

The February 26, 2019 meeting of the Township Council of the Township of Pequannock, Morris County, New Jersey was called to order at 7:00 p.m. in the Municipal Building Meeting Room located at 530 Newark-Pompton Turnpike; Mayor David Kohle presiding.

Township Clerk Carol Marsh read the following statement for inclusion in the meeting minutes:

"In accordance with the requirements of New Jersey's Open Public Meetings Act, notice of this meeting was included in the Annual Meeting Notice which was filed in the Office of the Township Clerk; posted on the Bulletin Board in the Municipal Building; published as legal notice in the Suburban Trends newspaper; and distributed to all persons requesting notice in accordance with Township policy."

Mayor Kohle led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

Mayor David Kohle
Deputy Mayor Ryan Herd
Councilwoman Melissa Florance-Lynch
Councilwoman Kyle Russell

Also Attending:

Adam Brewer, Township Manager
Joseph Golden, Township Engineer
Jennifer McCulloch, Township Flood Advocate
Robert Oostdyk, Esq., Township Attorney
Carol J. Marsh, Township Clerk

Absent:

Councilman Richard Phelan

There were 25 members of the public in attendance.

PRESENTATIONS.

- FEMA/FIRM Response
Township Engineer Joseph Golden and Township Flood Advocate Jennifer McCulloch presented information regarding FEMA's denial of the Township's appeal of the Flood Insurance Rate Maps and steps the Township will be taking to appeal the denial. Mr. Golden and Ms. McCulloch answered questions from members of the Council and the public regarding the maps, the appeal process, and potential effects on homeowners.

REPORTS FROM VOLUNTEERS. There were no reports from volunteers.

PUBLIC COMMENT.

- Rocco Salluce, 153 Jacksonville Road, recommended homeowners look into the effects of lot coverage on water absorption.
- Sharon Taylor, 19 Libby Avenue, questioned if the township is reviewing regulations regarding the building of larger homes. Mr. Brewer clarified differences between building codes, which are regulated by the state, and local zoning ordinances, which are under currently under review as part of the master plan process.
- Cormac McGowan, 32 William Street, questioned if it would be possible to install a traffic light where Jacksonville Road and West Parkway meet.
- Rocco Salluce inquired about zoning regulations regarding impervious lot coverage.

MANAGER'S REPORT. Township Manager Adam Brewer reviewed the Manager's report for the meeting, reviewing agenda items and noting he has requested resolution R2019-62 be withdrawn.

PUBLIC HEARINGS.

PUBLIC HEARING - Ordinance No. 2019-01, ORDINANCE AMENDING CHAPTER 129 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK ENTITLED, "PARKS AND

RECREATION" (FIELD USE SCHEDULING AND FEES).

On a motion by Mr. Herd, seconded by Mrs. Florance-Lynch, the Public Hearing was opened without objection

There were no public comments.

On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell, the Public Hearing was closed without objection.

On a motion by Mr. Herd, seconded by Mrs. Russell, the ordinance was adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mrs. Russell, Mayor Kohle

Against: None. Abstain: None. Absent: Mr. Phelan.

PUBLIC HEARING - Ordinance No. 2019-02; AN ORDINANCE TO AMEND CHAPTER 182 OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK, SECTION 182.02, ENTITLED WATER CHARGES

On a motion by Mrs. Russell, seconded by Mrs. Florance-Lynch the Public Hearing was opened without objection

- Frank Spizzirri, 35 West Franklin Avenue requested clarification of the rate structure which was provided by Mr. Brewer.

On a motion by Mr. Herd, seconded by Mrs. Russell, the Public Hearing was closed without objection.

On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell, the ordinance was adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mrs. Russell, Mayor Kohle

Against: None. Abstain: None. Absent: Mr. Phelan.

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

ORDINANCE INTRODUCTION - Ordinance No. 2019-03; ORDINANCE AMENDING CHAPTER 43 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND INCREASING THE NUMBER OF ALCOHOLIC BEVERAGE CLUB LICENSES TO FOUR

On a motion by Mr. Herd, seconded by Mrs. Florance-Lynch, the ordinance was approved for introduction by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mrs. Russell, Mayor Kohle

Against: None. Abstain: None. Absent: Mr. Phelan.

ORDINANCE INTRODUCTION - Ordinance No. 2019-04; ORDINANCE TO ESTABLISH AND PRESERVE A CAP BANK (N.J.S.A. 40A: 4-45.14)

On a motion by Mrs. Russell, seconded by Mrs. Florance-Lynch, the ordinance was approved for introduction by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mrs. Russell, Mayor Kohle

Against: None. Abstain: None. Absent: Mr. Phelan.

RESOLUTIONS.

- **R2019-60**, awarding a contract for a Concession Provider for Various Events of the Parks and Recreation Department to Sip 'N Swirl for the contribution amount of \$450 in accordance with the Request for Proposals.
- **R2019-61**, awarding a contract for the Athletic Field Fence Replacement Project to Freedom Fence, for the contract amount of \$103,521.22 in accordance with the bid specifications.

