

Minutes of the Regular Meeting of the Township Council of the Township of East Hanover held on Monday, June 8, 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: Matthew O'Donnell, Township Attorney; C. Richard Paduch, Administrator; Marilyn Snow, Clerk; and Paula Massaro, Deputy Clerk

The Mayor led the Pledge of Allegiance and Councilman DeRosa 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 **April 7** and **May 5, 2009** Minutes:

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

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

PRESENTATION: HPHS Girls' Basketball Team

The Mayor was delighted to have Doug Wear, Coach of the Hanover Park High School Girls' Varsity Basketball Team, present certificates to the team for their outstanding achievements in attaining a successful season.

PROCLAMATION: Sally Ride Science Club - EH Middle School

Mayor Pannullo read the proclamation in recognition of the students for their outstanding performance and achievements in the TOYchallenge 2009 National Competition.

POLICE DEPARTMENT: New Police Officer & Promotions

The Mayor swore in new Police Officer Keith Gunther. He also swore in Officer Christopher Cannizzo to the rank of

Sergeant and Sergeant Vincent Colaiocco to the rank of Lieutenant. Chief Hansen, fellow officers, and family members were present to offer their support and congratulations.

The Mayor called for a recess at 7:35 P.M. The meeting reconvened at 7:45 P.M.

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

OLD BUSINESS:

None

PUBLIC INPUT:

None

COUNCIL INPUT:

Councilman Jocher announced that the emergency services provided by Atlantic Ambulance would be extended until the matter was resolved. He once again stated that the First Aid Squad was in dire need of volunteers. Councilman Jocher commented in regard to the water bill increase. He felt there was mismanagement in the water utility over fifteen years, and the Township had no alternative but to increase the rates.

Councilman Tedesco gave a Recreation Department report. He extended wishes to Mr. Paduch on his new venture.

Councilman DeRosa also commented on the water bill increase. He informed that on June 19th the Office of Emergency Management would run a mock disaster power outage drill incorporating the Police, Fire, First Aid, Department of Public Works, and new Community Emergency Response Team.

Council President Jandoli suggested a mailing to residents basically to give an explanation for the water bill increase. She provided information for three public hearings that would be held in the matter of Public Service Electric and Gas power lines; the dates would be posted on the Township website. Lastly, Council President Jandoli congratulated all the graduates in the community.

The Mayor likewise touched upon the water bill increase and agreed with Council President Jandoli for a mailing to residents as well as businesses.

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 Council President Jandoli to add Resolution No. 68-2009 and remove Resolution No. 60-2009.

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

- 50 -2009 - Resolution Re: Redemption 200804 - 13 Knollwood Drive
- 51 -2009 - Resolution Re: Refund Tax 2009 - 10 Norwood Road
- 56a-2009 - Resolution Re: RL:1389 - St. Rose of Lima Church
- 56b-2009 - Resolution Re: RL:1391 - PTA Lake Hiawatha School
- 56c-2009 - Resolution Re: RL:1392 - PTA Lake Hiawatha School
- 56d-2009 - Resolution Re: RL:1393 - PTA Lake Hiawatha School
- 56e-2009 - Resolution Re: RL:1394 - PTA Hazel Avenue School
- 56f-2009 - Resolution Re: RL:1395 - PTA Hazel Avenue School
- 57 -2009 - Resolution Re: BL:1390 - St. Rose of Lima Church
- 58 -2009 - Resolution Re: Renewal of Liquor Licenses
- 59 -2009 - Resolution Re: Appointment of Township Administrator/
Joseph Tempesta, Jr.
- 61 -2009 - Resolution Re: Extension of Emergency Contract with
Atlantic Health to Provide Basic Life Support
Services
- 62 -2009 - Resolution Re: Appointment of Robert Warnock to the
Special Improvement District Board of Directors
- 63 -2009 - Resolution Re: Contract with The Land Conservancy of
NJ to Update the Open Space and Recreation Plan
- 64 -2009 - Resolution Re: Cancellation of Outstanding Checks
- 65 -2009 - Resolution Re: Execution of Settlement Agreement with
Maria Kinda
- 68 -2009 - Resolution Re: Increase in Petty Cash Fund for
Recreation Department

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

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

COMMUNICATIONS & DISCUSSION ITEMS:

• **Administrator's Memo Re: Intervenors Agreement**

Mr. Paduch gave an overview of the draft Municipal Intervenors Agreement and Escrow Agreement. As indicated in his memo, Mr. Paduch again emphasized that expert testimony would be covered by the escrow agreement; however, the Township should expect to be liable for a portion of legal fees incurred by the Managing Intervenor's counsel. Council President Jandoli suggested a cap limit and if the cap amount were reached, the Council would then make another decision at that time. The Mayor strongly believed that there was no price to set for the well-being of the residents. However, he did agree to have a resolution crafted for the next meeting in accord with Council President's recommendation.

69-2009 - Resolution Re: Approve Municipal Intervenors Agreement in the Matter of a Petition by PSE&G Pending Before the BPU

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

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

• **Administrator's Memo Re: Energy Joint Meeting**

The Administrator strongly recommended that the Council enlist in the Energy Joint Meeting. Membership would afford the Township to participate in a pilot program with the intent toward reducing energy costs through joint purchasing of natural gas and/or electricity. Mr. Paduch indicated that as a result of the program, there could be a substantial savings to the Township.

66-2009 - Resolution Re: Authorize Joining NJ Sustainable Energy Joint Meeting

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

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

• **Discussion Re: Ordinance No. 7-2009 (Frank & Silvia DeFilippo)**

Mr. Paduch updated the Council in the matter of the ongoing matter involving storage of the DeFilippo's boat on their property. The problem stemmed from a resident's complaint that the boat exceeded the maximum length limit in the Township ordinance. In this regard, the Council adopted an amendment to the ordinance that provided an appeal process for the aggrieved resident. Basically, Mr. Paduch said that Frank and Silvia DeFilippo have requested a hearing date before the Council. Therefore, the Administrator recommended a hearing date in this appeal process for the July 6th meeting.

NEW BUSINESS:

60-2009 - Resolution Re: Employment Contract with Joseph Tempesta, Jr. as Township Administrator

Councilman Tedesco voiced concerns with Article VII, *Severance Benefit* of the contract and felt it was excessive. Councilman Jocher echoed Councilman Tedesco's comments and said he was disappointed that he was not notified prior to the meeting of this change in the contract. However, they both fully endorsed the individual.

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

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

Mayor Pannullo thanked the Council for their support and especially to Mr. Paduch and Councilman DeRosa for the hard work and time expended in this process.

Introduction: Ordinance No. 12-2009 - Amend & Revise Chapter 120 (Recycling)

The Clerk announced that she had Ordinance No. 12-2009, entitled "AN ORDINANCE AMENDING AND REVISING CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF EAST HANOVER (RECYCLING)."

Motion by Councilman DeRosa, seconded by Councilman Jocher that Ordinance No. 12-2009 be introduced by title, adopted on first reading, placed on file in the Clerk's office, and set down for public hearing on July 6, 2009.

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

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

25-2009 - Resolution Re: Closed Session

No Closed Session was held.

PAYMENT OF BILLS:

Motion by Councilman DeRosa, seconded by Councilman Tedesco to pay bills in the amount of \$3,623,217.23.

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

ADJOURNMENT:

Motion by Councilman DeRosa, seconded by Council President Jandoli to adjourn meeting.

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

The meeting adjourned at 8:55 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