

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Tuesday, March 3, 2009 at 7:00 P.M. in the Municipal Building, 411 Ridgedale Avenue, East Hanover, New Jersey.

The Deputy Clerk called the meeting to order.

Present: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

Also Present: Administrator C. Richard Paduch, Township Attorney Matthew O'Donnell, and Township Engineer James Giurintano

The Mayor led the Pledge of Allegiance and Councilman DeRosa gave the Invocation.

Mayor Pannullo read the Public Announcement in which he stated that the meeting had been advertised, the press notified, and the notice posted on the bulletin board in the Municipal Building.

Adoption of **January 20, 2009** Minutes:

Motion by Councilman DeRosa, seconded by Councilman Tedesco to adopt said minutes.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

**OATH OF OFFICE: Police Officer Michael Rohlf**

The Mayor swore in new Police Officer Michael Rohlf. Chief Hansen, fellow officers, and family members were present to offer their support and congratulations.

**PROCLAMATION: American Red Cross Month**

The Mayor read the proclamation declaring the month of March 2009 as *American Red Cross Month*. Christy Hodde, Executive Director of Colonial Crossroads Chapter servicing East Hanover, announced that there would be an annual blood drive on March 22<sup>nd</sup> at St. Rose of Lima. She urged the citizens of the community to participate because of an acute shortage of blood in New Jersey.

**OLD BUSINESS:**

**Public Hearing: Ordinance No. 2-2009 - Authorize the Execution or Acknowledgement and Delivery of Certain Agreements in Connection with the Morris County Improvement Authority's 2009 County Guaranteed Leasing Program**

The Deputy Clerk announced that she had Ordinance No. 2-2009, entitled "*ORDINANCE OF THE TOWNSHIP OF EAST HANOVER, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE EXECUTION OR ACKNOWLEDGEMENT AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION WITH THE MORRIS COUNTY IMPROVEMENT AUTHORITY'S 2009 COUNTY GUARANTEED LEASING PROGRAM.*"

The Mayor stated they would now hold a public hearing on Ordinance No. 2-2009

Bob Furlong, 16 Castle Ridge Drive, asked for an overview of the ordinance, which was given by the Administrator.

Motion by Councilman DeRosa, seconded by Council President Jandoli that the public hearing be closed.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

Motion by Councilman DeRosa, seconded by Council President Jandoli that Ordinance No. 2-2009 be adopted on second and final reading.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

The Mayor advised that Ordinance No. 2-2009 has been duly adopted and a notice of same shall be published according to law.

**Public Hearing: Ordinance No. 3-2009 - Amend Chapter 79 (Fees and Licenses)**

The Deputy Clerk announced that she had Ordinance No. 3-2009, entitled "*AN ORDINANCE AMENDING CHAPTER 79 OF THE CODE OF THE TOWNSHIP OF EAST HANOVER (FEES AND LICENSES).*"

The Mayor stated they would now hold a public hearing on Ordinance No. 3-2009

The following individuals commented:

- Barbara Keating, 13 Barnida Drive
- Emil Maccario, 148 Overlook Avenue

Council President Jandoli voiced her concerns and, therefore, recommended that the ordinance be revised to incorporate more clarifying points for residents and developers.

Motion by Council President Jandoli, seconded by Councilman Jocher to **continue** the public hearing on April 7, 2009.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

**Public Hearing: Ordinance No. 4-2009 - Amend Chapter 129A  
(Special Improvement District)**

The Deputy Clerk announced that she had Ordinance No. 4-2009, entitled "*AN ORDINANCE AMENDING CHAPTER 129A OF THE CODE OF THE TOWNSHIP OF EAST HANOVER (SPECIAL IMPROVEMENT DISTRICT).*"

The Mayor stated they would now hold a public hearing on Ordinance No. 4-2009.

Motion by Councilman DeRosa, seconded by Councilman Tedesco that the public hearing be closed.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

Motion by Council President Jandoli, seconded by Councilman DeRosa that Ordinance No. 4-2009 be adopted on second and final reading.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

The Mayor advised that Ordinance No. 4-2009 has been duly adopted and a notice of same shall be published according to law.

**PUBLIC INPUT:**

1. Lois Sullivan, 4 Courter Lane, asked for a copy of the Township Engineer's report in connection with the request of the

property owners on Courter Lane for the Township to assume ownership of the road.

2. Bob Furlong, 16 Castle Ridge Drive, voiced safety concerns regarding pedestrians walking in the street on DeForest Avenue and River Road. He also commented on traffic control by Police Officers.

3. Barbara Flowers, President of the First Aid Squad, questioned the two resolutions on the agenda pertaining to emergency medical services.

The Administrator explained that Resolution No. 26-2009 was for a 90-day trial period, and Resolution No. 23-2009 was for long-term service in the event that the Squad was unable to provide daytime coverage.

Ms. Flowers was of the understanding that after the ninety days, they would meet again to discuss other options. She was displeased that the Squad was not aware of the Council's intent to proceed with long-term services.

