

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Tuesday, December 9, 2008 at 7:00 P.M. in the Municipal Building, 411 Ridgedale Avenue, East Hanover, New Jersey.

The Clerk called the meeting to order.

Present: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

Also Present: Administrator C. Richard Paduch, Township Attorney Matthew O'Donnell, Township Engineer James Giurintano, and Councilmen-elect Robert Jocher and Angelo Tedesco

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.

PRESENTATIONS: Councilmen Colasurdo and Musso

On behalf of the 26th Legislative District, Assemblyman Alex DeCroce recognized Councilmen Lawrence Colasurdo and Joseph Musso for their dedicated public service and longstanding accomplishments.

Mayor Pannullo was honored to acknowledge Councilmen Colasurdo and Musso and presented plaques to them for their dedication and commitment to the residents of the community.

OLD BUSINESS:

Public Hearing: Ordinance No. 17-2008 - Authorize the Exchange of Lands By & Between the Township & EREH, LLC

The Clerk announced that she had Ordinance No. 17-2008, entitled "AN ORDINANCE AUTHORIZING THE EXCHANGE OF LANDS BY AND BETWEEN THE TOWNSHIP OF EAST HANOVER AND EREH, LLC."

The Mayor stated they would now hold a public hearing on Ordinance No. 17-2008.

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

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

The Administrator requested that paragraphs 3 and 5 of the ordinance be amended.

Motion by Councilman Colasurdo, seconded by Councilman DeRosa that Ordinance No. 17-2008 be **amended** accordingly and set down for another public hearing on December 30, 2008.

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

PUBLIC INPUT:

1. Herman Marmon, 108 Tanglewood Drive, gave a "hypothetical" first person account involving a civil court matter. During his story, he said that the Township was owed \$37,000 in fines plus interest, and no monies have been collected. He also alleged that the Council, Administrator, and Township Attorney were somewhat involved. Mr. Marmon concluded the drama by stressing that the Council was not protecting the taxpayers, and they should proceed to take the necessary legal action to collect the monies. The Mayor then asked Mr. Marmon if he were finished so that he could respond. Mr. Marmon replied in a loud angered voice that he was and then proceeded to leave the room.

Foremost, the Mayor expressed that not one person on the Council would interfere with the judicial system, and the "hypothetical" court case that Mr. Marmon was intimating at was in fact in the court system. He strongly resented Mr. Marmon's false accusations and character defamation.

Township Attorney O'Donnell explained that the judge who heard this particular case found the fines and penalties assessed against the party excessive, and the court would not enforce it. Accordingly, the fines were reduced and paid with the matter finally resolved by Judge Dangler in Morristown Superior Court on December 2, 2008.

More discussion followed in this contentious matter. The Mayor expressed his dismay by the political undertones that were involved in this case from the onset in 2005 at the time of the previous administration. The Mayor was outraged that Mr. Marmon inferred that the present Council was involved and was emphatic that his administration's hands were clean. He further voiced that a "political sledgehammer was swung at the fined individual

and the dirty party was no longer here." In conclusion, the Mayor apologized for the time that was consumed and wasted on this issue.

2. Mario Accumanno, 44 Cutter Drive, also commented in the matter.

3. Mike Martorelli, member of Environmental Commission, informed of a new program, *Project Porch Light*, which was initiated to encourage public energy conservation. He said that the Board of Public Utilities and NJ Clean Energy Program donated 1,922 light bulbs in this endeavor. Mr. Martorelli said that bulbs and literature would be distributed to residential homes on December 14th.

Motion by Councilman Musso, seconded by Councilman Colasurdo to close the public input.

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

COUNCIL INPUT:

Councilman Musso expressed thanks and said it was a pleasure to have served the community for 11 years.

Councilman Colasurdo likewise expressed thanks for the opportunity to have served our great community for 19 years.

Councilman DeRosa gave the monthly Police Department report. He congratulated Benjamin Richardson, a young man in the community, for attaining the rank of Eagle Scout.

Councilwoman Jandoli reported on the annual League of Municipalities Convention. She announced that an important Special Improvement District meeting would be held on December 15th for the annual elections and discussion on phase two and three of the project. Councilwoman Jandoli conveyed her condolences to Chief Hansen for the passing of his mother and to Linda Lurz of Recreation for the passing of her father.

