

NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
October 15, 2020, 7:00 P.M.

VIA CONFERENCE CALL: Dial In: 1-833-247-7123; Access Code 4094175
OR
IN PERSON LIMITED TO THE FIRST 13 REGISTERED
TO REGISTER EMAIL: CLERK@NORTHHANOVERTWP.COM

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 Forsyth
Committeeman Kocubinski
Committeeman O'Donnell

Absent: None

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: Deputy Mayor Doyle
Seconded By: Committeeman O'Donnell

REVIEW OF CORRESPONDENCE

There was no correspondence this evening.

ENGINEER'S REPORT

Engineer Hirsh reported that the preconstruction meeting for the 2020 NJDOT project was scheduled for October 20th. He noted he received one quote for the Sykesville Road drainage work and was requesting pricing for the Hanover Drive manhole. He stated he spoke with Upper Freehold and the clerk would be looking at the agreement. He noted he measured the right of way and it is part of the agreement.

DEPARTMENT REPORTS FOR SEPTEMBER 2020

- a. Tax Collector
- b. Construction, Zoning & Mobile Homes
- c. North Hanover Courts
- d. Jacobstown Volunteer Fire Company
- e. Police Department

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

MINUTES FOR APPROVAL

- October 1, 2020 – Regular Meeting

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

BILLS AND CLAIMS FOR APPROVAL

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

- 2020-117 Resolution Authorizing the Municipal Clerk to Execute and Distribute Mercantile Applications and Licenses for 2021

**RESOLUTION 2020-117
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO EXECUTE AND
DISTRIBUTE MERCANTILE APPLICATIONS AND LICENSES FOR 2021**

WHEREAS, pursuant to North Hanover Township Municipal Code Chapter 4:030 each business must obtain an annual license of which expires December 31st of the licensing year; and

WHEREAS, the Municipal Clerk is tasked with the maintenance, distribution and execution of all such business licenses for North Hanover Township pursuant to the provisions of Chapter 4:030 of the Municipal Code of North Hanover Township and with the consent of the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover that it hereby authorizes the Municipal Clerk to distribute the annual Mercantile License Applications and to then execute them based upon the provisions as set forth in Chapter 4:030 of the Municipal Code of North Hanover Township.

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

- 2020-118 Resolution of the Township of North Hanover Regarding Emergency Remote Meeting Protocol, Procedures and Requirements for Public Participation at Remote Meetings

**RESOLUTION 2020-118
TOWNSHIP OF NORTH HANOVER
BURLINGTON COUNTY**

**RESOLUTION OF THE TOWNSHIP OF NORTH HANOVER REGARDING
EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND
REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS**

WHEREAS, the purpose of N.J.A.C. 5:39-1 et seq, Emergency Remote Meeting Protocol for Local Public Bodies, is to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public; and

WHEREAS, a “Declared Emergency” means a public health emergency pursuant to the Health Powers Act (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

WHEREAS, if during a declared emergency the Township of North Hanover (the “Township”) holds a physical meeting in a location where, pursuant to State/Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting, the Township Committee shall either:

- 1) Hold the public meeting at another location with adequate capacity for the reasonable expected attendance by the public; or
- 2) Hold the public meeting as both an in-person and a remote public meeting; and

WHEREAS, no in person meeting shall proceed if the room capacity does not permit any member of the public to attend; and

WHEREAS, a public meeting held in person shall not prohibit members of the public from attending in person; and

WHEREAS, pursuant to N.J.A.C. 5:39-1, if the Township holds a remote meeting to conduct public business they shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the public body for the type of public meeting being held and shall, at minimum, not be limited to fewer than 50 public participants (beyond those persons required to conduct business at the meeting); and

WHEREAS, remote public meetings may be held by the Township in a format as selected by the governing body, by means including but not limited to, audio-only teleconferencing and shall, additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment; and

WHEREAS, when the Township holds a remote public meeting, they shall allow members of the public to make public comment by audio; and