Councilman Jocher, as liaison to the First Aid Squad, first stressed that the Council was united to ensure that the residents of the community were protected. He further said that meetings were held with the Squad in an effort to discuss solutions for alternative coverage because it was extremely challenging to recruit volunteers. Councilman Jocher indicated that mutual aid coverage was also difficult since surrounding municipalities were experiencing the same problem. He pointed out that Atlantic Ambulance was being utilized at this time for backup daytime coverage.

Mayor Pannullo clearly stated for the record that the First Aid Squad was a vital part of the community and has always done a superb job. The Mayor said that the Council has a responsibility to every resident to ensure that services were provided without delay. Because of the lack of volunteers for many years, the situation was now at the critical point. A lengthy discussion ensued.

The following individuals commented:

- Emil Maccario, Trustee of First Aid Squad
- Brian Grawehr, Police Officer
- John Comprilli, First Aid Squad Member
- Marie Percell, President of Senior Citizens Club

Kristina Handley and Mike Pizzano, representatives of Atlantic Ambulance, provided information pertaining to their services and addressed any questions or concerns from the public. A primary concern raised by the senior citizens in attendance was the cost, since they felt they would mostly be in need of the emergency services. In order to alleviate their concerns, the Mayor announced that a meeting would be arranged with the representatives at the Senior Citizens building.

Motion by Councilman DeRosa, seconded by Councilman Jocher to close the public input.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

The Mayor called for a recess at 8:50 P.M. The meeting reconvened at 9:05 P.M.

Present: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

**COUNCIL INPUT:**

Councilman Tedesco gave a Recreation Department report and commented on PTA Casino Night. He thanked the First Aid Squad for their attendance. Councilman Tedesco announced that another sanitation company, USA Sanitation, would also be servicing the community.

Councilman Jocher likewise thanked the Squad and applauded them for their dedicated service to the community. He appealed to the public to volunteer. Councilman Jocher also commented on the proposed budget.

Councilman DeRosa gave a monthly Police Department report. He thanked the Squad, Atlantic Ambulance, and the public for their helpful input. He acknowledged five local wrestlers that were in the state finals. As liaison, Councilman DeRosa gave updates of the Office of Emergency Management under the new direction of John Centanni; and also the Hanover Park High School Safety Committee.

Council President Jandoli gave a Senior Citizens Club report as well as a Special Improvement District update. She was pleased to announce that the Farmers Market would be held again this summer. Council President Jandoli informed that there were two meetings held in connection with the power lines.

In this regard, the Attorney reported on a pre-conference meeting he attended before the Board of Public Utilities in attendance with the municipalities also fighting this cause. She wished the Hanover Park High School girls' basketball team good luck in the state tournament. Lastly, she recognized Paula Massaro, Deputy Clerk for her twenty-five years of service.

Mayor Pannullo also acknowledged Lucille Ford, Court Administrator for her twenty-five years of service. The Mayor commented on the proposed budget. The Council was in agreement to schedule a budget work session for Monday, March 16<sup>th</sup> at 7:00 P.M.

The Mayor again emphasized to the First Aid Squad that they were a very valuable asset to the community and not one Council member was trying to harm or abolish the Squad, but merely trying to offer support.

**CONSENT AGENDA:**

Matters listed within the Consent Agenda have been referred to members of the Township Council for reading and study, are considered to be routine, and will be enacted by one motion of the Township Council with no separate discussion. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action and placed on the regular agenda under new business.

Motion by Councilman Tedesco, seconded by Councilman DeRosa to remove Resolution No. 15, 16, 17, 17a, 23, and 26-2009.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

- 12 -2009 - Resolutions Re: Professional Services Contracts:
- 12a-2009 - Engineering Services/Birdsall Services
- 12b-2009 - Auditing Services/Steven D. Wielkocz
- 12c-2009 - Bond Counsel/Glenn F. Scotland, Esq.
- 12d-2009 - Legal Services/Matthew J. O'Donnell, Esq.
- 12e-2009 - Real Estate Appraisal Services/Robert McNerney
- 12f-2009 - Professional Planning Services/Louis R. Slaby
- 12g-2009 - Specialized Legal Services/Ramon E. Rivera, Esq.
- 12h-2009 - Water/Sewer Engineering Services/Malcolm Pirnie, Inc.
- 18a-2009 - Resolution Re: RL:1374 - St. Rose of Lima Church
- 18b-2009 - Resolution Re: RL:1375 - Tip Off Club HPHS
- 18c-2009 - Resolution Re: RL:1376 - BPOE #1405 Boonton
- 18d-2009 - Resolution Re: RL:1377 - Parsippany HS Band Booster

- 18e-2009 - Resolution Re: RL:1378 - Parsippany HS Band Booster
- 18f-2009 - Resolution Re: RL:1379 - Parsippany HS Band Booster
- 19 -2009 - Resolution Re: Emergency Temporary Appropriations
- 20 -2009 - Resolution Re: Transfer of Funds
- 21 -2009 - Resolution Re: Restated Deferred Compensation Plan
- 22 -2009 - Resolution Re: Acquisition of (4) Police Vehicles
- 24 -2009 - Resolution Re: Approve Collective Bargaining Agreement with Police Chief Stanley J. Hansen

