

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
AUGUST 3, 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, with a prayer offered by Mr. Voorhees

ROLL CALL: Mayor Forsyth
Committeeman DeBaecke
Committeeman Doyle
Committeeman Kocubinski

Absent: Deputy Mayor O'Donnell

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 Doyle
Seconded By: Committeeman DeBaecke

REVIEW OF CORRESPONDENCE

1. New Jersey Department of Agriculture Gypsy Moth Survey – Clerk Picariello stated that the gypsy moth has been detected in North Hanover Township. The Department of Agriculture is offering to survey for egg masses at no cost. There was a general consensus to allow for the survey.

ENGINEER'S REPORT

Engineer Hirsh was not present this evening.

MINUTES FOR APPROVAL

- July 20, 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			

- July 20, 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			

BILLS AND CLAIMS FOR APPROVAL

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

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
ORDINANCE 2023-10**

AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER AMENDING THE TOWNSHIP MUNICIPAL CODE FOR PURPOSES OF ESTABLISHING REGULATIONS REGARDING PRIVATELY OWNED SALT STORAGE

SECTION 1. Purpose

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned) in North Hanover Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION 2. Definitions

For this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. "De-icing materials" means any granular or solid material such as melting salt or other granular solid that assists in the melting of snow.
- b. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- c. "Storm drain inlet" means the point of entry into the storm sewer system.
- d. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- 3. The structure shall be erected on an impermeable slab;
- 4. The structure cannot be open sided; and
- 5. The structure shall have a roll-up door or other means of sealing the access way from wind driven rainfall.

- e. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION 3. Deicing Material Storage Requirements

A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th, but no longer than 30 days without prior written approval from the Department:

1. Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
2. Materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;
3. Materials shall be formed in a cone-shaped storage pile;
4. All storage piles shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind;
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (i) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used.

5. The site shall be free of all de-icing materials between April 16th and October 14th.
B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of solid deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.

C. The property owner shall designate a person(s) responsible for operations at the site where these materials are stored, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met.

SECTION 4. Exemptions

This ordinance does not apply to facilities where the stormwater discharges from salt storage activities are regulated under another NJPDES permit.

SECTION 5. Enforcement

This ordinance shall be enforced by the Township Police Department and/or Zoning Officer of the Township of North Hanover, County of Burlington, New Jersey.

SECTION 6. Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be subject to the general penalties set forth in Section 1-035 of the Municipal Code of the Township of North Hanover.

SECTION 7. Severability

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.

SECTION 8. Repealer

All provisions of any other ordinance which are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 9. Effective date:

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

MOTION TO INTRODUCE

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			

SET PUBLIC HEARING FOR SEPTEMBER 7, 2023 AT 7:00 P.M.

ORDINANCE – INTRODUCTION

2023-11 An Ordinance of the Township of North Hanover Amending the Township’s Municipal Code for Purposes of Establishing a Yard Waste Collection and Disposal Program

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
ORDINANCE 2023- 11**

AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER AMENDING THE TOWNSHIP MUNICIPAL CODE FOR PURPOSES OF ESTABLISHING A YARD WASTE COLLECTION AND DISPOSAL PROGRAM

SECTION 1. Purpose

An ordinance to establish a yard waste collection and disposal program in North Hanover Township, to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 2. Definitions

For this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste –means leaves and grass clippings.

SECTION 3. Yard Waste Collection

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION 4. Enforcement

This ordinance shall be enforced by the Township Police Department and/or Zoning Officer of the Township of North Hanover, County of Burlington, New Jersey.

SECTION 5. Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to the general penalties set forth in Section 1-035 of the Municipal Code of the Township of North Hanover.

SECTION 6. Severability

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.

SECTION 7. Repealer

All provisions of any other ordinance which are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 8. Effective date:

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

MOTION TO INTRODUCE

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			

SET PUBLIC HEARING FOR SEPTEMBER 7, 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.

2023-111 Resolution Appointing a Full-Time Emergency Medical Technician

**RESOLUTION 2023-111
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

APPOINTMENT OF FULL-TIME EMERGENCY MEDICAL TECHNICIAN

WHEREAS, N.J.S.A. Title 40 and Title 40A provide for the Appointment of Certain Officers, Appointees, and Employees to be appointed in Township Positions to carry out the lawful duties and responsibilities of the Township; and

WHEREAS, the Township Salary Ordinance provides for the rate of Compensation, Salary, or Wages of Certain Officers, Appointees and Employees of said Township.

