

**NORTH HANOVER TOWNSHIP  
TOWNSHIP COMMITTEE MEETING MINUTES  
APRIL 6, 2023, 7:00 P.M.**

**VIA CONFERENCE CALL: Dial In: 1-888-482-9769; Access Code 4493305#  
OR  
IN PERSON**

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

**FLAG SALUTE:** Led by Mayor Forsyth

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

Absent: None

Also Present: Township Clerk Mary Picariello and Substitute Township Attorney Steven Greigel

**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 Forsyth opened the meeting to the public.

Ms. Nancy Morrow – Patty Drive – Ms. Morrow expressed concerns over Ordinance 2017-14 and the 8 parcels this ordinance would still apply to. She stated concerns over the schools enrollment and lack of funding to build a new school. She was concerned over the non-contiguous allowance in the ordinance. She also stated the prime soil preservation was a concern and wondered if the wetlands were counted in the acreage. She expressed housing brings children and would like to see this Ordinance rescinded.

Mr. John Giberson – 77 Schoolhouse Road – Mr. Giberson stated he was not in favor of this Ordinance. He stated concerns regarding the wetlands on the Woodward Farm. He believes there is about 5 acres of the 103-acre farm and stated the approval would be violating the 100-acre requirement. It was noted the wetland acreage is included in the calculation. He stated the good land should be preserved. He also noted to lessen the burden on the School system we should make it a 55+ community. He stated the HOA should be responsible for the snow removal and maintenance. He asked them to rescind the Ordinance and put back the way it was. Mayor DeBaecke and Engineer Hirsh noted there was not a requirement to remove the Wetlands and the concept did take that into account. Deputy Mayor O'Donnell noted this was to move forward and only future applications can be addressed.

Mr. James Durr – Sykesville Road – Mr. Durr stated he was in favor of keeping this Ordinance. He stated he is the largest land owner in the town. He noted he was very serious about farming and 95% of his land is preserved. He does not understand environmentalist being against this Ordinance. He stated the yield over the last decade, on this Ordinance, is 37 lots. He doesn't understand how much slower you can go on development. He noted he was not feeling well this evening. He noted people should not be worried about their well water. He noted land can still be subdivided regardless of this Ordinance. He thinks people are being misguided by people on Township Committee. He noted a lot of work and thought went into this Ordinance when it was first put together. He noted he shares all his land with the community for hunting.

Ms. Pam Brandon – 511 Wrightstown-Sykesville Road – She noted difficulty with the online connection. She wished to discuss the potential warehouse. Clerk Picariello noted this was not an Agenda item this evening and she could address that issue during the second public comment.

Ms. Evelyn DeLaurentis' – 98 Meany Road – She discussed the petition. She stated she moved to North Hanover because it was a rural farming community and zoning was 2-5 acres for building. She stated the draw for this Community is it's rural makeup. She stated a lot of people moved here for that reason and supports the rescission for that reason. She expressed concerns over traffic. She stated it is selling the soul of the community.

Mr. John Pluta– 66 Rahilly Road – He stated he has lived here for 27 years. He stated he was happy about the rural values and farmland of North Hanover. He is not against housing and believes one acre is a bit generous.

Mr. Bob Emmons – 607 Hanover Drive – Mr. Emmons stated he heard Mr. Durr speak, whom is a revered member of this community, and wanted to know why it went from 2-5 acres to one. Is it for the farmers equity and wanted to work this out. Mayor Forsyth stated it is 2-5 acres and explained the Ordinance. He noted the intent was also to get preservation. Mr. Emmons stated was the other half guaranteed to get preserved and Mayor Forsyth stated yes. He also stated the farmer tried to preserve and his offer was embarrassing.

Mr. Jake Durr – He noted his respect for the farmer and open space. He believes there is a lot of confusion with the ordinance. He noted this ordinance was a compromise. He believes it will not hurt property values. He is present to listen to other opinions.

Vito D'Amato – 4 Birch Court – Mr. D'Amato stated after getting educated about the ordinance and believes the only way to stop this again is to rescind this ordinance and asked the Committee to take a vote this evening. Attorney Greigel informed the Committee they could not legally do that and noted there was a process. Mayor Forsyth noted property owners have rights to sell and it would cover the whole farm. Mr. D'Amato stated he wanted to see that and believes developers would not come. He stated it should be 2-5 acres for less development.

