Ordinance of the Township of North Hanover, Burlington County Amending the Code of the Township of North Hanover by Adding New Section Entitled “Maintenance of Vacant Properties in the Township and Establishing Registration Fees for Vacant Properties”

**COUNTY OF BURLINGTON  
TOWNSHIP OF NORTH HANOVER  
ORDINANCE 2017- 09**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, BURLINGTON COUNTY AMENDING THE CODE OF THE TOWNSHIP OF NORTH HANOVER BY ADDING NEW SECTION ENTITLED “MAINTENANCE OF VACANT PROPERTIES IN THE TOWNSHIP AND ESTABLISHING REGISTRATION FEES FOR VACANT PROPERTIES”**

**WHEREAS**, the Township of North Hanover (the “Township”) contains structures which are vacant in whole or large part; and

**WHEREAS**, in many cases, the owners or responsible parties of these structures are neglectful of them, are not maintaining or securing them to an adequate standard or restoring them to productive use; and

**WHEREAS**, it has been established that vacant and abandoned structures cause severe harm to the health, safety and general welfare of the community, including diminution of neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks; and

**WHEREAS**, the Township incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including, but not limited to, excessive police calls, fire calls and property inspections and maintenance; and

**WHEREAS**, it is in the public interest for the Township to establish minimum standards of accountability to be imposed on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety and general welfare of the residents of the Township; and

**WHEREAS**, it is in the public interest of the Township to impose a fee in conjunction with registration of vacant and abandoned structures to offset costs incurred by the presence of these structures.

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of North Hanover in the County of Burlington, State of New Jersey that the Township Code of North Hanover be and is hereby amended as follows:

**Section 1. Maintenance of Vacant Properties in the Township and Establishing Registration Fees for Vacant Properties.**

(1) For purposes of this Ordinance, the following terms are defined as set forth herein:

MUNICIPAL OFFICER – shall mean the person who shall be designated by the Township Committee as the Municipal Officer as described in this ordinance.

OWNER – shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Township to have authority to act with respect to the property.

VACANT PROPERTY – any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including, but not limited to, any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed in good faith and using best efforts by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance. Actively marketing the property for sale or rental shall require efforts beyond the placing of a sign in or on the property advertising that the property is for sale or rent.

(2) a. As of the effective date of this ordinance, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later; or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the municipal officer on forms provided by the Township for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

b. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

c. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the state of New Jersey or reside within the state of New Jersey.

d. The registration shall remain valid for one year from the date of registration. The owner shall be required to renew the registration annually, as long as the building remains a vacant property, and shall pay a registration or renewal fee in the amount prescribed in this ordinance, for each vacant property registered. The owner must renew the registration annually by January 1<sup>st</sup> of each year.

e. The owner shall notify the municipal officer within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal officer for such purpose.

f. The registration statement shall be deemed *prima facie* proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the owner or owners of the building.

(3) The owner of any vacant property registered under this ordinance shall provide access to the Township to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent.

a. An owner who meets the requirements of this ordinance with respect to the location of his/her residence or workplace in the State of New Jersey may designate himself/herself as agent or as the individual responsible for maintaining the property.

b. By designating an authorized agent under the provisions of this section the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Township, in writing, of a change of authorized agent or until the owner files a new annual registration statement.

c. Any owner who fails to register vacant property under the provisions of this Article shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record with the Township by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

(4) a. The registration and annual renewal fee for each building shall be as follows:

Vacant Property Registration Fee Schedule

Initial Registration	\$500.00
First Renewal	\$1,500.00
Second Renewal	\$3,000.00
Subsequent Renewal	\$5,000.00

b. At least 20% of all fee income resulting from the application of this ordinance shall be used for the sole purpose of carrying out municipal activities with respect to vacant and distressed properties, including, but not limited to, code enforcement, abatement of nuisance conditions, stabilization, rehabilitation, and other activities designed to minimize blight and further productive reuse of properties.

