

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Monday, April 12, 2010 at 7:00 P.M. in the Municipal Building, 411 Ridgedale Avenue, East Hanover, New Jersey.

The Mayor called the meeting to order.

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

Also Present: Administrator Joseph Tempesta, Jr., Chief Financial Officer Kenneth Huelbig, Township Attorney Matthew O'Donnell, Auditor Steven Wielkocz, and Township Clerk Paula Massaro

The Mayor led the Pledge of Allegiance and Councilwoman Jandoli 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 **March 1, 2010** Minutes:

Motion by Council President DeRosa, seconded by Councilwoman Jandoli to adopt said minutes.

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

PRESENTATION: Jeffrey Canfora ~ State Wrestling Finals

Mayor Pannullo presented an Award of Achievement to local resident Jeffrey Canfora for his outstanding career accomplishments, which earned him *Morris County's Wrestler of the Year*.

PROCLAMATION: EH Knights of Columbus Council No. 6504

The Mayor read the proclamation declaring April 22 through April 25, 2010 as *God's Special People Days* and urged all citizens to donate to this charitable endeavor.

PUBLIC HEARING: 2010 Municipal Budget

The Administrator first gave a brief overview of the budget process. Mr. Tempesta specifically pointed out that since the budget was introduced last month, the state cut \$448,000 from the Township of Energy Receipts Tax. Thus, he recommended that the Council postpone adoption of the budget until the state budget was adopted.

The Administrator further stated that \$140,000 was cut from departmental operating expenses and \$130,000 was saved through attrition of personnel. The major appropriation increases were salaries, health benefits, library funding, and pensions.

The Mayor announced that now was the time for public hearing on the budget.

Mario Accumanno, 44 Cutter Drive, voiced ongoing concerns in regard to Library funding. He first commented about the Administrator stating that the Library would be receiving an additional \$100,000 from the Township this year as well as receiving \$300,000 extra every year above and beyond their budget. He indicated that the sum of \$400,000 was what the state was cutting from the Township. Mr. Accumanno also pointed out that the Library would have \$1.3 million in surplus by the end of the year. He was firm in his belief that a change in the Library's status should be considered and requested the Council's consideration for a voter referendum to change the way the Library was funded.

The Administrator briefly explained two ways by which a Library was funded; a Free Public Library under the auspices of formulas set by the state that the Township has had for many years, or an Association Library in which a budget was set by the Library Board in collaboration with the Mayor and Council. Mr. Tempesta further explained that in order to change the Library's status a percentage of registered voters must submit a petition to the Council in favor of a referendum, or the majority of the Council would have the power to put a referendum on the ballot.

The Attorney was directed to look into the legality of changing the library and provide a report at the next meeting.

Councilman Tedesco entertained a motion, which was seconded by Councilwoman Jandoli to have a referendum on the ballot in the general election.

Prior to roll call, both the Mayor and Councilwoman Jandoli clearly stated for the record that essentially the main concern was with the Library's surplus of \$1.3 million.

The Mayor announced that he would open public input just on the Library matter. The following individuals commented:

1. Pete LaGreca, 21 Ivy Court
2. Al Farese, 53 Surrey Lane
3. Joe Musso, 520 Ridgedale Avenue
4. Monica Scott, part-time Library employee

Motion by Council President DeRosa, seconded by Councilman Tedesco to close the public input on the Library.

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

The Mayor announced that there was a motion and second on the floor and asked for a roll call in favor of a Library referendum.

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

At this time, Mayor Pannullo asked if anyone would like to speak on the budget. The following individuals commented:

1. Joe Musso, 520 Ridgedale Avenue
2. Martin McMahan, 1 Timber Hill Drive
3. Joe Schalkoff, 10 Rohn Street

Auditor Steven Wielkocz stated that no action would be taken on the budget pending the evolution of the state budget and the evolution of the Township's cut in state aid, and the budget would be carried until such time that they had final numbers from the state.

Because of a large number of Township employees in attendance, the Mayor and Council emphasized that there would be no layoffs, no cuts in services, and all employee contracts would be honored.

Motion by Councilwoman Jandoli, seconded by Councilman Tedesco to close the public hearing on the budget.

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

OLD BUSINESS:

Public Hearing: Ordinance No. 1-2010 - Amend, Revise and Supplement Chapter 79 (Fees & Permits)

The Clerk announced that she had Ordinance No. 1-2010, entitled "AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 79 OF THE CODE OF THE TOWNSHIP OF EAST HANOVER (FEES AND PERMITS)."