**Unidentified Resident** – Inquired if the 2-5 acres the whole farm would be open to development and opening to 1 acre would give preservation. Mayor Forsyth noted yes that was the case.

Mr. Charles Sergewick – 754 Provinceline Road – Mr. Sergewick noted he was two doors down from this development. He stated he is fine with the preservation aspect of the Ordinance. He noted no one wants to see it but he feels for the farmer. He also asked for a speed limit drop on the road.

Mr. Al Dempster – 89 Larrison Road – Mr. Dempster noted there was a process to rescind. He asked the Committee in the future to give consideration to preservation. There was discussion concerning the preservation funding formula and Mayor Forsyth noted there is pending legislation. Mayor Forsyth gave a brief history of the preservation numbers. Mr. Dempster noted the preservation formula needs to be addressed. Committeeman Kocubinski discussed the work Committeeman DeBaecke has been doing regarding legislation. Mr. Dempster commended Committeeman DeBaecke.

Committeeman DeBaecke felt some of Mr. Durr's comments were directed at him. He noted his utmost respect for Mr. Durr and feels he has been given some misinformation. He stated he has been researching the preservation funding for some time and gave an overview of his work. He believes in preservation and fair funding for the farmer. He noted he has put years of effort and believes the answer is preservation. He noted the legislation is with Senator Perez and her Committee. He encouraged those present to contact her to move out of her Committee and send for a full vote. He believes this legislation is the answer to fair offers for preservation. He also noted there is always room for a compromise on the current Ordinance. He offered several suggestions for new ordinances.

Ms. Nancy Morrow – Patty Drive – Inquired as to how to contact Senator Perez. Committeeman DeBaecke stated he would get that information and would like to have the residents support his letter. This would slow the growth of the entire State not just North Hanover.

Mr. John Fletcher – 262 Warren Drive – Mr. Fletcher stated the Town could put a bond out to preserve the land. He stated at some point the people are going to have to put the money where their mouth is. He stated he likes the Ordinance and preserving as much as you can.

Mr. Brian Hackett – 1 Laurel Court – Mr. Hackett noted he works with Senator Perez and inquired if the Committee has reached out to other local counter parts. He stated the more that support it and pass resolutions it would get the bill on the docket. He noted he sees the benefits on both sides of the issue. He stated he loves North Hanover and its open space. He commended Committeeman DeBaecke for his efforts and suggestions on comprising.

**MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Committeeman DeBaecke

Seconded By: Committeeman Doyle

**REVIEW OF CORRESPONDENCE**

1. NJDEP Green Acres Inspection – Clerk Picariello noted the recent inspection was successful and the next inspection would be in 2026.
2. JLUB Resolution 2023-08 Consistency Review of TC Ordinance 2023-02 – Clerk Picariello noted the Ordinance was consistent.
3. Petition to Rescind Zoning Ordinance 2017-14 – Clerk Picariello noted the petition which was discussed in Public Comment.

**ENGINEER’S REPORT**

Engineer Hirsh stated bids were received for the FY2019 Parks grant and they had exceeded the grant funding amount. He stated he would adjust the project and rebid. The NJDOT FY20 project would be closing out once the Maintenance Bond and final payment paperwork is submitted. He stated the NJDOT FY21 project was closing out also. He stated the NJDOT FY22 contracts were submitted this evening and he will be setting up a pre-construction meeting. He stated the FY23 NJDOT project survey work was being scheduled.

**MINUTES FOR APPROVAL**

- March 16, 2023 – Regular Meeting

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

- March 16, 2023 – Executive Session

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

- March 23, 2023 – Special/Budget Meeting

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

**BILLS AND CLAIMS FOR APPROVAL**

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

**ORDINANCE – ADOPTION**

2023-02 Ordinance Amending Chapter 15, Land Subdivision and Site Plan Review, of the Township of North Hanover, County of Burlington and State of New Jersey