(5) The owner of any building that has become vacant property, and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within 30 days thereof:

a. Enclose and secure the building to the satisfaction of the Municipal Officer against unauthorized entry as provided in the applicable provisions of the Township Code, or as set forth in the rules and regulations supplementing those codes; and

b. Post a sign affixed to the building indicating the name, address and telephone number of the owner or the owner's authorized agent, for the purpose of service of process, and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size no smaller than 18" x 24" and shall include the words "To report problems with this building, call...", and placed in such a location, so as to be legible from the nearest public street or sidewalk, whichever is nearer; and

c. Secure the building to the satisfaction of the Municipal Officer from unauthorized entry and maintain the sign until the building is again legally occupied or demolished, or until repair or rehabilitation of the building is complete; and

d. Make provision for the cessation of electric or gas utility services to the property; other than buildings with a fire sprinkler system, and

e. Make provision for the winterizing of the property by the cessation of water service to the property and the draining of water lines; other than buildings with a fire sprinkler system, and

f. Make provision for the cessation of the delivery of mail, newspapers and circulars to the property, including having the property listed on the exclusion list maintained by the Township of North Hanover for the delivery of circulars and advertisements to the property; and

g. Make provision for the maintenance of the lawn and yard, including regular grass cutting as required by the applicable provisions of the Code of the Township of North Hanover; and

h. Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from debris, loose litter, and grass and weed growth; and

i. Continue to maintain the structure in a secure and closed condition to the satisfaction of the Municipal Officer, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete.

**(6) Violations.**

a. Any person who violates any provision of this article shall be fined not less than \$500.00 and not more than \$1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.

b. For purposes of this section, failure to file a registration statement within 30 calendar days after a building becomes vacant property or within 30 calendar days after assuming ownership of a vacant property, whichever is later; or within 10 calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, failure to comply with the provisions of Sections 2 through 6 of this ordinance, or such other provisions contained herein shall be deemed to be violations of this ordinance.

**Section 2.** All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

**Section 3.** If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of North Hanover declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**Section 4.** The ordinance shall take effect immediately upon passage and publication according to law.

**MOTION TO INTRODUCE**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

**SET PUBLIC HEARING FOR AUGUST 3, 2017 AT 7:00 P.M.**

**ORDINANCE – INTRODUCTION**

2017-10 An Ordinance of the Township of North Hanover, Burlington County Amending Chapter 4-040 of the Township of North Hanover Entitled “Mobile Home Parks; Mobile Homes”

**COUNTY OF BURLINGTON  
TOWNSHIP OF NORTH HANOVER  
ORDINANCE 2017- 10**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, BURLINGTON COUNTY AMENDING CHAPTER 4-040 OF THE TOWNSHIP OF NORTH HANOVER ENTITLED “MOBILE HOME PARKS; MOBILE HOMES”**

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of North Hanover, County of Burlington, State of New Jersey that Chapter 4 of the Revised General Ordinances of the Township of North Hanover is hereby amended and supplemented by amending Section 4-040.4 to read as follows [added portions are underlined; deleted portions have strikethrough]: :

**Section 1. 4.040.4 Mobile Home Parks.**

A. – I. *No change.*

**J. Monthly Reporting Requirement.**

**1. All owners, operators, or other person or entity for which a license or renewal license for a mobile home park has been issued by the Township of North Hanover in accordance with the terms of this section shall be required to provide to the Mobile Home Administrator by the 10<sup>th</sup> day of each month a certified list of all mobile home park tenants, identified by name, address and lot/pad number. The purpose of this reporting requirement is to enable the Township to determine if a particular mobile home has been re-rented or re-leased without having first being inspected by the Township Fire Marshall for purposes of ensuring compliance with the State Fire Code prior to a change in occupancy.**

**Section 2.** All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

**Section 3.** If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of North Hanover declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**Section 4.** The ordinance shall take effect immediately upon passage and publication according to law.

**MOTION TO INTRODUCE**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke	X		X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell		X	X			
Mayor DeLorenzo			X			

**SET PUBLIC HEARING FOR AUGUST 3, 2017 AT 7:00 P.M.**

**CONSENT AGENDA DEFINED:**

All Resolutions listed on today’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.