NOW THEREFORE BE IT RESOLVED, that the following Officers, Appointees, and Employees are hereby appointed for their respective terms, as follows:

EMT ~ Patrick D. Wells
Effective Date of Employment: 07/30/2023

BE IT FURTHER RESOLVED, that the above-named positions will be compensated as per the Salary Ordinance and Salary Resolution at a rate of \$20.00 per hour.

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			

2023-112 Resolution Appointing a Per Diem Emergency Medical Technician

**RESOLUTION 2023-112
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION APPOINTING PER DIEM EMERGENCY MEDICAL TECHNICIAN

WHEREAS, N.J.S.A. Title 40 and Title 40A provide for the Appointment of Certain Officers, Appointees, and Employees to be appointed in Township Positions to carry out the lawful duties and responsibilities of the Township; and

WHEREAS, the Township Salary Ordinance provides for the rate of Compensation, Salary, or Wages of Certain Officers, Appointees and Employees of said Township.

NOW THEREFORE BE IT RESOLVED, that the following Officers, Appointees, and Employees are hereby appointed for their respective terms, as follows:

PER DIEM EMT ~ Hailey Dye

Effective Date of Employment: 08/3/2023

BE IT FURTHER RESOLVED, that the above-named positions will be compensated as per the Salary Ordinance and Salary Resolution at a rate of \$18.00 per hour not to exceed 24 hours per week.

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			

2023-113 Resolution Accepting the Resignation of Sarah Fischer

**RESOLUTION 2023-113
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION ACCEPTING THE RESIGNATION
OF SARAH FISCHER**

BE IT RESOVLED, by the Township Committee of the Township of North Hanover that we hereby accept the resignation of Sarah Fischer as a Full-Time Police Officer for the Township of North Hanover effective August 14, 2023.

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

1. Personnel File Sarah Fischer
2. Chief Financial Officer
3. Chief of Police

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			

NON-CONSENT AGENDA

2023-114 Resolution Accepting Quote from Stalker Radar Applied Concepts, Inc. for a Speed Awareness Monitor

**RESOLUTION 2023-114
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION ACCEPTING QUOTE FROM STALKER RADAR APPLIED CONCEPTS INC. FOR A SPEED AWARENESS MONITOR

WHEREAS, the Township of North Hanover desires to purchase a Speed Awareness Monitor trailer for the Township of North Hanover Police Department; and

WHEREAS, N.J.S.A. 40A:11-6.1, authorizes the solicitation of quotations, if practicable; and

WHEREAS, the Township has reviewed the quote received and recommends the lowest quote submitted by Stalker Radar Applied Concepts, Incorporated; and

WHEREAS, the Township of North Hanover has sufficient funding in place as evidenced by the Chief Financial Officers certification of the availability of funds.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington County, State of New Jersey hereby accepts the lowest quote by Stalker Radar Applied concepts Inc. , for purchase of a SAM Trailer with display for the North Hanover Township Police Department for an amount not to exceed \$9,270.00

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue said purchase order aforesaid on behalf of the Township.

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

2023-115 Resolution Amending Resolution 2023-44 entitled “Resolution Authorizing Joint Land Use Board to Undertake a Preliminary Investigation to Determine Whether Certain Properties Qualify for Designation as Non-Condemnation Area in Need of Redevelopment Pursuant to N.J.S.A. 40A:12A-1 et seq.”

**RESOLUTION TC 2023-115
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON, STATE OF NEW JERSEY**

RESOLUTION AMENDING RESOLUTION 2023-44 ENTITLED “RESOLUTION AUTHORIZING JOINT LAND USE BOARD TO UNDERTAKE PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTIES QUALIFY FOR DESIGNATION AS NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.”