**MAYOR OPENS THE MEETING TO THE PUBLIC**

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

**MOTION TO CLOSE PUBLIC HEARING**

Proposed By: Committeeman DeBaecke

Seconded By: Committeeman Doyle

**MOTION TO ADOPT ORDINANCE 2023-02**

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

**ORDINANCE – INTRODUCTION**

2023-03 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40A:4-45.14

**ORDINANCE 2023-03  
COUNTY OF BURLINGTON  
TOWNSHIP OF NORTH HANOVER**

**CALENDAR YEAR 2023**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government CAP Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **2.5%** unless authorized by ordinance to increase it to **3.5%** over the previous year’s final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the **1.0%** percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the *Township Committee* of the *Township of North Hanover* in the County of *Burlington* finds it advisable and necessary to increase its **CY 2023** budget by up to **3.5%** over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the *Township Committee* of the *Township of North Hanover* in the County of *Burlington* hereby determines that a **1.0%** increase in the budget for said year, amounting to **\$ 30,093.69** in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary; and,

**WHEREAS**, the *Township Committee* of the *Township North Hanover* of in the County of *Burlington* hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the *Township Committee* of the *Township of North Hanover* in the County of *Burlington*, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the **CY 2023** budget year, the final appropriations of the *Township of North Hanover* shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by **3.5%**, amounting to **\$105,327.92**, and that the **CY 2023** municipal budget for the *Township of North Hanover* be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**MOTION TO INTRODUCE**

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

**SET PUBLIC HEARING FOR APRIL 20, 2023 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.

2023-60 Resolution Increasing Deferred Local School Tax

**RESOLUTION 2023 -60  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION INCREASING DEFERRED LOCAL SCHOOL TAX**

**WHEREAS**, under the provisions of statute, when a municipality raises school taxes on a school year basis, an amount of not more than fifty percent of the levy may be deferred to the following year, providing no requisition has been made for such amount or any portion of such amount; and

**WHEREAS**, the North Hanover Township School District tax is levied on a school year basis; and

**WHEREAS**, fifty percent of the school tax levy of the North Hanover Township School District levied by the Township of North Hanover in 2022 is \$ 1,684,007.00; and

**WHEREAS**, \$ 1,606,869.50 of the above amount has previously been deferred, leaving an available balance of \$ 77,137.50 to be deferred.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Township of North Hanover hereby desires to defer additional school district tax in the amount of \$ 77,137.50 for the year 2022.

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

2023-61 Resolution Certifying the North Hanover Township Committees Compliance with the United States Equal Employment Opportunity Commissions "Enforcement guidance on the consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

**RESOLUTION 2023-61  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION CERTIFYING THE NORTH HANOVER TOWNSHIP COMMITTEES  
COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S**

**“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the North Hanover Township Committee have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the Township Committee of the Township of North Hanover, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

2023-62            Resolution Authorizing Self - Examination for 2023 Municipal Budget

**RESOLUTION 2023-62  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**AUTHORIZING SELF-EXAMINATION FOR 2023 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of North Hanover has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Township of North Hanover that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school Purposes.
  
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

**NON-CONSENT AGENDA**

2023-63 Resolution Authorizing the Township of North Hanover to Execute an Agreement with the Burlington County Cooperative Participation in the Community Development Act of 1974

**RESOLUTION 2023-63  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF NORTH HANOVER TO EXECUTE AN AGREEMENT WITH THE BURLINGTON COUNTY COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974**

**BE IT RESOLVED AND ENACTED**, by the North Hanover Township Committee, County of Burlington and State of New Jersey to authorize an Agreement with the County of Burlington for cooperative participation in the Community Development Act of 1974.

**SECTION I.** Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987, Public Law 93-383, as amended; and

**SECTION II.** It is necessary to establish a legal basis for the County and its people to benefit from this Program; and

**SECTION III.** An Agreement has been proposed under which the Township of North Hanover and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8a-1 et seq., and

**SECTION IV.** It is in the best interest of the Township of North Hanover that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office.

**SECTION V.** The Township of North Hanover shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of North Hanover Township and affix thereunto the Official Seal.

**SECTION VI.** All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency.

**SECTION VII.** This Resolution shall take effect immediately after passage and publication as provided by law.

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

2023-64 Resolution to Cancel Capital Appropriation Balances for Completed Projects  
**RESOLUTION 2023 -64**  
**TOWNSHIP OF NORTH HANOVER**  
**COUNTY OF BURLINGTON**

**RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCES FOR COMPLETED PROJECTS**

**WHEREAS**, certain General Capital Improvement appropriation remain dedicated to projects now completed; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus and unused debt authorizations may be canceled; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of North Hanover, County of Burlington, New Jersey, that the following unexpended and dedicated balances of General Capital Appropriations be canceled.

