

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
APRIL 20, 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 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 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. There were no public comments this evening.

MOTION TO CLOSE PUBLIC COMMENT
Proposed By: Committeeman DeBaecke
Seconded By: Deputy Mayor O’Donnell

- REVIEW OF CORRESPONDENCE**
1. Tax Collector Statement of 2022 taxes uncollectible – Clerk Picariello noted there were none.
 2. BCJIF 2022 Safety Incentive Program Award – Clerk Picariello noted the award due to the performance of employees in the program.
 3. Meany Road Speed limit – Resident complaint regarding the reduced speed limit was discussed.

ENGINEER’S REPORT
Engineer Hirsh was not present this evening.

- DEPARTMENT REPORTS FOR MARCH 2023**
- a. Tax Collector
 - b. Construction, Zoning & Mobile Homes
 - c. North Hanover Court
 - d. Jacobstown Volunteer Fire Company
 - e. Fire Official
 - f. Police Department

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			

MINUTES FOR APPROVAL

- April 6, 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			

BILLS AND CLAIMS FOR APPROVAL

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

ORDINANCE – ADOPTION

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.

MAYOR OPENS THE MEETING TO THE PUBLIC

There were no public comments this evening.

MOTION TO CLOSE PUBLIC HEARING

Proposed By: Committeeman DeBaecke

Seconded By: Deputy Mayor O'Donnell

MOTION TO ADOPT ORDINANCE 2023-03

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			

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.

2023-70 Resolution Authorizing the Preparation of Estimated Tax Bills for the Year of 2023

**RESOLUTION 2023-70
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS
FOR THE YEAR OF 2023**

WHEREAS, the Division of Local Government Services, State of New Jersey has the authority by State Statue to examine, review and then certify all local government budgets to the County Board of Taxation for the purpose of real estate taxation, and

WHEREAS, the Burlington County Board of Taxation has not yet received certification of the North Hanover Township's budget and cannot strike a tax rate until such certification is received from the State of New Jersey and will therefore cause the delay in receiving state funding, and

WHEREAS, the Township Committee has determined that there will be insufficient cash flow to support operations in August 2023 unless third quarter revenue is received on time, and

WHEREAS, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3,

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

1. The Tax Collector is directed to prepare and issue estimated tax bills for the Municipality of North Hanover Township for the third quarter 2023, in accordance with the provisions of N.J.S.A. 54:4-66.2et seq.
2. The entire estimated tax levy for 2023 is hereby set at \$10,225,316.42
3. The Tax Collector takes any additional steps necessary to immediately implement this resolution.

BE IT FURTHER RESOLVED, that the Municipal Clerk provides a certified copy of this resolution to the Tax Collector.

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			

2023-71 Resolution Authorizing Refund of Overpayment of Taxes

**RESOLUTION 2023-71
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

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 overpayment of 2023 taxes, in the amount of \$287.92 to Thomas DiPaola, for Block 500 Lot 65 commonly known as Chesterfield-Sykesville Road.

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			

NON-CONSENT AGENDA

2023-72 Resolution Rejecting Bids Received for the Schoolhouse Road Park Improvements

**RESOLUTION 2023-72
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION REJECTING BIDS RECEIVED FOR THE SCHOOLHOUSE ROAD
PARK IMPROVEMENTS**

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**WHEREAS**, the Township of North Hanover advertised for the receipt of public bids for purposes of certain improvements to the Schoolhouse Road Park; and

**WHEREAS**, on April 4, 2023, the Township received one bids, as follows:

|                                           | Base Bid     | Alt. #1    | Total        |
|-------------------------------------------|--------------|------------|--------------|
| Shore Top Construction Corp.              | \$138,200.00 | \$8,000.00 | \$146,200.00 |
| 23 Yellowbrook Road<br>Freehold, NJ 07728 |              |            |              |

**WHEREAS**, upon review of the bids, the lowest bid substantially exceeds the cost estimates for goods and services provided by the Township Engineer in addition to exceeding the Township's appropriation for the project; and

**WHEREAS**, N.J.S.A. 40A:11-13.2 (a) and (b) allows the governing body to reject all bids when the lowest bid substantially exceeds the cost estimates for the services and the lowest bid substantially exceeds the contracting unit's appropriation for the goods and services; and

**WHEREAS**, based upon the bids received and recommendation of the Township Engineer, the Township Committee has determined to reject the bids pursuant to N.J.S.A 40A:11-13.2 (a) and (b) as the lowest bid substantially exceeds the cost estimates for the services and the lowest bid substantially exceeds the contracting unit's appropriation for the goods and services.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of North Hanover, County of Burlington, State of New Jersey that all of the bids for the Schoolhouse Road Park Improvements be and are hereby rejected pursuant to N.J.S.A. 40A:11-13.2 (a) and (b) and that all bidders be notified accordingly.

| 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 |  |  |  |
|---------------|--|--|--|---|--|--|--|

2023-73 Resolution Authorizing Pay Estimate No. Two (2) Final to Earle Asphalt Company in Connection with the FY2021 NJDOT Municipal Aid Program Schoolhouse road Phase Three