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Township Committee of the Township of North Hanover must authorize the Joint Land Use Board of the Township to conduct a preliminary investigation of the area and make recommendations to the Township Committee; and

WHEREAS, the Township Committee desires to explore whether the property more commonly referred to as Block 800, Lot **61** (130 Monmouth Road) and Block 401, Lot 44 (Monmouth Road and Jacobstown-New Egypt Road) on the tax map of the Township of North Hanover, inclusive of any and all streets, “paper” streets, private drives and right of ways (hereinafter the “Study Area”) may be an appropriate area for consideration for redevelopment; and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing a non-condemnation area in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, prior to the Township Committee determining whether the Study Area qualifies as a non-condemnation area in need of redevelopment, the Township Committee must authorize the Joint Land Use Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria for an area in need of redevelopment as set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Township Committee wishes to direct the Township Joint Land Use Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria

for designation as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law and which shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”) pursuant to N.J.S.A. 40A:12A-5 and in accordance with the investigation and hearing process set forth at N.J.S.A. 40A:12A-6.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of North Hanover Township that it does hereby direct the North Hanover Township Joint Land Use Board to conduct the necessary investigations and to hold the requisite public hearing(s) to determine whether the Study Area defined hereinabove qualifies for designation as a non-condemnation area in need of redevelopment under the criteria and pursuant to the public hearing process set forth in N.J.S.A. 40A:12A-1, *et seq.*; and

BE IT FURTHER RESOLVED that the Joint Land Use Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supportive documentation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Clerk, Chief Financial Officer and Township Joint Land Use Board Secretary.

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			

2023-116 Resolution Accepting North Hanover Township Joint Land Use Board’s Recommendation and Designating Block 800, Lot 61 as a Non-Condensation Area in Need of Redevelopment

**RESOLUTION NO. 2023-116
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION ACCEPTING THE NORTH HANOVER TOWNSHIP JOINT LAND USE BOARD’S RECOMMEDATION AND DESIGNATING BLOCK 800, LOT 61 ON THE TAX MAP OF THE TOWNSHIP OF NORTH HANOVER, INCLUSIVE OF ALL STREETS, “PAPER STREETS,” PRIVATE DRIVES AND ADJACENT PUBLIC RIGHTS-OF-WAY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Township Committee of the Township of North Hanover (“Township Committee”) must authorize the Joint Land Use Board of the Township of North Hanover (“JLUB”) to conduct a preliminary investigation of the area and make recommendations to the Township Committee; and

WHEREAS, the Township Committee by way of Resolution No. 2033-44 adopted on February 16, 2023, as amended by Resolution No. 2023-115 adopted on August 3, 2023, authorized the JLUB to undertake a preliminary study, conduct the necessary investigation, and hold a public hearing to determine whether the real property identified as Block 800, Lot 601 on the tax map of the Township, inclusive of any and all streets, “paper” streets, private drives and right of ways (the “Study Area”) met the criteria set forth in the LRHL, specifically N.J.S.A. 40A:12A-5, and should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, as requested by the Township Committee, JLUB Planner, Edward Fox, AICP, PP, of Environmental Resolutions, Inc. prepared a written report on the Preliminary Investigation of Monmouth Road Study Area in North Hanover Township, Burlington County as a Non-Condensation Area in Need of Redevelopment (the “Investigation Study”) which contained maps showing the boundaries of the potential Non-Condensation Area in Need of Redevelopment and the location of the property included therein and provided findings and recommendations setting forth the basis for and results of the investigation; and

WHEREAS, as required by the LRHL, *N.J.S.A. 40A:12A-6*, after the required public notice, the JLUB conducted a public hearing on June 28, 2023, to review and consider the Findings and Recommendations as set forth in the Investigation Study, and to consider any public comments from persons interested in or would be affected by a determination that Lot 61 in Block 800 qualified as a Non-Condensation Redevelopment Area; and

WHEREAS, on June 28, 2023, Edward Fox, Township Planner, provided testimony to the JLUB regarding his investigation, findings and recommendations pertaining to whether the Study Area should be recommended to be a non-condemnation area in need of redevelopment; and

WHEREAS, the JLUB reviewed the Investigation Study, heard testimony, and considered all relevant facts and determined that the Study Area met the statutory criteria to be in need of non-condemnation redevelopment; and

WHEREAS, the JLUB found the Investigation Study and testimony of Mr. Fox to be credible and recognized Mr. Fox’s experience and knowledge of the Township based on his service as the Township Planner; and