ORD NO.	PROJECT DESCRIPTION	AMOUNT CANCELED	
		FUNDED	UNFUNDED
1997-16	Municipal Building/Heating	\$ 1,862.00	
2003-08	Farmland Preservation	\$ 13,890.00	
2006-06	Various Capital Imp	\$ 4,106.00	
2006-10	Validators/Postage System	\$ 3,200.00	
2009-21	Solar Firehouse	\$ 16,343.84	
2009-22	Improvement Schoolhouse	\$ 7,937.50	
2011-05	Acquisition of Property	\$ 1,566.93	
2012-08	Jacobstwn/Arneytn	\$ 13,152.88	
2012-06	Trash Compactor	\$ 540.08	
2012-01	Fire Vehicle	\$ 1,365.11	
2013-05	Acquisition Tanker Truck	\$ 689.31	

**Total To Be Canceled \$ 64,653.65**

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

2023-65 Resolution Authorizing Change Order #2, Final to Earle Asphalt Company Related to the Schoolhouse Road Phase II Improvements Project  
**RESOLUTION 2023-65**  
**TOWNSHIP OF NORTH HANOVER**  
**COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING CHANGE ORDER #2, FINAL TO EARLE ASPHALT COMPANY RELATED TO THE**



**SCHOOLHOUSE ROAD PHASE II IMPROVEMENTS PROJECT**

**WHEREAS**, by Resolution 2020-110, the North Hanover Township Committee awarded a Contract to Earle Asphalt Company for the Schoolhouse Road Improvements Phase II Project in the amount of \$162,613.13; and

**WHEREAS**, the Township of North Hanover has funded the project through a FY2020 NJDOT Municipal Aid Grant in the amount of \$240,000.00; and

**WHEREAS**, the Township approved Change Order #1 which brought the adjusted Contract price to \$192,653.78 which was an increase to the original Contract price by 18.47%; and

**WHEREAS**, the contract required additional adjustment to reflect actual, completed, construction quantities; and

**WHEREAS**, current Change Order #2 will bring the adjusted Contract price to \$193,447.85 which is an increase to the original Contract price by 18.96% 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 that Change Order #2, submitted by Earle Asphalt Company and reviewed and authorized by the Township Engineer, is approved in the amount of \$794.07 to be added to the contract, resulting in an adjusted contract amount of \$193,447.85; and

**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
Committeeman DeBaecke			X			
Committeeman Doyle		X	X			
Committeeman Kocubinski			X			
Deputy Mayor O'Donnell	X		X			
Mayor Forsyth			X			

2023-66 Resolution Authorizing Change Order #2 to Earle Asphalt Company Related to the Schoolhouse Road Phase III Improvements Project

**RESOLUTION 2023-66  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING CHANGE ORDER #2, FINAL TO  
EARLE ASPHALT COMPANY RELATED TO THE  
SCHOOLHOUSE ROAD PHASE III IMPROVEMENTS PROJECT**

**WHEREAS**, by Resolution 2021-143, the North Hanover Township Committee awarded a Contract to Earle Asphalt Company for the Schoolhouse Road Phase III Improvements Project in the amount of \$152,013.13; and

**WHEREAS**, the Township of North Hanover has funded the project through a FY2021 NJDOT Municipal Aid Grant in the amount of \$162,000.00; and

**WHEREAS**, Change Order #1 brought the adjusted Contract price to \$157,718.68 which was an increase to the original Contract price by 3.75%, and

**WHEREAS**, the contract required additional adjustment to reflect actual, completed, construction quantities; and

**WHEREAS**, current Change Order #2 will bring the adjusted Contract price to \$159,491.18 which is an overall increase to the original Contract price by 4.92% 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 that Change Order #2, submitted by Earle

Asphalt Company and reviewed and authorized by the Township Engineer, is approved in the amount of \$1,772.50 to be added to the contract, resulting in an adjusted contract amount of \$159,491.18; and

**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	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT
Committeeman DeBaecke	X		X			
Committeeman Doyle			X			
Committeeman Kocubinski			X			
Deputy Mayor O'Donnell		X	X			
Mayor Forsyth			X			

2023-67 Resolution Authorizing Release of Escrows

**RESOLUTION 2023-67  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**AUTHORIZING RELEASE OF ESCROWS**

**WHEREAS**, the following accounts have a balance in the escrow account:

Name	Block/Lot	Balance
Barbara Wells (2000502420)	201/34	\$307.50

**WHEREAS**, the professionals have indicated that no monies are due these accounts.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of North Hanover, County of Burlington, that the above-named escrow account be released; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Chief Financial Officer.

