

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Tuesday, December 29, 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 Joseph Tempesta, Jr., Deputy Clerk Paula Massaro, Township Attorney Elizabeth Valandingham, Auditor Steven Wielkotz, and Township Planner Louis Slaby

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 **November 9, 2009** Minutes:

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

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

**PRESENTATION: Elizabeth Pichowicz
Chase Bank Essay Contest**

The Mayor was pleased to present a Certificate of Achievement to Elizabeth Pichowicz for winning the Chase Bank Essay Contest.

OLD BUSINESS:

**Public Hearing: 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 on December 1, 2009, the Chief Financial Officer filed with her office a Supplemental Debt Statement showing the percentage that the net debt of the Township bears to the average assessed values for the years 2006, 2007 and 2008 to be .66%; and a copy of the Supplemental Debt Statement was filed with the Division of Local Government Services and approved on December 18, 2009.

The Mayor stated they would now hold a public hearing on Ordinance No. 13-2009.

The Administrator provided the Council with an itemization, by department, in regard to proposed capital projects. Mr. Tempesta first indicated that the Township has not had any capital projects in several years, and there was appropriate capital funding to cover the down payment. The Administrator emphasized that this would not affect the municipal budget, and also believed there was no better time than now because of low interest rates. Therefore, he strongly recommended the Council's support in this regard.

Township Auditor Steven Wielkocz essentially concurred with the Administrator. Importantly, he stated that it was not fiscally responsible to delay infrastructure improvements. Mr. Wielkocz addressed questions and concerns raised by the Council.

Councilman Jocher voiced his objections to approving a \$1.5 million bond ordinance prior to adopting a municipal budget. He also said that he received the capital summary last week, which was during the holiday and too late for him to perform due diligence.

Councilman DeRosa was provoked by Councilman Jocher's comments. A contentious exchange of words followed between the Councilmen.

Mario Accumanno, 44 Cutter Drive, commented.

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 Councilman Tedesco that Ordinance No. 13-2009 be adopted on second and final reading.

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

Nays: Councilman Jocher

The Mayor advised that Ordinance No. 13-2009 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: 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."

The Mayor stated they would now hold a public hearing on Ordinance No. 14-2009.

Township Planner Louis Slaby gave a brief explanation and recommended minor changes to the ordinance.

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 Council President Jandoli, seconded by Councilman DeRosa that Ordinance No. 14-2009, **as amended**, be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 14-2009 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: Ordinance No. 15-2009 - Amend Chapter 95, Land Use & Zoning, to Address the Requirements of COAH Regarding Compliance with the Township's Prior Round & Third Round Affordable Housing Obligations

The Deputy Clerk announced that she had Ordinance No. 15-2009, entitled "AN ORDINANCE TO AMEND CHAPTER 95 OF THE TOWNSHIP OF EAST HANOVER CODE ENTITLED "LAND USE AND ZONING" 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."

The Mayor stated they would now hold a public hearing on Ordinance No. 15-2009.

Township Planner Louis Slaby gave a brief explanation and recommended minor changes to the ordinance.

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 Councilman DeRosa, seconded by Council President Jandoli that Ordinance No. 15-2009, **as amended**, be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 15-2009 has been duly adopted and a notice of same shall be published according to law.

Public Hearing: 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 TO AMEND 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."

The Mayor stated they would now hold a public hearing on Ordinance No. 16-2009.

Township Planner Louis Slaby gave a brief explanation and recommended minor changes to the ordinance.

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 Councilman DeRosa, seconded by Council President Jandoli that Ordinance No. 16-2009, **as amended**, be adopted on second and final reading.

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

The Mayor advised that Ordinance No. 16-2009 has been duly adopted and a notice of same shall be published according to law.

PUBLIC INPUT:

None

COUNCIL INPUT:

Councilman Tedesco gave a Recreation Department report. He thanked Mario Accumanno for his dedicated time and service during the Special Improvement District improvements on Ridgedale Avenue.

Council President Jandoli likewise extended accolades to Mario Accumanno.

Councilman Jocher gave a First Aid Squad report.

Councilman DeRosa again congratulated Elizabeth Pichowicz on her essay contest win. He was looking forward to a productive 2010.

Mayor Pannullo and Councilmembers wished the residents of the community a happy and healthy new year. The Mayor thanked the new Administrator and Township employees for their dedication and service.

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 Jocher, seconded by Councilman Tedesco to remove Resolution No. 109-2009 and add to new business.

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

- 108 -2009 - Resolution Re: Cancel Balances in 2009 Water/Sewer Utility Budget
- 110 -2009 - Resolution Re: Cancellation of Outstanding Checks
- 111 -2009 - Resolution Re: Refund Tax/27 Brentwood Dr (J. Lazur)
- 112 -2009 - Resolution Re: Amusement Games License #4 (Funplex)
- 113a-2009 - Resolution Re: RL:1422-Vero Amici For Charity
- 113b-2009 - Resolution Re: RL:1423-Parent Guild Aquinas
- 113c-2009 - Resolution Re: RL:1424-Parent Guild Aquinas
- 113d-2009 - Resolution Re: RL:1425-K of C #6504 EH Council
- 113e-2009 - Resolution Re: RL:1426-PTA Hillside Elementary
- 113f-2009 - Resolution Re: RL:1427-PTA Hillside Elementary
- 113g-2009 - Resolution Re: RL:1428-PTA Hillside Elementary
- 113h-2009 - Resolution Re: RL:1429-PTA Amos W. Harrison School

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

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

COMMUNICATIONS & DISCUSSION ITEMS:

None

NEW BUSINESS:

109-2009 - Resolution Re: Transfer of Funds

Councilman Jocher had several questions regarding the transfers.

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

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

PAYMENT OF BILLS:

Motion by Councilman DeRosa, seconded by Councilman Jocher to pay bills in the amount of \$2,266,205.81.

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

Councilman Jocher requested that the Administrator provide a breakdown of 2009 legal fees at the next meeting.

ADJOURNMENT:

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

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

The meeting adjourned at 8:30 P.M.

Submitted by:

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