WHEREAS, the Planning Board specifically adopted the Recommendations set forth in Part III of the Investigation Study testimony of Mr. Fox that Block 800, Lot 61 and sections of public rights-of-way adjacent to this parcel meet the statutory criteria for a Non-Condensation Redevelopment Area; and

WHEREAS, the JLUB, based upon its knowledge of the Township, the Investigation Study presented by the Township Planner, the testimony presented at the public hearing and the history of underutilization of the Study Area, determined that Block 800, Lot 61 on the tax map of the Township of North Hanover, inclusive of all streets and “paper” streets, private drives and adjacent rights-of-way is in need of redevelopment and that Study Area as a whole would benefit from non-condemnation redevelopment and therefore, recommended same to the Township Committee; and

WHEREAS, the JLUB adopted Resolution 2023-10 on July 19, 2023, thereby formalizing its recommendation to the Township Committee; and

WHEREAS, the Township Committee wishes to accept the JLUB’s findings and recommendations and designate Block 800, Lot 61, and sections of public rights-of-way adjacent to Block 800, Lot 61 as a Non-Condensation Area in Need of Redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover that it does hereby accept the findings and recommendation of the Joint Land Use Board of the Township of North Hanover to designate Block 800, Lot 61 on the tax map of the Township of North Hanover, inclusive of all streets and “paper” streets, private drives and rights-of-way adjacent to this parcel as a Non-Condensation Area in Need of Redevelopment based on the criteria of the LRHL pursuant to *N.J.S.A.40A:12A-5* and therefore the Township Committee does hereby designate Block 800, Lot 61 on the tax map of the Township of North Hanover, inclusive of all streets and “paper” streets, private drives and rights-of-way adjacent to this parcel as a Non-Condensation Area in Need of Redevelopment pursuant to the provisions of LRHL as set forth herein.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded by the Township Clerk to the Commissioner of the Department of Community Affairs, Township Chief Financial Officer, Township Joint Land Use Board Secretary and Township Tax Assessor, and to all parties entitled to notice of same pursuant to the provisions of the LRHL.

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			

2023-117 Resolution Accepting North Hanover Township Joint Land Use Board’s Recommendation and Designating Block 401, Lot 44 as a Non-Condensation Area in Need of Redevelopment

**RESOLUTION NO. 2023-117
TOWNSHIP OF NORTH HANOVER**

COUNTY OF BURLINGTON

RESOLUTION ACCEPTING THE NORTH HANOVER TOWNSHIP JOINT LAND USE BOARD'S RECOMMENDATION AND DESIGNATING BLOCK 401, LOT 44 ON THE TAX MAP OF THE TOWNSHIP OF NORTH HANOVER, INCLUSIVE OF ALL STREETS, "PAPER STREETS," PRIVATE DRIVES AND ADJACENT PUBLIC RIGHTS-OF-WAY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**") authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Township Committee of the Township of North Hanover ("Township Committee") must authorize the Joint Land Use Board of the Township of North Hanover ("JLUB") to conduct a preliminary investigation of the area and make recommendations to the Township Committee; and

WHEREAS, the Township Committee by way of Resolution No. 2033-44 adopted on February 16, 2023, as amended by Resolution No. 2023-115 adopted on August 3, 2023, authorized the JLUB to undertake a preliminary study, conduct the necessary investigation, and hold a public hearing to determine whether the real property identified as Block 401, Lot 44 on the tax map of the Township, inclusive of any and all streets, "paper" streets, private drives and right of ways (the "Study Area") met the criteria set forth in the LRHL, specifically N.J.S.A. 40A:12A-5, and should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, as requested by the Township Committee, JLUB Planner, Edward Fox, AICP, PP, of Environmental Resolutions, Inc. prepared a written report on the Preliminary Investigation of Monmouth Road Study Area in North Hanover Township, Burlington County as a Non-Condensation Area in Need of Redevelopment (the "Investigation Study") which contained maps showing the boundaries of the potential Non-Condensation Area in Need of Redevelopment and the location of the property included therein and provided findings and recommendations setting forth the basis for and results of the investigation; and

WHEREAS, as required by the LRHL, N.J.S.A. 40A:12A-6, after the required public notice, the JLUB conducted a public hearing on June 28, 2023, to review and consider the Findings and Recommendations as set forth in the Investigation Study, and to consider any public comments from persons interested in or would be affected by a determination that Lot 44 in Block 401 qualified as a Non-Condensation Redevelopment Area; and