2017-111 Resolution Accepting the 2016 Municipal Audit

**RESOLUTION 2017-111  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**ACCEPTING THE 2016 MUNICIPAL AUDIT**

**WHEREAS**, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

**WHEREAS**, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled: General Comments and Recommendations; and

**WHEREAS**, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: Comments and Recommendations as evidenced by the group affidavit form of the Governing Body, and

**WHEREAS**, such Resolution of Certification shall be adopted by Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and, and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgation’s of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit: R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of North Hanover Township, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and required affidavit to said Board to show evidence of said compliance.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

2017-112 Resolution Approving Participation with the State of New Jersey Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department Law and Public Safety

**RESOLUTION 2017-112  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

**WHEREAS**, the North Hanover Township Committee wishes to apply for funding for a project under the Safe and Secure Communities Program for the 2017/2018 year; and

**WHEREAS**, the Committee of North Hanover Township has reviewed the accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and North Hanover Township for the purpose described in the application.

**NOW, THEREFORE, BE IT RESOLVED** by Township Committee of North Hanover Township that

As a matter of public policy North Hanover Township wishes to participate to the fullest extent possible with the Department of Law and Public Safety.

1. The Attorney General will receive funds on behalf of the applicant.

2. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
3. The Division of Criminal Justice shall initiate allocations to each applicant authorized.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

**NON-CONSENT AGENDA**

2017-113 Resolution of Project Completion and Acceptance of the 2014/2015 Municipal Parks Grant Project entitled Schoolhouse Road Park Improvements

**RESOLUTION 2017-113  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION OF PROJECT COMPLETION AND ACCEPTANCE FOR THE 2014/2015  
MUNICIPAL PARKS GRANT PROJECT ENTITLED SCHOOLHOUSE ROAD PARK  
IMPROVEMENTS**

**WHEREAS**, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

**WHEREAS**, the Township Committee of the Township of North Hanover applied for and received a Burlington County Municipal Parks Development Grant in FY2014, in the amount of \$60,000.00 and in FY2015, in the amount of \$45,000.00 to fund a combined project entitled Schoolhouse Road Park Improvements, which included the construction of a volleyball court, a fitness park and various related improvements; and

**WHEREAS**, the project has been deemed complete as of May 2017 by the Township Engineer and all final sums have been paid to the Contractor, Thor Construction Group, LLC for performance of the work described, complete and in conformance with, the contract plans and specifications and related requirements, and the Contractor has provided the required Two-Year Maintenance Bond.

**BE IT RESOLVED**, by the North Hanover Township Committee, County of Burlington, State of New Jersey that the scope of work associated with the 2014/2015 Burlington County Park Development Program Grant is complete; and

**BE IT FURTHER RESOLVED**, that the submission to the County of Burlington of the documents necessary to receive final reimbursement of grant funds is hereby authorized.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

2017-114 Resolution Authorizing 2017 Road Improvement Program Contract One Change Order Number One Final

**RESOLUTION 2017-114  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING 2017 ROAD IMPROVEMENT PROGRAM  
CONTRACT ONE CHANGE ORDER #1 FINAL**

**WHEREAS**, by Resolution 2017-86, the North Hanover Township Committee awarded a Contract to Earle Asphalt Company for the 2017 Road Improvement Project - Contract I, in the amount of \$386,313.13; and

**WHEREAS**, the Township of North Hanover has funded the project through a combination of 2015 and 2016 NJDOT Municipal Aid Grants totaling \$416,000.00; and

**WHEREAS**, the contract required adjustment to reflect actual construction quantities and the Township has authorized additional work on Jacobstown-Arneytown Road to further complete the paving work on the roadway; and

**WHEREAS**, current Change Order #1 will bring the adjusted Contract price to \$394,717.24, which is an increase to the original Contract price by 2.18% and is permitted under the Local Public Contracts Law, and the Regulations promulgated pursuant thereto, and the Township Committee deems it appropriate to authorize this Change Order, subject to and contingent upon compliance with the conditions set forth below,

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

1. Change Order Number 1 Final, in the amount of \$8,404.11 is hereby approved to amend the contract with Earle Asphalt Company to a final contract amount of \$394,717.24
2. The Mayor of North Hanover Township is hereby authorized to sign the attached Change Order Number 1 Final

**BE IT FURTHER RESOLVED** that nothing herein contained shall be deemed a waiver by the Township of any claims it currently possesses, or may possess in the future, regarding this Contract, the existing insurance policy, Performance and Payment Bond, and any other rights, privileges or remedies otherwise available to it.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		<b>X</b>	<b>X</b>			
Committeeman Doyle	<b>X</b>		<b>X</b>			
Committeeman Kocubinski			<b>X</b>			
Committeeman O'Donnell			<b>X</b>			
Mayor DeLorenzo			<b>X</b>			

