

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Tuesday, May 5, 2009 at 7:00 P.M. in the Municipal Building, 411 Ridgedale Avenue, East Hanover, New Jersey.

The Clerk called the meeting to order.

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

Also Present: Administrator C. Richard Paduch and Township Attorney Matthew O'Donnell

The Mayor led the Pledge of Allegiance and Council President 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 3, 2009** Minutes:

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

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

PRESENTATION: HPHS Girls' Basketball Team

Carried to the next meeting.

DISCUSSION: Board of Education School Budget

The Mayor first thanked Board President Sean Sullivan and member Ken Hadley, Superintendent Larry Santos, and Business Administrator Charles Grau for their efforts on behalf of the Board. He felt they did an excellent job and the proposed reduction of \$39,600 would not have a negative effect on any education programs. Councilman Tedesco, who also worked with the Mayor and Board on the budget, likewise thanked the Board for their time and diligence.

The Mayor announced he would now hold a brief public hearing. The following residents commented:

- Al Farese, 53 Surrey Lane
- Clem Pizzi, 15 Dorrian Terrace
- Geri Singer, 3 Raquel Court
- Mario Accumanno, 44 Cutter Drive

The Board President and Superintendent addressed the concerns that were voiced by the residents; namely, employee health benefits, busing, and illegal student residency. Mr. Santos echoed the Mayor's comments that the budget cuts would not affect the teachers, children, or programs. He gave a brief account of items in the budget that were reduced and the less impact projects that were postponed.

Motion by Council President Jandoli, seconded by Councilman Tedesco to close the public hearing.

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

Motion by Councilman DeRosa, seconded by Council President Jandoli to remove Resolution No. 45-2009 from the Consent Agenda for separate vote.

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

45-2009 - Resolution Re: East Hanover School District Budget for the 2009-2010 School Year

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

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

PUBLIC HEARING: East Hanover Community Partnership Budget (Special Improvement District)

Mario Accumanno, President of the Partnership, stated that 40% of unnecessary items were cut from the budget. He said a target date for completion of the project was October 2009. Mr. Accumanno strongly felt that this was a cost-effective budget, and the committee worked hard to keep expenses to a minimum for the businesses. He especially thanked Council President Jandoli for her leadership and support as liaison to the Partnership.

**31-2009 - Resolution Re: 2009 Budget of the East Hanover
Community Partnership**

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

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

OLD BUSINESS:

**Public Hearing: Ordinance No. 1-2009 - Exceed Municipal Budget
Appropriation Limits and Establish a CAP Bank**

The Clerk announced that she had Ordinance No. 1-2009, entitled "*ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.*"

The Mayor stated they would now hold a public hearing on Ordinance No. 1-2009.

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

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

Motion by Councilman DeRosa, seconded by Councilman Tedesco that Ordinance No. 1-2009 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 1-2009 has been duly adopted and a notice of same shall be published according to law.

**Public Hearing: Ordinance No. 7-2009 - Amend and Supplement
Chapter 119A (Property Maintenance)**

The Clerk announced that she had Ordinance No. 7-2009, entitled "*AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 119A OF THE CODE OF THE TOWNSHIP OF EAST HANOVER (PROPERTY MAINTENANCE).*"

The Mayor stated they would now hold a public hearing on Ordinance No. 7-2009.

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

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

Motion by Councilman DeRosa, seconded by Councilman Tedesco that Ordinance No. 7-2009 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 7-2009 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: Ordinance No. 8-2009 - Amend and Supplement Chapter 45 (Recreation)

The Clerk announced that she had Ordinance No. 8-2009, entitled "*AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE CODE OF THE TOWNSHIP OF EAST HANOVER (RECREATION).*"

The Mayor stated they would now hold a public hearing on Ordinance No. 8-2009.

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

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

Motion by Councilman DeRosa, seconded by Councilman Tedesco that Ordinance No. 8-2009 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 8-2009 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: Ordinance No. 9-2009 - Readopt Chapter 207 of the Code as Amended, Revised and Supplemented

The Clerk announced that she had Ordinance No. 9-2009, entitled "AN ORDINANCE READOPTING CHAPTER 207 OF THE CODE OF THE TOWNSHIP OF EAST HANOVER AS AMENDED, REVISED AND SUPPLEMENTED."

The Mayor stated they would now hold a public hearing on Ordinance No. 9-2009.

Motion by Council President Jandoli, seconded by Councilman Tedesco 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. 9-2009 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 9-2009 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: Ordinance No. 10-2009 - Reappropriate \$142,500 to Provide for Infrastructure Improvements

The Clerk announced that she had Ordinance No. 10-2009, entitled "AN ORDINANCE REAPPROPRIATING \$142,500 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR INFRASTRUCTURE IMPROVEMENTS IN AND BY THE TOWNSHIP OF EAST HANOVER IN THE COUNTY OF MORRIS, NEW JERSEY."

The Mayor stated they would now hold a public hearing on Ordinance No. 10-2009.