WHEREAS, any remote public meeting where sworn testimony is being taken shall be broadcast by audio and all individuals giving sworn testimony shall appear, at a minimum by audio; and

WHEREAS, any presentation or documents that would otherwise be viewed or made available to members of the public physically attending a local public meeting shall be made available on the internet website of the Township; and

WHEREAS, in addition to making public comments at any remote public meeting, the Township Committee, in advance of the remote meeting shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form by a reasonable deadline as shall be established and posted on the website in advance of the remote public meeting; and

WHEREAS, public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and

WHEREAS, a reasonable time limit shall be placed on the reading of written comments, which shall be read from their beginning until the time limit is reached; and

WHEREAS, written comments will not be read aloud for any member of the public that submits a written comment in advance of the Committee meeting, who then elects to speak during public comment portion of the meeting; and

WHEREAS, the electronic communications used for a remote public meeting may have a function that allows the Township to mute the audio of all members of the public as well as allow members of the public to mute themselves and same shall be announced at the beginning of every remote public session; and

WHEREAS, adequate notice of the remote public meeting shall also include, in addition to the OPMA requirements of N.J.S.A. 10: 4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on their internet website; and

WHEREAS, at the commencement of a remote public meeting the Mayor, or the Mayor's designee, shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason or reasons it was not adequately provided as set forth in N.J.A.C. 5:39-1.5(g); and

WHEREAS, prior to the commencement of a remote public meeting the Township Committee shall make a copy of the agenda available to the public for download on the website and shall post same at the building where the meeting would otherwise be held, including posting of same at any designated and clearly delineated handicap access entrance to the building; and

WHEREAS, in support of and respect for an open, fair, and informed decision-making process, the Township Committee recognizes that civil, respectful, and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

WHEREAS, in an effort to preserve the intent of open government and maintain a positive environment for citizen input and Township Committee decision making, it has been decided that policies and rules should be established to promote civility and maintain decorum at local public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h); and

WHEREAS, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Mayor, or Mayor's designee, shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

WHEREAS, disruptive conduct at a public or remote public meeting includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity; and

WHEREAS, any member of the public who continues to act in a disruptive manner at a remote public meeting after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and

WHEREAS, if time permits, the disruptive individual may be allowed to speak after all other members of the public have been given the opportunity to make comment and, if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting; and

WHEREAS, the content of the electronic notice shall be posted in the area of the Municipal Building where the public would routinely attend public meetings of the local public body in person and the notice must be viewable from the outside; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover that the standards and procedures for emergency remote meeting protocol as set forth in this resolution and as codified in N.J.A.C. 5:39-1 et seq. are hereby established and adopted; and

BE IT FURTHER RESOLVED that procedures and requirements for public participation are hereby established and adopted in order to safeguard public participation in any public or

remote public meetings in the Township of North Hanover and shall apply to all members of the public in attendance at any public or remote public meeting in the Township of North Hanover.

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

NON-CONSENT AGENDA

There were no items this evening.

DISCUSSION

There were no items for discussion.

TOWNSHIP COMMITTEE "COMMENTS"

Committeeman Forsyth stated he spoke with the owners of the property, for the proposed snow fencing. He stated they are willing to sign an agreement. He noted he would be picking up snow fencing shortly.

Mayor DeBaecke stated Clean-Up day was a success. There was a lot of dumpsters filled.

PUBLIC PARTICIPATION

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

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

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Mayor DeBaecke

Seconded By: Committeeman O'Donnell

EXECUTIVE SESSION RESOLUTION

2020-119 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 JVFC Potential Litigation, Contract Matters, Personnel Matters and Litigation matters

**RESOLUTION 2020-119
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 JVFC Potential Litigation, 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
Deputy Mayor Doyle			X			
Committeeman Forsyth		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeBaecke			X			

BACK TO PUBLIC SESSION

MOTION TO ADJOURN

7:21 pm

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

Respectively submitted,

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

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