2017-115 Resolution of the Township of North Hanover Opposing the Application of Elcon Recycling Services, LLC submitted to the Pennsylvania Department of Environmental Protection Agency for a Proposed Hazardous Waste Facility to be Located in Falls Township, Pennsylvania

**RESOLUTION 2017-115  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION OF THE TOWNSHIP OF NORTH HANOVER OPPOSING THE APPLICATION OF ELCON RECYCLING SERVICES, LLC SUBMITTED TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR A PROPOSED HAZARDOUS WASTE FACILITY TO BE LOCATED IN FALLS TOWNSHIP, PENNSYLVANIA**

**WHEREAS**, the Pennsylvania Department of Environmental Protection Agency has received an application from Elcon Recycling Services, LLC which would allow for the construction of a “thermal oxidizer” facility in Falls Township, Bucks County; and

**WHEREAS**, according to the Clean Air Council, Elcon has applied to receive 596 different kinds of waste, producing 800 tons of hazardous sludge per year and 5,000 tons of hazardous salts; and

**WHEREAS**, given the prevailing winds out of the west, the location of this facility will undoubtedly have a direct impact on the residents of the Township of North Hanover and other surrounding communities; and

**WHEREAS**, it is the duty of the North Hanover Township Committee to represent and protect the interests of health and quality of life of the residents of North Hanover Township; and

**NOW, THEREFORE, BE IT RESOLVED** by the North Hanover Township Committee, County of Burlington, State of New Jersey that it does hereby oppose the construction of this facility and further urges the Pennsylvania Department of Environmental Protection Agency to consider the negative impact that the proposed hazardous “thermal oxidizer” facility would have on the residents of Burlington County; and

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby directed to forward a certified copy of this resolution to the Pennsylvania Department of Environmental Protection Agency, Burlington County Municipal Clerks and the Burlington County Board of Chosen Freeholders.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

**DISCUSSION**

- North Hanover Township “Movie Night” Fireworks Display  
Committeeman Kocubinski reviewed the two proposals received. He noted the vendor from last year did a fabulous job. There was a general consensus to move forward with Advanced Pyrotechnics.
- Regulation of Bee Keeping  
Committeeman O'Donnell reviewed the complaints concerning “bee keeping”. The proposed Ordinance set some basic outlines and was the least restrictive found. There was a general consensus to move forward and Committee members would send suggestions to Attorney Roselli prior to an introduction. Attorney Roselli noted this was for honey bees. Committeeman O'Donnell noted there was nothing currently on the books. Committeeman Doyle suggested 100 feet in relation to schools and public parks.

**TOWNSHIP COMMITTEE “COMMENTS”**

Committeeman Kocubinski noted in the 2016 Audit, page 33 notes no increase in Municipal tax and fund balance seems to be in good shape. He noted there would be 3 new open space applications. He was informed of this by Alexandra DeGood. Mayor DeLorenzo discussed the applications he was aware of. Committeeman Kocubinski wanted to make sure we would be alright considering the tax was no longer in place. There was some discussion regarding the Department of Defense funding. Mayor DeLorenzo noted he would look into.

Deputy Mayor DeBaecke stated he was working with Engineers on the road projects.

**PUBLIC PARTICIPATION**

Questions, comments or statements from members of the public in attendance.

Mayor DeLorenzo opened the meeting to the public. There were no public comments this evening.

**MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Deputy Mayor DeBaecke  
Seconded By: Committeeman Kocubinski

**EXECUTIVE SESSION RESOLUTION**

2017-116 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; Contract Matters, Personnel and Litigation matters

**VOTE TO TABLE INDEFINITELY**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski	X		X			
Committeeman O'Donnell			X			
Mayor DeLorenzo			X			

**BACK TO PUBLIC SESSION**

**MOTION TO ADJOURN**

**7:33 pm**

Proposed By: Committeeman O'Donnell  
Seconded By: Committeeman Kocubinski

*Respectively submitted,*

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*MaryAlice Picariello, RMC/CMR/CTC  
Township Clerk*