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

**DISCUSSION**

There were no discussion items this evening.

**2023 BUDGET INTRODUCTION**

2023-68 Authorizing Introduction of the 2023 Municipal Budget

**MOTION TO INTRODUCE**

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

**(MAYOR SETS THE PUBLIC HEARING FOR MAY 4, 2023)**

**TOWNSHIP COMMITTEE “COMMENTS”**

Committeeman Doyle stated before voting to change the Ordinance he would want to make sure everything that can be done for the farmers who have worked the land for years is done. They deserve to get fair market value when it is time to retire. He noted he agrees with parts of the Ordinances and is skeptical of some parts. He believes the more preservation the better. He would not want to sell short anyone’s property value. He also noted petitioning the State should also be considered regarding the offers to the farmers. He will make decisions based on facts and the best interest of all the residents.

Committeeman DeBaecke agrees with Committeeman Doyle. He also thanked various officials who have assisted in the crafting of the legislation dealing with Farmland preservation. He also noted the Egg Hunt was a success this year.

Deputy Mayor O’Donnell noted the tax rate is kept low by the Federal Impact aid. He noted the State aid was more substantial in this regard. He stated North Hanover benefited this year versus other Communities. He expressed concerns of the State Aid formula impacting North Hanover with development. He would be watching that issue.

Mayor Forsyth stated he was hoping for better numbers for preservation. He noted if anyone has any questions to feel free to reach out.

Committeeman Kocubinski noted this Committee works diligently and he is in favor of revisiting the Ordinance. He thinks some things could be looked at. He stated the purpose of the Ordinance was for preservation. He noted a lot of the County open space monies are not being used for actual preservation. He noted the farm belt Towns are affected however, the river towns do not care.

**PUBLIC PARTICIPATION**

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

Mayor Forsyth opened the meeting to the public.

Mr. Paul Reuter – 8 Ivy Lane – Mr. Reuter discussed his concerns with our current Noise Ordinance. He expressed concerns that it does not address the day time noise. He believes the Ordinance should address what is acceptable. Mayor Forsyth stated it was being looked into.

Ms. Joan Saylor – 10 Laurel Drive – Ms. Saylor expressed concerns over the speed limit change on Meany Road and the road rage incidents she has been subjected to. She would like this looked into. Committeeman DeBaecke noted the Police have stepped up Patrol and suggested getting license plate numbers. He noted it is part of a multi facet project to get speed limit bumps. Mayor Forsyth stated the police have noticed a decline in accidents. Committeeman Doyle suggest a flashing speed limit reduction sign. Engineer Hirsh stated he would look at a 35mph zone. Committeeman Doyle stated it would be evaluated to try and make positive changes.

Ms. Evelyn DeLaurentis – 98 Meany Road – Ms. DeLaurentis discussed the speed limits signs on Meany Road.

Dom D’Amato – Chesterfield-Arneytown Road – Mr. D’Amato expressed concerns with an over filled pot hole by Cemetery. It was noted this was a County Road.

**MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Committeeman DeBaecke

Seconded By: Deputy Mayor O’Donnell

**EXECUTIVE SESSION RESOLUTION**

2023-69 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

**RESOLUTION 2023-69  
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 contract negotiations, litigation and personnel matters 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 Contract Matters, Litigation and Personnel matters.

**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.

**TABLED INDEFINITELY**

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

**MOTION TO ADJOURN**

Proposed By: Committeeman DeBaecke

Seconded By: Committeeman Doyle

**TIME OF ADJOURNMENT: 8:33 PM**

*Respectively submitted,*

\_\_\_\_\_  
**Mary Picariello, RMC/CMR/CTC**  
**Township Clerk**