

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
SEPTEMBER 7, 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
Deputy Mayor O'Donnell
Committeeman DeBaecke
Committeeman Doyle (Virtual)
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. Verizon form PT-10 – Clerk Picariello noted Verizon's correspondence that they will no longer be paying property taxes due to not providing 51% of the dial tone to North Hanover. She stated there was litigation in Hopewell that was adjudged and not favorable to Verizon. She stated this was under appeal. She stated the Tax Assessor recommends lowering the assessment and appeal and let the courts decide. The Assessor believes if North Hanover is not successful it would be less of an impact because of the lower assessed value.

ENGINEER'S REPORT

Engineer Hirsh stated the Municipal Building Door quotes were over the bid threshold and he is preparing bid specifications. The Municipal Parks Grant FY2019 and Local Recreation Improvement Grant FY2022 project paving work was completed and striping and coating work would be done this week. He would be recommending partial payment. The NJDOT FY22 project pay estimate #1 was submitted and there is a minimal punch list that was awaiting completion. Engineer Hirsh was working on the FY23 NJDOT design plans, specifications and final construction cost estimated for submission to the NJDOT. He stated he was awaiting the FY2024 NJDOT award notice. He stated the FY 24 NJDOT Safe Routes to School Grant applications were due November 17th. He gave an overview of his submission.

MINUTES FOR APPROVAL

- August 17, 2023 – Regular Meeting

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			

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

2023-10 An Ordinance of the Township of North Hanover Amending the Township’s Municipal Code for Purposes of Establishing Regulations Regarding Privately Owned Salt Storage

**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.

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: Committeeman Kocubinski

MOTION TO ADOPT ORDINANCE 2023-10

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			

ORDINANCE – ADOPTION

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 other 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.

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: Committeeman Kocubinski

MOTION TO ADOPT ORDINANCE 2023-10

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			

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.

2023-125 Resolution Appointing Part-Time Police Officer

**RESOLUTION 2023-125
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

APPOINTMENT OF PART-TIME POLICE OFFICER

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:

Special Police Officer Class II ~ Nicholas W. Cacia
Effective: September 8, 2023

BE IT RESOLVED, that the above-named position will be compensated as per the Bargaining Agreement, Salary Ordinance and Salary Resolution.

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			

2023-126 Resolution Canceling Taxes

RESOLUTION 2023-126
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

RESOLUTION CANCELING TAXES

WHEREAS, the United States Department of Veteran Affairs has classified Anthony Cassidy as 100% Permanently and Totally Disabled; and

WHEREAS, by application from Jay Renwick, Tax Assessor in the Township of North Hanover, the said exemption is granted from December 31, 2022; and

WHEREAS, N.J.S.A. 54:4-3.30a – Allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute.

WHEREAS, the following taxes must be canceled and any monies paid by the owner should be refunded.

THEREFORE, BE IT RESOLVED, that the following taxes be canceled:

BLOCK 604.02 LOT 9 1st half 2023 \$3,840.36

THEREFORE, BE IT RESOLVED FURTHER, that a copy of this Resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Municipal/Regional School Board to advise them of the action taken by the Township Committee on this matter.

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			

2023-127 Resolution Canceling Taxes

RESOLUTION 2023-127
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

RESOLUTION CANCELING TAXES

WHEREAS, the United States Department of Veteran Affairs has classified Robert Joy as 100% Permanently and Totally Disabled; and

WHEREAS, by application from Jay Renwick, Tax Assessor in the Township of North Hanover, the said exemption is granted from July 10, 2023; and

BE IT RESOVLED, by the Township Committee of the Township of North Hanover that we hereby accept the resignation of Lacey Smith, as Custodian/Clerk Typist for the Township of North Hanover effective September 9, 2023.

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

1. Personnel File Lacey Smith
2. Chief Financial Officer

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

NONE

DISCUSSION

- Shamong Township Shared Service Tax Assessor COLA – Clerk Picariello noted that in accordance with the Contract the Tax Assessor would be a COLA on October 3rd.

TOWNSHIP COMMITTEE “COMMENTS”

Committeeman DeBaecke noted the new radar trailer is serving its purpose to the Police Department. He stated he was looking forward to Movie Night.

Deputy Mayor O'Donnell noted he was looking forward to the senior picnic on September 19th.

Mayor Forsyth stated the Movie Night was this Friday after 5:30 pm. He stated Fireworks would begin after the movie.

PUBLIC PARTICIPATION

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

Mayor Forsyth opened the meeting to the public. There was no public comment this evening.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Committeeman DeBaecke

Seconded By: Deputy Mayor O'Donnell

EXECUTIVE SESSION RESOLUTION

2023-130 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 2023-130
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	X		X			
Committeeman Doyle			X			
Committeeman Kocubinski		X	X			
Deputy Mayor O'Donnell			X			
Mayor Forsyth			X			

MOTION TO ADJOURN

7:23 pm

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

Respectively submitted,

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