

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Tuesday, December 1, 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: Township Attorney Matthew O'Donnell, Administrator Joseph Tempesta, Jr., and Deputy Clerk Paula Massaro

The Mayor led the Pledge of Allegiance and Councilman Jocher 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.

**OLD BUSINESS:**

None

**PUBLIC INPUT:**

William Agnellino, 10 Emanuel Street and Amy DiBartolo, 27 Ward Place addressed the Council in the matter of the Airport property acquisition. As the former Mayor, Mr. Agnellino was instrumental in the negotiations and subsequent purchase of the property and basically wanted to clarify rumors concerning the land. Ms. DiBartolo provided factual information with regard to environmental impacts on the property. Mr. Agnellino believed that he and Ms. DiBartolo could be of service to the Council since they were both greatly involved in the project.

Councilman DeRosa was of the opinion that both speakers were under the misconception that the Township wanted to sell the land. He emphasized that under no circumstances did the Council wish to sell; they wanted to sublease the property as passive open recreation. A brief discussion followed in this matter.

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

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

**COUNCIL INPUT:**

Councilman Jocher reported on the League of Municipalities Convention. He gave a First Aid Squad services update, and he again voiced concerns in regard to the Fusella Group who were operating an illegal business on DeForest Avenue.

Councilman Tedesco likewise gave a Convention report. He was pleased to inform that a basketball court would soon be ready for use at Lurker Park.

Councilman DeRosa gave a Police Department report, and thanked the respective departments for organizing the H1N1 Flu clinic. Councilman DeRosa announced that the Tree Lighting Ceremony would be held on December 6<sup>th</sup> and the Menorah Lighting on December 15<sup>th</sup>.

Council President Jandoli reported on the Board of Public Utilities Hearings and believed that a final decision would be rendered on or before January 15, 2010. She announced that a holiday fair would be held December 5<sup>th</sup> to 13<sup>th</sup> at the Mt. Pleasant Animal Shelter and urged citizens to support this endeavor.

Mayor Pannullo also commented on the BPU Hearings. He likewise commended the O.E.M. and Health Departments for a well-organized flu clinic.

The Mayor and Council wished everyone a happy and safe holiday season.

**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.

102-2009 - Resolution Re: Reorganization Meeting for 2010

104-2009 - Resolution Re: Agreement with Town of Morristown for Child Health Conference Services for 2010

105-2009 - Resolution Re: Transfer of Funds

Before roll call, Councilman Jocher requested clarification from the Administrator on several line item transfers in Resolution No. 105-2009.

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

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

**COMMUNICATIONS & DISCUSSION ITEMS:**

• **Councilman DeRosa Inquiry Re: Board of Education Matter**

Councilman DeRosa directed an inquiry to Superintendent of Schools Joseph Ricca who was present. He said there was speculation that the Board of Education was looking to lease a piece of land to build a cell tower. Mr. Ricca replied that at the Board's November 14<sup>th</sup> meeting, there was a request for permission from the Board to have administration look into the possibility of what it would look like to have a cell tower on Board of Education property. Essentially, Mr. Ricca indicated that the Board has been approached by a company that a cell tower could possibly bring revenue to the school district up to \$25,000. Importantly, he stated that the administration has been exploring progressive ways to bring revenue to the district without impacting the taxpayers. Lastly, Mr. Ricca clearly pointed out that he and the Board would not proceed forward without first contacting the Township.

**NEW BUSINESS:**

**Introduction: Ordinance No. 13-2009 - Bond Ordinance  
Appropriating \$1,500,000 for Various Capital  
Improvements**

The Deputy Clerk announced that she had Ordinance No. 13-2009, entitled "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF EAST HANOVER, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF."

The Deputy Clerk stated that the Supplemental Debt Statement was filed in the Clerk's office as of today's date.

The Administrator gave a brief synopsis with regard to the proposed capital improvements, equipment, and infrastructure projects. Council President Jandoli voiced a concern in moving ahead with this bond ordinance prior to the 2010 budget process. Councilman Jocher echoed the concerns of Council President Jandoli and also stated that he was not a proponent of bonding, especially at this time. He requested that the Administrator provide a list of capital expenditures, itemizing and prioritizing each one, prior to the public hearing.

Motion by Councilman Tedesco, seconded by Councilman DeRosa that Ordinance No. 13-2009 be introduced by title, adopted on first reading, placed on file in the Clerk's office, and set down for public hearing on December 29, 2009.

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

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

**Introduction: Ordinance No. 14-2009 - Amend Chapter 95, Land Use & Zoning, to Create the Position of Municipal Housing Liaison**

The Deputy Clerk announced that she had Ordinance No. 14-2009, entitled "AN ORDINANCE TO AMEND CHAPTER 95 OF THE EAST HANOVER TOWNSHIP CODE, ENTITLED "LAND USE AND ZONING" TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT."

Motion by Councilman DeRosa, seconded by Councilman Tedesco that Ordinance No. 14-2009 be introduced by title, adopted on first reading, placed on file in the Clerk's office, and set down for public hearing on December 29, 2009.

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

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

**107-2009 - Resolution Re: Appointing a Municipal Housing Liaison**

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

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

**Introduction: Ordinance No. 15-2009 - Address the Requirements of COAH Regarding Compliance with the Township's Prior Round and Third Round Affordable Housing Obligations**

The Deputy Clerk announced that she had Ordinance No. 15-2009, entitled "*AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS.*"

Motion by Councilman DeRosa, seconded by Council President Jandoli that Ordinance No. 15-2009 be introduced by title, adopted on first reading, placed on file in the Clerk's office, and set down for public hearing on December 29, 2009.

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

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

**Introduction: Ordinance No. 16-2009 - Amend Chapter 95, Land Use & Zoning, to Establish Standards for Collection of Development Fees for Providing Low & Moderate Income Housing**

The Deputy Clerk announced that she had Ordinance No. 16-2009, entitled "*AN ORDINANCE AMENDING CHAPTER 95 OF THE EAST HANOVER TOWNSHIP CODE, ENTITLED "LAND USE AND ZONING" TO ESTABLISH STANDARDS FOR THE COLLECTION, MAINTENANCE AND EXPENDITURE OF DEVELOPMENT FEES FOR THE PURPOSE OF PROVIDING LOW AND MODERATE INCOME HOUSING.*"

Motion by Councilman DeRosa, seconded by Council President Jandoli that Ordinance No. 16-2009 be introduced by title, adopted on first reading, placed on file in the Clerk's office, and set down for public hearing on December 29, 2009.

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

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

**106-2009 - Resolution Re: Closed Session**

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

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

The Council went into Closed Session at 8:10 P.M. The meeting reconvened at 9:15 P.M.

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

**PAYMENT OF BILLS:**

Motion by Councilman DeRosa, seconded by Councilman Tedesco to pay bills in the amount of \$2,785,811.43.

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

**ADJOURNMENT:**

Motion by Councilman Jocher, seconded by Councilman DeRosa to adjourn meeting.

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

The meeting adjourned at 9:25 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