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

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

Motion by Councilman DeRosa, seconded by Councilman Tedesco that Ordinance No. 10-2009 be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 10-2009 has been duly adopted and a notice of same shall be published according to law.

PUBLIC INPUT:

John Centanni, 5 Brace Drive, addressed the Council in his position as Emergency Management Coordinator. Essentially, he wanted to clarify comments made by Councilman Jocher in a newspaper article in which he alleged that Mr. Centanni was appointed to the position because he was the Mayor's godson. Councilman Jocher also claimed that because of nepotism, the salary for the part-time position increased from \$7,000 to \$25,000. An exchange of words followed between the Councilman and Mr. Centanni with regard to the salary increase. Both Councilmen Jocher and Tedesco took issue with the salary mainly because they were not apprised of the increase.

Mayor Pannullo emphatically denied that Mr. Centanni was his godson. The Mayor said that Mr. Centanni, who was Battalion Chief with the Newark Fire Department, had impressive qualifications and was a proficient grant writer, which would be advantageous in his position as coordinator to the Office of Emergency Management.

A very lengthy discussion ensued as family members, friends, and co-workers vouched for Mr. Centanni's character and qualifications. Their comments and anger were mostly directed at Councilman Jocher because they believed his inferences in the article were defamatory and clearly misrepresented Mr. Centanni.

- Joan Centanni, 5 Brace Drive
- Jim Costa, 8 Klinger Road
- Mark Curcio, 13 Troy Road
- Craig Perrelli, 90 Cedar Street
- Ken Hadley, 157 River Road
- Angela Costa, 29 Katie Court
- Tammy Danise

Council President Jandoli stated for the record that she was not pleased with anyone speaking for her that she was in favor of laying off employees. She emphatically said this was absolutely not true. The Mayor concurred with Council President, and they were both firm in their conviction that they would not lay off one employee because of budget concerns.

This debatable and very emotional issue at times incited the audience, Mr. Centanni and family members, and the Council as well to become loud and disorderly.

Although Councilman Tedesco agreed that Mr. Centanni was a great person for the job, he believed that the public's display was blown way out of proportion. He further indicated that Councilman Jocher's basic complaint was not a personal attack on Mr. Centanni; nevertheless, it was because the salary was not justly presented to the Council at the time of his appointment.

John DePola, 14 Queensbridge Drive, expressed concerns in regard to Councilman Jocher's statement in the article that he favored reducing the work staff and possibly salaries. Councilman Jocher claimed that he did not endorse this; however, he was only looking at solutions to meet the Township's needs. Councilman DeRosa interjected that they were definitely not Councilman Jocher's exact words quoted in the article.

- Clem Pizzi, 15 Dorrian Terrace
- Mario Accumanno, 44 Cutter Drive
- Margaret Hammed, 34 Beechwood Lane
- Ray Serra, Fire Chief
- Stan Hansen, Chief of Police
- Marc Macaluso, Superintendent of Public Works
- Herman Marmon, 108 Tanglewood Drive
- Pamela Centanni, 129 Overlook Avenue
- Vito Pascarella, Member of First Aid Squad
- Rocco Nisivoccia, 5 Tremont Drive

In conclusion, the Administrator stated his comments for the record. He first emphasized that "times have drastically changed; former Fire Chief George Busold took the position in a time when the Office of Emergency Management was not what it has become today. George did what he was asked to do, and he did it well. John Centanni came on board last year as deputy and this year was appointed coordinator by a different Mayor with a different set of rules and a different level of expectation. John has been doing a tremendous job ferreting out areas where

he would be able to bring significant money to the community to provide manpower and equipment that would otherwise not be possible." Mr. Paduch again made it clear that George Busold did a great job doing what he was asked to do, and now it was a different ballgame.

The Mayor called for a recess at 9:20 P.M. The meeting reconvened at 9:30 P.M.

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

Anthony Ferraiuolo III, owner of property on Eagle Rock Avenue located between the Hanover Manor and Sorrento Bakery, addressed a concern that adjacent businesses were parking on the property. He stated that the County wanted the fence moved because it was on their right of way and, therefore, directed him to request no parking signs from the Township. The Administrator explained that an ordinance would first have to be adopted and subsequently, the County would give permission to the Township for enforcement. Mr. Paduch advised that once he received a letter of authorization from the County, he would proceed to introduce the ordinance at the next meeting.

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

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

COUNCIL INPUT:

Councilman Tedesco gave a Recreation Department report. He announced that there would be a Walk-A-Thon to benefit the Hemophilia Association on May 17th at 10:00 A.M. commencing at Lurker Park.

Councilman Jocher announced that the First Aid Squad was in dire need of volunteers. He provided a site plan to the Council in the matter of Terry Stella and the ponies, and said that this "hot topic" should be resolved at the next meeting. In actuality, the Administrator stated that this matter should have been resolved by the Township Engineer and John Orlich, Director of Land Use.

