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**LAKE HOPATCONG'S WATER LOW**  
The lack of rain has prompted Jefferson Mayor Russell Fetter to seek adjustment of a dam gate. A15

DAILY RECORD, MORRIS COUNTY

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## LAWMAKER KEEPS GAS FIGHT ALIVE

State Sen. Gerald Cardinale isn't giving up on trying to end New Jersey's self-service gas ban. ROAD CREW EXTRA! A14

FRIDAY, MAY 5, 2006

## Rosellini

CONTINUED FROM / A13

The company signed a lease with the Learning Experience the very same month Soussa's application was denied, according to Winter's letter to Rand.

Soussa had previously executed a letter of intent with the Learning Experience, but the start of construction was delayed due to the planning board's denial of his site plan, according to the letter.

Based on those findings, "Mr. Rosellini wrongfully interfered with plaintiffs' office development applications in a desire to reduce competition for child-care tenants," the letter states.

Rosellini is no stranger to controversy. In 2003, he faced a lawsuit filed by a former township employee who alleged Rosellini sexually harassed him and also asked him to perform political favors.

The suit was settled out of court.

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*Giovanni's*  
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Sunday, May 7

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Children under 12: \$9.95  
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# Montville ex-mayor at center of lawsuit

Rosellini refuses to talk when quizzed by developer's lawyer in dispute over day-care center

BY TEHANI SCHNEIDER  
DAILY RECORD

MONTVILLE — Former Mayor John Rosellini took the Fifth Amendment when quizzed recently in a case claiming he, as a planning board member, rejected a plan to build an office and day care center across the street from where his own company planned a similar center.

Rosellini had been subpoenaed to appear for depositions in a pending lawsuit local developer Ron Soussa has filed against the township and planning board, the builder's attorney said.

Rosellini's attorney, Gerald Hanlon, confirmed his client had invoked his Fifth Amendment right against self-incrimination on April 18. Hanlon also acknowledged that Rosellini was being investigated by the Morris County Prosecutor's Office, according to a letter sent to the township on April 24 by Soussa's attorney, Mark Winter.

In a separate letter addressed April 26 to Superior Court Judge David B. Rand, Winter called Rosellini's planning board actions "improper under case law."

Neither Rosellini nor Hanlon could be reached for comment on Thursday.

### Child-care conflict

The Soussa lawsuit claims that Rosellini, while a member of the planning board, was seeking to build a child-care center on property owned by his company on Changebridge Road. Around the same time, Rosellini voted against Soussa's plans to build on land across the street, according to the letter.

In July 2003, the township planning board denied Soussa's plans to build a 48,000-square-foot office building at 330 Changebridge Road, in which Soussa intended to include a child-care center, the letter said.

During discussions between Soussa and the township at the time, Soussa inquired whether child-care centers were a permitted use at the property, and was informed by Rosellini that they were, according to the letter.

Soussa then learned from the township land use administrator in 2004 that child care was not a permitted use in the zone, the letter states.

Rosellini's company, Olympia LLC, was approved to build a child-care center at 323 Changebridge Road last year.

SEE ROSELLINI / A15