

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
May 7, 2020, 7:00 P.M.**

VIA CONFERENCE CALL: Dial In: 1-833-247-7123; Access Code 4094175

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

FLAG SALUTE: Led by Mayor DeBaecke

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

Absent: Committeeman DeLorenzo

Also Present: Township Clerk Picariello and Township Attorney Roselli

SUNSHINE STATEMENT: “The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted by email to the Courier Post, Burlington County Times and The Trenton Times as well as given to those having requested same and posted on the Township bulletin board located in the foyer of the municipal building”.

PUBLIC COMMENT AS IT RELATES TO AGENDA ITEMS

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

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Committeeman Kocubinski

Seconded By: Deputy Mayor Doyle

REVIEW OF CORRESPONDENCE

There was no correspondence this evening.

ENGINEER’S REPORT

Clerk Picariello noted that Engineer Hirsh submitted the annual stormwater report and would be closing out the park project. She stated that the plans and spec for next phase of Schoolhouse Road were being prepared.

MINUTES FOR APPROVAL

- April 16, 2020 – Regular Meeting

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

BILLS AND CLAIMS FOR APPROVAL

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

ORDINANCE – ADOPTION

2020-05 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 2020-05
COUNTY OF BURLINGTON
TOWNSHIP OF NORTH HANOVER**

**CALENDAR YEAR 2020
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 **2.5%** 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 2020** 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 **3.5%** increase in the budget for said year, amounting to **\$26,796.69** 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 2020** 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 **\$ 93,788.42**, and that the **CY 2020** 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 Kocubinski

Seconded By: Mayor DeBaecke

MOTION TO ADOPT ORDINANCE 2020-05

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

2020-66 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 2020-66
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 DeLorenzo						X
Deputy Mayor Doyle			X			
Committeeman Kocubinski	X		X			
Committeeman O’Donnell			X			
Mayor DeBaecke		X	X			

2020-67 Resolution Authorizing Self Examination for 2020 Municipal Budget

**RESOLUTION 2020-67
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

AUTHORIZING SELF-EXAMINATION FOR 2020 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 2020 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 DeLorenzo						X
Deputy Mayor Doyle			X			
Committeeman Kocubinski	X		X			
Committeeman O'Donnell			X			
Mayor DeBaecke		X	X			

2020-68 Resolution Authorizing Budget by Title Only

RESOLUTION 2020-68

TOWNSHIP OF NORTH HANOVER

COUNTY OF BURLINGTON

AUTHORIZE READING BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 95, P.L. 2015 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection and shall be made available to each person upon request.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of North Hanover, in the County of Burlington and State of New Jersey, as follows:

1. The Township Committee, for the aforementioned reasons, hereby determines that the Budget shall be read by title only.

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

Committeeman O'Donnell asked that the following Resolutions be moved to non-consent for Discussion:

- 2020-69** *A Resolution Increasing Deferred Local School Tax*
- 2020-70** *A Resolution Increasing Deferred Regional School Tax*

2020-71 Resolution of the North Hanover Township Committee to Extend the Grace Period for Second Quarter 2020 Tax Payments to June 1, 2020 Pursuant to Executive Order 130

**RESOLUTION 2020-71
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION OF THE NORTH HANOVER TOWNSHIP
COMMITTEE TO EXTEND THE GRACE PERIOD FOR
SECOND QUARTER 2020 TAX PAYMENT TO JUNE 1,
2020 PURSUANT TO EXECUTIVE ORDER 130**

Whereas, Executive Order 130 signed by Governor Phil Murphy on April 28, 2020 authorizes the governing body of a municipality with a calendar year budget cycle to adopt a resolution instituting a grace period concluding on a date not later than June 1, 2020 for payment of second quarter property taxes; and

Whereas, Township Committee desires to extend the grace period for the payment of second quarter property taxes to June 1, 2020.

Now, Therefore, Be It Resolved, by the Township Committee of Township of North Hanover, Burlington County, New Jersey, that it does hereby authorize Mary Picariello, Tax Collector CTC, to extend the second quarter property tax grace period to June 1, 2020.

Be It Further Resolved that any second quarter tax payments received after June 1, 2020 shall accrue interest from the statutory due date of May 1, 2020; and

Be It Further Resolved that the Municipal Clerk shall notify the Director of the Division of Local Government Services in the Department of Community Affairs regarding the adoption of this resolution, not later than the third business day next following the Committee's adoption of this resolution.

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

NON-CONSENT AGENDA

Committeeman O'Donnell expressed his displeasure with deferring school tax. He noted last years deferral had a purpose to pay off a bond. He conferred with the Chief Financial Officer on this year's deferral and it was noted there was uncertainty of State Aid due to the Pandemic, it was not earmarked for operations and the CFO recommended reserving the funding in the event of a shortfall. In light of those circumstances, he would be in favor of passing the Resolutions. Mayor DeBaecke concurred with Committeeman O'Donnell and also expressed his displeasure and reiterated it would be reserve only. Committeeman Kocubinski noted if the State Aid was

not received it would be difficult to make up the differential and the staffing was already low to consider layoffs. He also noted the freezing of various property tax relief benefits.