Councilman DeRosa gave a Police Department report. He commented on the \$1.2 million in grants for the Office of

Emergency Management, and also praised Hanover Park High School for a great job done in conjunction with the O.E.M. and First Aid Squad for a mock D.U.I. accident. Councilman DeRosa was pleased to inform that there was a resolution on the agenda with regard to a grant application for sidewalks along Mt. Pleasant Avenue in the vicinity of the high school. Lastly, Councilman DeRosa referenced a letter from John Wolkstein, DC with regard to the Airport Site and his interest for passive recreational on the site.

Council President Jandoli announced that the Memorial Day Parade would be held on Monday, May 25th. She recognized the Hanover Park baseball team as being undefeated to date. Council President Jandoli was pleased to report that the Township was selected to testify before the Board of Public Utilities in the Public Service Electric and Gas matter.

Mayor Pannullo announced that the Police Department promotions would take place at the next meeting. The Mayor and Council agreed to reschedule the June meeting to Monday, June 8, 2009.

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 DeRosa, seconded by Council President Jandoli to add Resolution No. 46, 47 and 48-2009.

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

- 39-2009 - Resolution Re: Redemption 200803 (9 Gracie Road)
- 40-2009 - Resolution Re: Redemption 200802 (33 Cedar Street)
- 42-2009 - Resolution Re: Amend Resolution 35-2009 Authorizing Supplemental Interlocal Services Agreement with Borough of Roseland for Provision of Certain Public Health Services (Registrar of Vital Statistics)
- 43-2009 - Resolution Re: Retirement Agreement with Township Administrator C. Richard Paduch
- 44-2009 - Resolution Re: Emergency Temporary Appropriations

- 46-2009 - Resolution Re: Refund Tax (M. Vechio & C. Perrelli)
- 47-2009 - Resolution Re: Submission of Recycling Tonnage Grant Application to NJDEP
- 48-2009 - Resolution Re: Submission of Grant Application to NJDOT for the Mt. Pleasant Avenue Sidewalk Project

Motion by Councilman DeRosa, seconded by Councilman Tedesco to adopt the foregoing resolutions.

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

COMMUNICATIONS and DISCUSSION ITEMS:

The Mayor extended praise and thanks to Attorney Matthew O'Donnell, Council President Jandoli, and Administrator Dick Paduch for the exceptional job they did in representing the Township in the Public Service Electric and Gas power lines issue.

• **Slaby Engineering Re: COAH Petition**

The Administrator summarized Mr. Slaby's lengthy communication dated April 27, 2009 (attached). Basically, the Township has not yet provided COAH with the necessary documentation. More importantly, he stated that if the Council chose not to comply, COAH would then dismiss the Township from their jurisdiction and we would have to forfeit approximately \$4.6 million collected in development fees over the years. Mr. Paduch was of the opinion that it would be worthwhile to have Mr. Slaby produce the documents to COAH and said the cost for his services would come from the housing trust fund.

The Mayor pointed out that if COAH prevailed to have the Township construct the remainder of its affordable units, this would have an adverse effect on East Hanover. He was adamant that the only shovel in the ground that he would put would be for senior citizen housing.

Verbal motion by Councilman DeRosa, seconded by Councilman Tedesco to authorize Louis Slaby to proceed to comply with COAH's directive for submission of the required documentation, and to cap his fee at \$15,000.

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

- **Discussion Re: Tarragon Property**

The Administrator brought up another potential problem for the Council's consideration. He said the Tarragon Property was being transferred to a new owner, name unknown, through the bankruptcy court. The Council briefly discussed the option to remove the property from its designation of a redevelopment area. The Mayor firmly believed that this was a quality of life issue that was going to cost money; the Township would definitely be challenged and subsequently sued. He further indicated that he was already threatened with a lawsuit because he refused to sign the redeveloper's agreement. The Mayor said he was prepared to fight; however, it was imperative that the Council be in accord in this issue. It was the decision of the Council to authorize the Land Use Planning Board to undertake a review of the Tarragon property to determine if the area constituted an area in need of redevelopment.

49-2009 - Resolution Re: Authorize Land Use Planning Board to Undertake a Review of Lots 4, 4.02 and 5.01 in Block 99 as an Area in Need of Redevelopment and the Redevelopment Plan Adopted Therefor

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

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

Councilman Jocher questioned the Attorney's fee on the bill list in connection with Tarragon matters. He asked that the Administrator provide him with copies of detailed monthly invoices of the Township Attorney and Engineer for his review.

PAYMENT OF BILLS:

Motion by Councilman DeRosa, seconded by Council President Jandoli to pay bills in the amount of \$4,768,346.73.

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

ADJOURNMENT:

Motion by Councilman Jocher, 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.

MARILYN J. SNOW
Township Clerk

We attest these minutes to be true and correct:

_____ MAYOR PANNULLO
_____ COUNCIL PRESIDENT JANDOLI
_____ COUNCILMAN DEROSA
_____ COUNCILMAN JOCHER
_____ COUNCILMAN TEDESCO