WHEREAS, on June 28, 2023, Edward Fox, Township Planner, provided testimony to the JLUB regarding his investigation, findings and recommendations pertaining to whether the Study Area should be recommended to be a non-condemnation area in need of redevelopment; and

WHEREAS, the JLUB reviewed the Investigation Study, heard testimony, and considered all relevant facts and determined that the Study Area met the statutory criteria to be in need of non-condemnation redevelopment; and

WHEREAS, the JLUB found the Investigation Study and testimony of Mr. Fox to be credible and recognized Mr. Fox's experience and knowledge of the Township based on his service as the Township Planner; and

WHEREAS, the Planning Board specifically adopted the Recommendations set forth in Part III of the Investigation Study testimony of Mr. Fox that Block 401, Lot 44 and sections of public rights-of-way adjacent to this parcel meet the statutory criteria for a Non-Condensation Redevelopment Area; and

WHEREAS, the JLUB, based upon its knowledge of the Township, the Investigation Study presented by the Township Planner, the testimony presented at the public hearing and the history of underutilization of the Study Area, determined that Block 401, Lot 44 on the tax map of the Township of North Hanover, inclusive of all streets and "paper" streets, private drives and adjacent rights-of-way is in need of redevelopment and that Study Area as a whole would benefit from non-condemnation redevelopment and therefore, recommended same to the Township Committee; and

WHEREAS, the JLUB adopted Resolution 2023-11 on July 19, 2023, thereby formalizing its recommendation to the Township Committee; and

WHEREAS, the Township Committee wishes to accept the JLUB’s findings and recommendations and designate Block 401, Lot 44, and sections of public rights-of-way adjacent to Block 401, Lot 44 as a Non-Condensation Area in Need of Redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover that it does hereby accept the findings and recommendation of the Joint Land Use Board of the Township of North Hanover to designate Block 401, Lot 44 on the tax map of the Township of North Hanover, inclusive of all streets and “paper” streets, private drives and rights-of-way adjacent to this parcel as a Non-Condensation Area in Need of Redevelopment based on the criteria of the LRHL pursuant to N.J.S.A.40A:12A-5 and therefore the Township Committee does hereby designate Block 401, Lot 44 on the tax map of the Township of North Hanover, inclusive of all streets and “paper” streets, private drives and rights-of-way adjacent to this parcel as a Non-Condensation Area in Need of Redevelopment pursuant to the provisions of LRHL as set forth herein.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded by the Township Clerk to the Commissioner of the Department of Community Affairs, Township Chief Financial Officer, Township Joint Land Use Board Secretary and Township Tax Assessor, and to all parties entitled to notice of same pursuant to the provisions of the LRHL.

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

DISCUSSION

- NJLM Conference Registration – Clerk Picariello noted the registration is open. Committeeman Kocubinski stated he was unsure and would let the Clerk know at a later date. There was a general consensus to register.

TOWNSHIP COMMITTEE “COMMENTS”

Committeeman Doyle offered prayers to the friends of family of Lt. Governor Sheila Oliver.

Committeeman DeBaecke also offered condolences to the family of one of the County Commissioners on the passing of his 9-year-old son. He noted he is a good man.

Mayor Forsyth also offered prayers to both families.

PUBLIC PARTICIPATION

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

Mayor Forsyth opened the meeting to the public.

Mr. Voorhees – He noted in future, if made aware, he would offer those prayers.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Committeeman Doyle

Seconded By: Committeeman DeBaecke

EXECUTIVE SESSION RESOLUTION

2023-118 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; **Municipal Clerk Personnel Matter**, Contract Matters, Personnel and Litigation matters

**RESOLUTION 2023-118
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 **Municipal Clerk Personnel Matter**, 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		X			
Committeeman Kocubinski			X			
Deputy Mayor O'Donnell						X
Mayor Forsyth			X			

MOTION TO ADJOURN TO ENTER INTO EXECUTIVE SESSION **7:26 pm**

Proposed By: Committeeman DeBaecke

Seconded By: Committeeman Doyle

Respectively submitted,

Mary Picariello, RMC/CMR/CTC
Township Clerk