The Mayor stated they would now hold a public hearing on Ordinance No. 1-2010.

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

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

Motion by Council President DeRosa, seconded by Councilwoman Jandoli that Ordinance No. 1-2010 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 1-2010 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: Ordinance No. 2-2010 - Exceed Municipal Budget Appropriation Limits and Establish a Cap Bank

The Clerk announced that she had Ordinance No. 2-2010, entitled "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2010."

The Mayor stated they would now hold a public hearing on Ordinance No. 2-2010.

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

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

Motion by Council President DeRosa, seconded by Councilwoman Jandoli that Ordinance No. 2-2010 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 2-2010 has been duly adopted and a notice of same shall be published according to law.

PUBLIC INPUT:

Al Farese, 53 Surrey Lane, requested an update regarding the assessment fee in connection with the Parsippany sewer plant. The Administrator informed that pertinent information was pending from Parsippany before any action would be taken in this matter.

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

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

COUNCIL INPUT:

Councilman Jocher recognized the Township's emergency departments for an outstanding job during the recent storm. He also advised that a Pancake Breakfast would be held in May by the First Aid Squad.

Councilman Tedesco gave a Recreation Department report and also informed that opening day for girls' softball would be held on Saturday, April 17th.

Councilwoman Jandoli likewise praised the emergency departments.

Mayor Pannullo extended thanks to the Police, Fire, and OEM departments as well as employees for their remarkable services during the storm, and informed that federal assistance was available for residents through FEMA.

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 Councilwoman Jandoli to add Resolution No. 38-2010 and remove Resolution No. 34-2010 and add to new business.

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

- 32 -2010 - Resolution Re: Purchase of Digital Voice Recording System & Upgrades to Public Address System
- 33 -2010 - Resolution Re: Award of Contract to International Fireworks for July 4th Fireworks Display
- 35a-2010 - Resolution Re: RL:1448/Band Parents Assoc HPHS
- 35b-2010 - Resolution Re: RL:1449/Italian American Club EH
- 35c-2010 - Resolution Re: RL:1450/Italian American Club EH
- 35d-2010 - Resolution Re: RL:1451/One Heart for Haiti
- 35e-2010 - Resolution Re: RL:1452/One Heart for Haiti
- 35f-2010 - Resolution Re: RL:1453/St. Rose of Lima Church
- 36 -2010 - Resolution Re: Amend Temporary Budget
- 38 -2010 - Resolution Re: Local Examination of 2010 Budget

Motion by Council President DeRosa, seconded by Councilwoman Jandoli to adopt the foregoing resolutions.

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

COMMUNICATIONS & DISCUSSION ITEMS:

- **Discussion on Froling Property**

The Administrator updated the Council in the matter of the Froling property, which was slated for acquisition with open space funds. Mr. Tempesta recommended the Council's approval for an appraisal on the property as well as authorization for The Land Conservancy to file an application for Morris County Open Space Funding. The Council was in agreement to direct the Administrator to proceed in this regard.

- **Communication from James Bright Re: Release of Bond (Young Court Subdivision)**

The Administrator provided an update in accord with John Orlich's memo dated April 8, 2010. The Council decided to carry the matter to the next meeting.

NEW BUSINESS:

34 -2010 - Resolution Re: Award of Contract to Rockborn Trucking & Excavation for the 2010 Road Resurfacing Program

Councilman Tedesco requested clarification regarding the contractor and the bidding process.

Motion by Councilman Tedesco, seconded by Councilwoman Jandoli to adopt said resolution.

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

Mr. Tempesta stated that the Council was provided a copy of the EH Community Partnership's budget for informational purposes.

37-2010 - Resolution Re: Closed Session

- Litigation
- Personnel
- Contract Negotiations

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

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

The Council went into Closed Session at 9:30 P.M. The meeting reconvened at 10:15 P.M.

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

PAYMENT OF BILLS:

Motion by Councilman Jocher, seconded by Councilman Tedesco to pay bills in the amount of \$3,334,049.02.

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

ADJOURNMENT:

Motion by Councilwoman Jandoli, seconded by Councilman Jocher to adjourn meeting.

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

The meeting adjourned at 10:20 P.M.

Respectfully submitted,

PAULA A. MASSARO
Township Clerk