Mayor Pannullo announced that he and several Councilmembers attended a workshop on the power lines and information in this regard would be forthcoming at a later meeting. He informed that Councilmen-elect Robert Jocher and Angelo Tedesco would be sworn in on January 2, 2009 at 6:00 P.M., and the Reorganization Meeting would be held on January 6th at 7:00 P.M.

The Mayor and Councilmembers wished everyone a Merry Christmas and Happy New Year.

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 Colasurdo, seconded by Councilman DeRosa to add Resolution No. 130, 131, 132, 133 and 134-2008.

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

- 122a-2008 - Resolution Re: RL:1353/Caldwell Gridiron Club
- 122b-2008 - Resolution Re: RL:1354/Caldwell Gridiron Club
- 122c-2008 - Resolution Re: RL:1355/Parent Guild Aquinas Academy
- 122d-2008 - Resolution Re: RL:1356/Parent Guild Aquinas Academy
- 122e-2008 - Resolution Re: RL:1357/K of C #6504 EH Council
- 122f-2008 - Resolution Re: RL:1358/PTA Knollwood School
- 122g-2008 - Resolution Re: RL:1359/PTA Knollwood School
- 123 -2008 - Resolution Re: Date for Reorganization Meeting
- 124 -2008 - Resolution Re: Interlocal Services Agreement with the County of Morris for 911 Dispatch Services
- 125 -2008 - Resolution Re: Tax Court Refund (Alfieri-Florham Park, LLC) Block 127, Lot 1
- 126 -2008 - Resolution Re: Refund Tax (Sonya Jones) 7 Millie La
- 128 -2008 - Resolution Re: Transfer of Funds
- 129 -2008 - Resolution Re: Contract with Chilton Memorial Hospital for Community Health Education Services
- 130 -2008 - Resolution Re: Redemption 200801 (Block 15, Lot 15)
- 131 -2008 - Resolution Re: Amusement License #3/Stafford FEC Partners (Funplex)
- 132 -2008 - Resolution Re: Award of Franchise to Vincent Aulisi, Jr. to Vend on Public Property
- 133 -2008 - Resolution Re: Approval of Collective Bargaining Agreement with EH Superior Officers Association
- 134 -2008 - Resolution Re: Approval of Collective Bargaining Agreement with PBA Local 227

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

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

COMMUNICATIONS & DISCUSSION ITEMS:

- **Discussion on Bond Release for Cerdel Construction (Cerbone Villas)**

Carried to the next meeting.

- **Letter from Frank & Silvia DeFilippo Re: Violation (Boat)**

Frank and Silvia DeFilippo addressed the Council with regard to a violation for the storage of a boat at the back of their property. Mrs. DeFilippo explained the circumstances surrounding this matter, as outlined in letter dated October 17, 2008 to Thomas Pershouse, Zoning Official (see attached). She believed that the complaint was lodged by the neighbors at 2 Fay Drive in retaliation because of her filing a complaint against them for unlicensed vehicles. Mrs. DeFilippo requested the Council's assistance in resolving this matter.

Following a brief discussion, the Mayor advised Mr. and Mrs. DeFilippo that the Administrator and Attorney would research the property maintenance ordinance.

NEW BUSINESS:

127-2008 - Resolution Re: Closed Session

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

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

The Council went into Closed Session at 8:15 P.M. The meeting reconvened at 9:00 P.M.

Present: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

135-2008 - Resolution Re: Authorize Settlement of Maria Kinda v. Township of East Hanover

Motion by Councilman Colasurdo, seconded by Councilman Musso to adopt said resolution.

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

PAYMENT OF BILLS:

Motion by Councilman DeRosa, seconded by Councilman Colasurdo to pay bills in the amount of \$3,286,741.23.

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

ADJOURNMENT:

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

Ayes: Councilmembers Musso, Colasurdo, DeRosa, Jandoli, and Mayor Pannullo

The meeting adjourned at 9:05 P.M.

MARILYN J. SNOW
Township Clerk

We attest these minutes to be true and correct:

_____ MAYOR PANNULLO
_____ COUNCIL PRESIDENT JANDOLI
_____ COUNCILMAN DEROSA
_____ COUNCILMAN MUSSO
_____ COUNCILMAN COLASURDO