- **R2019-62**, authorizing a professional services agreement between the Township of Pequannock and Associated Appraisal Group for real estate appraisal services (West Sunset Road Water Main Extension).
- **R2019-63**, authorizing the use of competitive contracting for the selection of professional and/or other services.
- **R2019-64**, cancelling unexpended Capital Appropriation balances.
- **R2019-65**, authorizing release of designated Escrow Deposits.
- **R2019-66**, Governing Body Certification of compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
- **R2019-67**, approving payment of the itemized claims as set forth on the **February 22, 2019** Bill List and the **February 21, 2019** 2015 and 2016 FEMA Elevation Escrow List.

On a motion by Mr. Herd, seconded by Mrs. Russell, **Resolutions R2019-60, R2019-61 and R2019-63 though R2019-67** were adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mrs. Russell, Mayor Kohle
 Against: None. Abstain: None. Absent: Mr. Phelan.

ITEMS FOR DISCUSSION. There were no discussion items.

REPORTS AND NOTICES.

- Notice of Public Hearing: Pequannock Township Zoning Board of Adjustment; Block 4607 Lot 14 (11 Laurel Ave.)
- Morris County Municipal Utilities Authority: Resolution No. 19-20 RESOLUTION TO AMEND RATE SCHEDULE OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY – HOUSEHOLD HAZARDOUS WASTE FEES
- Morris County Municipal Utilities Authority: Resolution No. 19-21 RESOLUTION TO AMEND RATE SCHEDULE OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY – WOOD CHIP ACCEPTANCE FEES
- Notice of Public Hearing: Borough of Pompton Lakes Ordinance No. 19-09 "AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 190 RELATING TO THE HAMBURG REDEVELOPMENT AREA (9 HAMBURG TURNPIKE, BLOCK 2800 LOT 11)"
- Borough of Riverdale Master Plan: 2019 Housing Element and Fair Share Plan approval
- Notice of Public Hearing: Township of Randolph: Ordinance No. 04-19 AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF RANDOLPH TO ESTABLISH THE VILLAGE MIXED USE – VMU DISTRICT AND TO REZONE SEVERAL PROPERTIES IN ACCORDANCE WITH THE MOUNT FREEDOM PLANNING STUDY UPDATE.
- Notice of Public Hearing: Township of Randolph: Ordinance No. 05-19 AN ORDINANCE AMENDING sections 15-23.1, 15-25, 15-26.2, 15-35.3 and 15-39.5 of THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF RANDOLPH AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF RANDOLPH, MORRIS COUNTY, NEW JERSEY.

COUNCIL REPORTS.

Ms. Florance-Lynch

- Economic Development Advisory Committee meets Wednesday, February 27th. The committee has scheduled a guest speaker on Business Improvement Districts.

Mr. Herd:

- Teen Advisory Committee met on Monday, and will be reaching out to PV School for new members.

Mrs. Russell:

- Parks and Recreation Advisory Committee meets Monday, March 4th at 7:00 p.m. at Senior House.
- A recent Library Board meeting was postponed due to the weather and will be held February 27th.
- Environmental Commission reports free trees will be distributed on April 27th and the Commission will be holding another rain barrel demonstration at that time.

Mayor Kohle:

- Tomorrow's Fair Housing Committee meeting has been cancelled.

PUBLIC COMMENT.

- Rocco Salluce, 153 Jacksonville Road, requested an explanation of the notice regarding MUA rates which was provided by Mr. Brewer. Mr. Brewer also objected to a resident not complying with regulations regarding parking on private property.

APPROVAL OF MINUTES.

On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell, minutes of the February 12, 2019 regular meeting and the February 23, 2019 budget workshop meeting were unanimously approved.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Herd, seconded by Mrs. Russell, **Resolution R2019-68**, authorizing an Executive Session to discuss Contract Negotiations regarding a potential Open Space Acquisition and Shared Services with the Pequannock Township Board of Education, and litigation of tax appeals was unanimously adopted.

The public portion of the meeting was recessed at 8:00 p.m. followed by the Executive Session during which the following took place:


- The Township Manager reported to the council on a potential property acquisition on Harrison Road and the status of that negotiation and was given direction from the Council.
- The Township Manager also reported on the terms of contract negotiations on various contract issues with the Pequannock Township Board of Education and direction was given regarding what position to be taken in those negotiations.
- The Council discussed the Tax Appeal at Plains Plaza Associates and was updated on recent communication and direction was given regarding filing an appeal.

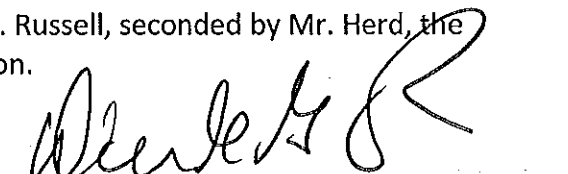
The closed session was completed at 8:32 p.m. at which time the public meeting was reconvened.

Township Attorney Oostdyk summarized the Executive Session discussion. No formal action was taken.

ADJOURNMENT.

There being no further business, on a motion by Mrs. Russell, seconded by Mr. Herd, the meeting was adjourned at 8:33 p.m. without objection.



Carol J. Marsh, Township Clerk

David G. Kohle, Mayor