NORTH HANOVER TOWNSHIP TOWNSHIP COMMITTEE MEETING MINUTES April 01, 2021, 7:00 P.M.

VIA CONFERENCE CALL: Dial In: 1-855-774-8852; Access Code 7589919790

OR

IN PERSON LIMITED TO THE FIRST 13 REGISTERED TO REGISTER EMAIL: CLERK@NORTHHANOVERTWP.COM

<u>CALL TO ORDER</u> Mayor Doyle called the meeting to order at 7:00 p.m.

FLAG SALUTE: Led by Mayor Doyle

ROLL CALL: Mayor Doyle

Deputy Mayor DeBaecke Committeeman Forsyth Committeeman Kocubinski

Absent: Committeeman O'Donnell

Also Present: Township Clerk Picariello

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

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Deputy Mayor DeBaecke Seconded By: Committeeman Forsyth

REVIEW OF CORRESPONDENCE

• 2020 Safety Incentive Program Award – Clerk Picariello noted that due to North Hanover Township's performance in the program, there was an award of \$2,900.00. She thanked the employees for their participation.

ENGINEER'S REPORT

Engineer Hirsh was not present this evening.

MINUTES FOR APPROVAL

• March 18, 2021 – Regular Meeting

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

• March 18, 2021 – Executive Session

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

BILLS AND CLAIMS FOR APPROVAL

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

ORDINANCE - INTRODUCTION

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 2021-01 COUNTY OF BURLINGTON TOWNSHIP OF NORTH HANOVER

CALENDAR YEAR 2021 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 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 1.0% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of North Hanover in the County of Burlington finds it advisable and necessary to increase its CY 2021 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 **2.5%** increase in the budget for said year, amounting to **\$68,146.45** 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 2021** 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 **§ 95,405.03**, and that the **CY 2021** 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.

MOTION TO INTRODUCE

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

MAYOR SET PUBLIC HEARING FOR APRIL 15, 2021 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.

2021-52 Resolution Authorizing Approval of Fire Company Members Enrollment into New Jersey State Fireman's Association

RESOLUTION 2021-52 TOWNSHIP OF NORTH HANOVER COUNTY OF BURLINGTON

RESOLUTION AUTHORIZING APPROVAL OF A FIRE COMPANY MEMBERS ENROLLMENT INTO NJ STATE FIREMEN'S ASSOCIATION

BE IT RESOVLED, by the Township Committee of the Township of North Hanover that we hereby approve and authorize the following Fire Company members to enroll in the New Jersey State Firemen's Association:

Ethan Wood Anthony Kouts Thomas Jones Jr.

BE IT FURTHER RESOLVED that the Township Committee hereby authorized the Township Clerk to certify said membership applications.

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

1. Fire Chief

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

2021-53 Resolution Approving Blue Light Permit Application

RESOLUTION 2021-53 TOWNSHIP OF NORTH HANOVER COUNTY OF BURLINGTON

APPROVAL OF BLUE LIGHT PERMIT APPLICATION

WHEREAS, pursuant to N.J.A.C. 13:24-5 ET Seq. an applicant for permit authorizing the use of blue emergency warning lights may be considered eligible only if the applicant is an active member in good standing of a volunteer fire company, first aid or rescue squad, or a county or municipal Office of Emergency Management volunteer whose official duties include responding to a fire or emergency call; and

WHEREAS, Anthony Kouts has met the qualification for a Blue Light Permit and it is the recommendation of the Fire Chief to approve this applicant for a Blue Light Permit.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of North Hanover, County of Burlington, that in accordance with N.J.A.C. 13:24 et.

seq. it hereby approves Anthony Kouts for a Blue Light Permit and hereby authorizes the Mayor to execute the Blue Light Permit Application.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the

Jacobstown Volunteer Fire Department Chief.

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

2021-54 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 2021-54 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 <u>N.J.S.A.</u> 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
Deputy Mayor DeBaecke	X		X			
Committeeman Forsyth		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell						X
Mayor Doyle			X			

2021-55 Resolution Authorizing Self Examination for 2021 Municipal Budget

RESOLUTION 2021-55

TOWNSHIP OF NORTH HANOVER COUNTY OF BURLINGTON

AUTHORIZING SELF-EXAMINATION FOR 2021 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 2021 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.

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

2021-56 Resolution Authorizing Budget by Title Only

RESOLUTION 2021-56

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

2021-57 A Resolution Increasing Deferred Local School Tax

RESOLUTION 2021 -57 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 *2020* is *\$ 1,575,362.00*; and

WHEREAS, \$ 1,544,472.00 of the above amount has previously been deferred, leaving an available balance of \$ 30,890.00 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 \$30,890.00 for the year 2020.