Motion by Council President Jandoli, seconded by Councilman Jocher to adopt the foregoing resolutions.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

- 15 -2009 - Resolution Re: Place-to-Place Liquor License Transfer (Reduction of Premises) by Brinker New Jersey, Inc.
- 16 -2009 - Resolution Re: Person-to-Person & Place-to-Place Transfer of Copa Lounge t/a Ed Rillo's Liquor License to Mac Acquisition, LLC t/a Romano's Macaroni Grill
- 17 -2009 - Resolution Re: Cancel 2008/2009 Taxes (Herman & Phyllis Marmon)
- 17a-2009 - Resolution Re: Cancel Taxes (State of NJ)

Councilman DeRosa raised questions in regard to the above resolutions.

Motion by Councilman DeRosa, seconded by Councilman Jocher to adopt said resolutions.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

**23 -2009 - Resolution Re: Provision of Emergency Medical Services (Long Term)**

Motion by Councilman Jocher, seconded by Councilman DeRosa to adopt said resolution.

Ayes: Councilmen Jocher, DeRosa, and Mayor Pannullo

Nays: Councilman Tedesco and Council President Jandoli

**26 -2009 - Resolution Re: Authorize an Emergency Contract to Provide Basic Life Support Services (Short Term)**

Motion by Councilman DeRosa, seconded by Council President Jandoli to adopt said resolution.

Ayes: Councilmen Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

Nays: Councilman Tedesco

Councilman Jocher stated for the record that he voted yes with clarification that this would not move forward until the Council reviewed and approved the contract with the First Aid Squad in agreement.

**COMMUNICATIONS & DISCUSSION ITEMS:**

• **Administrator's Memo Re: COAH Certification**

The memo was self-explanatory pertaining to the Township's petition for substantive certification. The Mayor indicated his desire to revive the senior citizens ad hoc committee that was established several years ago to basically give input for senior housing. However, he clearly stated that there was no plan at the present time, nor were there funds available in the proposed budget.

• **Administrator's Memo Re: Street Vacation Request**

The Council was in agreement that no action would be taken with the request at this time.

• **Letter from Ana Garcia & Jose Dominguez Re: Columns Built on Township Property**

The Township Engineer briefed the Council in this matter. Mr. Giurintano stated for the record that essentially "an improvement had been constructed by a private entity within a municipal right of way, the Council has acknowledged it, and the property owner would take all liabilities associated with the construction of the pillars including the demolition in the event that an improvement needed to be constructed within the general area."

Motion by Councilman Jocher, seconded by Councilman DeRosa to approve the request in accordance with the Township Engineer's statement.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

Council President Jandoli brought up the matter of real estate sign permits. She conveyed the concerns of local realtors that operate in the community. Basically, the primary complaint was a weekly permit fee and paperwork required prior to an open house. Council President Jandoli requested that the sign ordinance be reviewed and recommended the Council's consideration for an annual permit fee for realtors. The Mayor directed the Administrator to research the ordinance.

Councilman DeRosa brought up another issue involving an ordinance. He felt that the Council should reach a decision in the matter of a boat that had been stored for many years on residential property at 2A Fay Drive. Following a brief discussion, the Council was in agreement to amend the ordinance to incorporate an appeal process, which would be decided on a case by case.

**Introduction: Ordinance No. 5-2009 - Vacate and Extinguish Any and All Public Right In and To Melrose Road and Portion of Kahl Road**

The Deputy Clerk announced that she had Ordinance No. 5-2009, entitled "*AN ORDINANCE VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHT IN AND TO MELROSE ROAD AND A PORTION OF KAHL ROAD.*"

Motion by Councilman DeRosa, seconded by Council President Jandoli that Ordinance No. 5-2009 be introduced by title, adopted on first reading, placed on file in the Clerk's office, and set down for public hearing on April 7, 2009.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

The Mayor stated the ordinance would be published according to law.

**25-2009 - Resolution Re: Closed Session**

No Closed Session was held.

**PAYMENT OF BILLS:**

Motion by Councilman DeRosa, seconded by Councilman Jocher to pay bills in the amount of \$4,785,955.77.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

**ADJOURNMENT:**

Motion by Councilman Tedesco, seconded by Council President Jandoli to adjourn meeting.

Ayes: Councilmen Tedesco, Jocher, DeRosa, Council President Jandoli, and Mayor Pannullo

The meeting adjourned at 10:30 P.M.

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PAULA A. MASSARO  
Deputy Township Clerk

We attest these minutes to be true and correct:

\_\_\_\_\_ MAYOR PANNULLO

\_\_\_\_\_ COUNCIL PRESIDENT JANDOLI

\_\_\_\_\_ COUNCILMAN DEROSA

\_\_\_\_\_ COUNCILMAN JOCHER

\_\_\_\_\_ COUNCILMAN TEDESCO