2020-69 A Resolution Increasing Deferred Local School Tax

**RESOLUTION 2020-69
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 2019 is \$1,544,472.00; and

WHEREAS, \$1,514,188.00 of the above amount has previously been deferred, leaving an available balance of \$30,284.00 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 \$30,284.00 to the year 2019.

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

2020-70 A Resolution Increasing Deferred Regional School Tax

**RESOLUTION 2020-70
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION INCREASING DEFERRED REGIONAL 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 Northern Burlington County Regional School District tax is levied on a school year basis, and

WHEREAS, fifty percent of the school tax levy of the Northern Burlington County Regional School District levied by the Township of North Hanover in 2019 is \$1,618,903.14, and

WHEREAS, \$1,447,595.00 of the above amount has previously been deferred, leaving an available balance of \$171,308.14 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 \$171,308.14 to the year 2019.

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

2020-72 A Resolution Authorizing Final Payment in Connection with Schoolhouse Road Park Baseball/Softball Improvements

**RESOLUTION 2020-72
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**A RESOLUTION AUTHORIZING FINAL PAYMENT IN CONNECTION WITH
SCHOOLHOUSE ROAD PARK BASEBALL/SOFTBALL IMPROVEMENTS**

WHEREAS, the Township of North Hanover's Park Improvement Engineers, Environmental Resolutions Inc., has reviewed Thor Construction Group's request for final payment in the total amount of \$3,200.00, for the FY2016 Municipal Parks Grant Schoolhouse Road Park Improvements Program; 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 \$3,200.00 to Thor Construction Group.; 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 \$3,200.00 to Thor Construction Group.

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 DeLorenzo						X
Deputy Mayor Doyle		X	X			
Committeeman Kocubinski	X		X			
Committeeman O'Donnell			X			
Mayor DeBaecke			X			

DISCUSSION

- 2020 NJDMAVA Memorial Day Wreath Presentation – Clerk Picariello noted the revised ceremony at the Doyle Cemetery on May 19th. Mayor DeBaecke and Committeeman Kocubinski noted they would attend.
- 2020 North Hanover Twp. Memorial Day Celebration – The general consensus was to have a ceremony, at the Municipal Building Memorial, on May 25th. Mayor DeBaecke suggested a video and this would be explored further. Committeeman Doyle stated he would discuss with the Recreation Advisory Committee. Clerk Picariello noted she inquired with JBMDL to see if they would be having their ceremonies and was awaiting an answer. Deputy Mayor Doyle noted the concerns of the Recreation Advisory Committee regarding the baseball season. After discussion, there was a general

consensus to not begin the season, encourage fee's be held for the next season and refund when requested. Committeeman Kocubinski inquired about the NBIAA monies. Deputy Mayor Doyle stated that was being looked into. Deputy Mayor also noted there was concern over the annual sponsorship sign fees. After discussion, there was a consensus to cut the fee half as no decision has been made on fall sports. Clerk Picariello noted Twan Berben and Tony Benedetti were working on this and new hardware was purchased to better secure the signage.

2020 BUDGET INTRODUCTION

2020-73 Authorizing Introduction of the 2020 Municipal Budget

MOTION TO INTRODUCE

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

(MAYOR SETS THE PUBLIC HEARING FOR JUNE 4, 2020)

TOWNSHIP COMMITTEE "COMMENTS"

Committeeman Kocubinski stated the Governors Executive Order 130 allows us to extend the May Tax Collection to June 1st. He noted the 30 days would help some but not all. He noted this meeting was the first opportunity to take action and the Order did not allow for much time to take action. He believes it is appropriate to help where we can. Mayor DeBaecke concurred.

Mayor DeBaecke wished everyone well and hopes the virus wraps up soon. He noted the signs were promising.

PUBLIC PARTICIPATION

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

Mayor DeBaecke opened the meeting to the public.

Ms. Marsala 42 Cromwell Drive Chesterfield Township was on the conference call and inquired as to why our Police Department was not enforcing the County Engineer's stop work order to NJNG on Provinceline Road. Mayor DeBaecke noted this was not within North Hanover's jurisdiction or authority and was an issue between Monmouth County, whom issued the permit, and Burlington County. He also noted the Engineer's order was not enforceable and only a Judge's order was enforceable. He noted the Burlington County Engineer has the right to take the matter to Court and it was a civil matter between two Counties. He also stated the Police Department was only there for the safety of the traveling public. Ms. Marsala noted she did not agree. Attorney Roselli noted it was pretty simple the order was not directed to North Hanover and the Police have no authority to enforce anything from the County Engineer.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Deputy Mayor Doyle
 Seconded By: Committeeman Kocubinski

EXECUTIVE SESSION RESOLUTION

2020-74 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; Personnel, Contract Negotiation and Litigation matters

**RESOLUTION 2020-74
 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