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

NON-CONSENT AGENDA

Resolution Accepting the Proposal from Environmental Resolutions Inc.
Engineers for FY 2021 NJDOT Schoolhouse Road Improvements Projects Phase

RESOLUTION 2021-58 TOWNSHIP OF NORTH HANOVER COUNTY OF BURLINGTON

RESOLUTION ACCEPTING THE PROPOSAL FROM ENVIRONMENTAL RESOLUTIONS INC. ENGINEERS FOR FY2021 NJDOT SCHOOLHOUSE ROAD IMPROVEMENTS PHASE III

WHERAS, Environmental Resolutions Inc. has submitted a proposal dated March 25, 2021 for engineering services for the FY 2021 NJDOT Schoolhouse Road Improvements Phase III; and

WHEREAS, it is the desire of the Township Committee to accept the proposal from Environmental Resolutions Inc. Engineers for FY2021 NJDOT Schoolhouse Road Improvements Phase III, in an amount not to exceed \$23,000.00; and

WHERAS, funds are available to accept said proposal, as evidenced by the attached Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED, by the Township of North Hanover that it does hereby accept the proposal from Environmental Resolutions Inc. Engineers, in an amount not to exceed \$23,000.00 to provide engineering services for the FY2021 NJDOT Schoolhouse Road Improvement Project Phase III—Base Plan, Bid Documents and Construction Services.

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

2021-58-A Resolution Approving Settlement of Litigation Matter SIMMONS V. MARY PICARIELLO ETAL., DOCKET NO. L-310-21

RESOLUTION 2021-58A TOWNSHIP OF NORTH HANOVER COUNTY OF BURLINGTON

APPROVING SETTLEMENT OF LITIGATION MATTER SIMMONS V. MARY PICAREILLO ET Al., DOCKET NO. L-310-21

WHEREAS, an Order to Show Cause and Verified Complaint were filed on February 12, 2021 by plaintiffs Delores O. Simmons and Obafemi O. Simmons in the matter entitled *Delores O. Simmons Obafemi Simmons v. Mary Picariello North Hanover Township Police Department North Hanover Township,* filed in the Superior Court of New Jersey, Burlington County, Docket No. L-310-21 (hereinafter the "Litigation"); and

WHEREAS, the Litigation was based on plaintiffs' allegation that the Township defendants failed to comply with certain provisions of the Open Public Records Act ("OPRA") and common law right of access; and

WHEREAS, the Township denies that it violated any OPRA requirements or the common law right of access or otherwise did anything improper; and

WHEREAS, upon advice of Counsel, it was determined to be in the best interest of the Township to amicably resolve the Litigation for the sum of \$1000 rather than continuing to defend the Litigation as it would be significantly more cost efficient to the Township.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington County, State of New Jersey that is does hereby approve settlement of the litigation matter entitled *Delores O. Simmons Obafemi Simmons v. Mary Picariello North Hanover Township Police Department North Hanover Township*, filed in the Superior Court of New Jersey, Burlington County, Docket No. L-310-21 for payment of the sum of \$1000.

BE IT FURTHER RESOLVED that the Township Attorney, Township staff and Township Officials, be and are hereby authorized to take all necessary actions to effectuate the terms and conditions of this settlement.

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

DISCUSSION

There were no items this evening.

2021 BUDGET INTRODUCTION

Mayor Doyle expressed appreciation for everyone's hard work and time in crafting the budget. He thanked Committeeman O'Donnell for his hard work on the EMS issues. He thanked Committeeman Forsyth for his work with the Public Works Department. He thanked Committeeman Kocubinski for his wealth of knowledge and mentoring during the budget process. He thanked Deputy Mayor DeBaecke for his particular attention to the budget process and fulfilling the need of balancing the budget. He also thanked the Township Employees for their stewardship of the funding.

2021-59 Authorizing Introduction of the 2021 Municipal Budget

MOTION TO INTRODUCE

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

(MAYOR SETS THE PUBLIC HEARING FOR MAY 6, 2021)

TOWNSHIP COMMITTEE "COMMENTS"

Committeeman Kocubinski thanked the Mayor for his kind comments. He noted the local purpose tax was difficult this year due to the EMS funding issue. He also noted that within Burlington County, North Hanover has one of the lowest tax rates in the County. He noted it was a testimate to the hard work.

Committeeman Forsyth thanked the Mayor for his kind words.

Deputy Mayor DeBaecke thanked the Mayor for his compliment and noted it was group effort. He noted he was not pleased with the small tax increase and stated if not for the EMS issue, there would have been none.

Mayor Doyle noted the Committee and Employees all work well as a team and he was proud to be a member of it. He stated the Easter Egg Hunt is this Saturday with 200 children signed up. He noted COVID-19 restrictions were in place. He stated the Baseball season was moving along. He noted we were working hard to get back to normal since the Pandemic began. Mayor Doyle expressed appreciation for Joe Greene for his hard work in managing the Finances.

PUBLIC PARTICIPATION

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

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

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Deputy Mayor DeBaecke Seconded By: Committeeman Forsyth

EXECUTIVE SESSION RESOLUTION

2021 60 Authorizing a Closed Sessi

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; Police Department Personnel Matter, Contract Matters, Personnel Matters and Litigation matters

RESOLUTION 2021-60 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 Police Department 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
Deputy Mayor DeBaecke	X		X			
Committeeman Forsyth		X	X			
Committeeman Kocubinski			X			
Committeeman O'Donnell						X
Mayor Doyle			X			

MOTION TO ADJOURN TO ENTER INTO EXECUTIVE SESSION

Proposed By: Deputy Mayor DeBaecke Seconded By: Committeeman Forsyth

Respectively submitted,

7:22 pm

Mary Picariello, RMC/CMR/CTC Township Clerk