**RESOLUTION 2023-73  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**A RESOLUTION AUTHORIZING PAY ESTIMATE NO. TWO (2) FINAL TO EARLE ASPHALT COMPANY IN CONNECTION WITH THE FY2021 NJDOT MUNICIPAL AID PROGRAM SCHOOLHOUSE ROAD PHASE THREE**

**WHEREAS**, the Township of North Hanover project Engineers, Environmental Resolutions Inc., has reviewed the Earle Asphalt Company’s Payment Certificate No. 2 Final, representing the final payment in the total amount of \$4,926.87, for the FY 2021 NJDOT Schoolhouse road Phase III Project; and

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

**WHEREAS**, it is the recommendation of the Township’s Engineer that the Township of North Hanover authorize the release of final payment on voucher in the total amount of \$4,926.87 to Earle Asphalt Company; and

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

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of North Hanover, that the Township authorizes the release final payment on voucher in the total amount of \$4,926.87 to Earle Asphalt Company.

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

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

2023-74 Resolution Accepting Maintenance Bond for the FY 2021 NJDOT Schoolhouse Road Phase III

**RESOLUTION 2023-74  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**A RESOLUTION ACCEPTING MAINTENANCE BOND FOR THE FY 2021 NJDOT SCHOOLHOUSE ROAD PHASE III**

**WHEREAS**, the project engineer, Joseph Hirsh, of Environmental Resolutions Inc. has inspected the improvements by Earle Asphalt Company for the FY2021 NJDOT Schoolhouse Road Phase III Improvements project and recommended that the final payment be released due to the posting of the following:

Maintenance Bond number K40444038M by Federal Insurance Company in the amount of \$23,923.68 for the Schoolhouse Road Phase III Improvement project to expire two years from the date of July 1, 2022.

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of North Hanover hereby authorizes the release of the final payment and performance bond to Federal Insurance Company for the Schoolhouse Road Phase III Improvement Project due to the posting and acceptance of the bonds cited above.

| 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    |      |         |        |

**DISCUSSION**

Clerk Picariello informed the Township Committee of the pending two ceremonies. There was a consensus to have Mayor Forsyth and Committeeman DeBaecke attend the Parade of Wreathes ceremony and Deputy Mayor O'Donnell and Committeeman Doyle would attend the Doyle Cemetery ceremony.

**TOWNSHIP COMMITTEE "COMMENTS"**

Committeeman Kocubinski discussed the last meeting and the concerns over Ordinance 2017-14. He inquired of the Township Attorney the procedure. Attorney Roselli noted a sub committee should be established. There was a general consensus to have Deputy Mayor O'Donnell and Committeeman DeBaecke chair the sub-committee to review the Ordinance and make recommendations if need be.

Committeeman Doyle asked Attorney Roselli to explain our current noise ordinance due to the complaints received. Attorney Roselli stated noise ordinances bring on a lot of litigation for Municipalities. He discussed measuring decibels, weather conditions and calibration of machines. He feels our ordinance is in conformance with State laws and should remain the same. He noted a case in Hamilton Township. Committeeman Doyle noted he would check with the Police Department to get five years of statistics on complaints, but believes there won't be many and also feels our Ordinance is sufficient.

Deputy Mayor O'Donnell noted the ambulances have been pretty busy. They are averaging 2-3 calls a day. He believes the revenue is exceeding expectations. He also noted the gas issue at the school.

**PUBLIC PARTICIPATION**

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

Mayor Forsyth opened the meeting to the public.

Ms. Nancy Morrow – Patty Drive – Ms. Morrow stated she was happy to hear the discussion regarding Ordinance 2017-14 and the establishment of the Sub-Committee. She noted there is a lot of questions regarding the Ordinance. She would like to submit questions to the sub-committee and was told absolutely. Attorney Roselli noted this was another tool for land preservation and many Towns participate.

Ms. Pamela Brandon Coley – 511 Wrightstown-Sykesville Road - Ms. Coley discussed her concerns over Ames Plaza and the old Gulf Gas Station and would like to see a grocery store. It was noted a business cannot be forced to come to North Hanover and steps have been taken to entice businesses. It was also noted when the road at JBMDL was closed, it effected the area. She also inquired about the warehouses. She was informed that the application has not yet been received and she would be notified, as a property owner.

Mr. D'Amato – 4 Birch Court – Mr. D'Amato inquired if the warehouses would cause water issues. It was explained that there are new stormwater regulations that were issued by the NJDEP and they must be followed. The water must be contained onsite. Mr. D'Amato inquired about the Ordinance 2017-17. Attorney Roselli noted it was in force until the Committee decides to address. He also inquired about forestry grants for preservation. The preservation programs were discussed.

**MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Committeeman DeBaecke  
 Seconded By: Deputy Mayor O'Donnell

**EXECUTIVE SESSION RESOLUTION**

2023-75 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 **Litigation Matter**, Contract Matter, Personnel and Litigation matters

**RESOLUTION 2023-75  
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 **Litigation Matters**, 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.

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

**Mayor Forsyth recessed the meeting at 7:49pm and reconvened at 8:09pm to continue the Board of Health meeting**

**MOTION TO ADJOURN**

Proposed By: Committeeman DeBaecke  
Seconded By: Committeeman Doyle

**TIME OF ADJOURNMENT: 8:10 PM**

*Respectively submitted,*

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