

The October 23, 2012 meeting of the Township Council of the Township of Pequannock, Morris County, New Jersey was called to order at 7:30 p.m. in the Municipal Building Meeting Room located at 530 Newark-Pompton Turnpike; Mayor Richard Phelan presiding.

The Township Clerk 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 mailed to all persons requesting notice and providing payment in accordance with Township policy."*

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

#### **ROLL CALL.**

##### Present:

Mayor Richard Phelan  
Deputy Mayor Melissa Florance Lynch  
Councilman Edward Engelbart  
Councilman Jay Vanderhoff  
Councilperson Cathy Winterfield

##### Also Attending:

David Hollberg, Township Manager  
Robert Oostdyk, Esq., Township Attorney  
Joseph J. Delaney, Jr., Township Clerk  
Carol J. Marsh, Deputy Township Clerk

Absent: None

There were 15 members of the public in attendance.

**PRESENTATIONS.** The scheduled presentation was delayed.

#### **REPORTS FROM VOLUNTEERS.**

- Christopher Lotito, 84 Madison Street, reported on the successful Pathways to History Tour which took place last weekend.

#### **PUBLIC COMMENT.**

- Rocco Salluce, 153 Jacksonville Road, requested for an explanation of the Lakeland Regional Solid Waste Management ordinance, encouraged the council to pursue discussing options to reduce trash disposal costs, asked about a joint meeting between the BOE meeting and the township, and questioned when money is borrowed following the approval of a bond ordinance. Mayor Phelan corrected information on the BOE meeting. Mr. Hollberg provided background on the Lakeland ordinance and explained a bond ordinance authorizes debt and money is borrowed only when it is needed.
- Tony Franchino, 21 Lyman Avenue, noted an error in the meeting notice which appeared in the newspaper, questioned if the sewer assessment would appear on the tax bill, requested that a tree near his home be removed in anticipation of damage to wires, noted that during the installation of the sewers, landscaping was destroyed. Mr. Franchino also commented that the south side of town is not treated fairly and encouraged write-in candidates. Mr. Hollberg stated that due to its proximity to power lines, the tree must be removed by JCP&L; it is on a list for removal and should be removed in the next month or so.

#### **PRESENTATIONS.**

Howard Butt, New Jersey State Coordinator, provided the council with information on the New Jersey Community Emergency Response Team program.

The council discussed various aspects of the program.

Mr. Hollberg noted that the Township had a CERT training program with the residents of Cedar Crest approximately 5 years ago.

OEM coordinator Bobbi Jo Murphy asked for and received information on staffing, organization, and liability implications of the program.

#### **PUBLIC COMMENT.**

- Dave Cox, 269 Sunset Road, stated that is has been a year since he reported 3 traffic light outages to JCP&L. Mr. Hollberg and the Council noted several problems concerning projects and communication with JCP&L.

**PUBLIC HEARING.** There were no public hearings.

**ORDINANCE INTRODUCTIONS - Ordinance No. 2012-25, AN ORDINANCE AMENDING CHAPTER 177 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE REGARDING VEHICLE PARKING DISTRICT.**

Mr. Vanderhoff asked if provisions could be made if an exception was necessary. Mr. Hollberg stated that, if no hazard was created, arrangements could be made.

The Council asked for and received clarification of several provisions of the ordinance.

On a motion by Mr. Vanderhoff, seconded by Mr. Engelbart, **Ordinance No. 2012-25** was introduced by the following vote:

For: Mr. Engelbart, Mrs. Florance-Lynch, Mr. Vanderhoff, Ms. Winterfield, Mayor Phelan.  
Against: None. Abstain: None. Absent: None.

**RESOLUTIONS.**

- **R2012-169**, authorizing Tax Office refunds, overpayments or cancellations
- **R2012-170**, authorizing Utility Office refunds, overpayments or cancellations
- **R2012-171**, authorizing release of designated Escrow Deposits
- **R2012-172**, awarding a contract for Emergency Tree Removal
- **R2012-173**, awarding a contract for Emergency Water Main and Sewer Repairs
- **R2012-174**, awarding a contract for the 2012 Road Resurfacing Project
- **R2012-175**, requesting permission to include a Dedication by Rider for Snow Removal
- **R2012-176**, cancelling unexpended Capital Balances
- **R2012-177**, approving the special event application for the Grace Bible Church Harvest Fest
- **R2012-178**, approving payment of itemized claims as set forth on the **October 19, 2012 Bill List**
- **R2012-179**, approving issuance of an Alcoholic Beverage Control Social Affair special permit

Mrs. Florance-Lynch asked for clarification of a payment to the Land Conservancy. Mr. Englebart asked for information on the Emergency Water Main and Sewer Repair contract. Mr. Englebart and Mr. Vanderhoff asked for specifics on the roads involved in the Road Resurfacing project.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, **Resolutions R2012-169 through R2012-179** were adopted by the following vote:

For: Mr. Engelbart, Mrs. Florance-Lynch, Mr. Vanderhoff, Ms. Winterfield, Mayor Phelan.  
Against: None. Abstain: None. Absent: None.

**ITEMS FOR DISCUSSION.**

- AN ORDINANCE TO DISSOLVE THE LAKELAND REGIONAL SOLID WASTE MANAGEMENT AUTHORITY

In the interest of time, the council chose to move forward with the introduction of the ordinance at this time. It was introduced as:

**Ordinance No. 2012-26, AN ORDINANCE TO DISSOLVE THE LAKELAND REGIONAL SOLID WASTE MANAGEMENT AUTHORITY**

On a motion by Mayor Phelan, seconded by Mr. Vanderhoff, Ordinance No. 2012-26 was introduced by the following vote:

For: Mr. Engelbart, Mrs. Florance-Lynch, Mr. Vanderhoff, Ms. Winterfield, Mayor Phelan.  
Against: None. Abstain: None. Absent: None.

**MANAGER'S REPORT.** Township Manager David Hollberg reported the following:

- Bids were opened last week for emergency tree services, emergency water main repairs and 3<sup>rd</sup> party EMS billing. Two of those bids have been awarded this evening. The EMS 3<sup>rd</sup> party billing will be held until a decision is made regarding a renewal contract with Chilton Hospital for daytime EMS services.
- Fall seemed to get off to a late start, however our Fall Leaf Collection program is underway. Residents are reminded to put leaves near the curb but not in the road. Leaves placed in the road create a variety of hazards to motorists, bicyclists and pedestrians. Drivers should never park a car on a pile of leaves as the heat from the exhaust system can cause a fire and destroy the car.
- The Road Resurfacing program will begin next week.
- The State Division of Taxation is performing audits of Senior Citizen Deductions for municipalities around the State. Pequannock Township will be audited shortly to ensure that all Senior Deductions have been granted in accordance with State law.
- Engine Company #2 has acquired a new Deuce-and-a-Half to replace the existing vehicle that has been plagued with mechanical problems since it was placed in service. The vehicles are a

critical part of the Township's flood response, providing for a safe method to evacuate homeowners from flooded neighborhoods and to bring Police, Fire, and EMS services into areas that have been made inaccessible due to flooding.

#### **COUNCIL REPORTS.**

##### ***Mr. Vanderhoff:***

- The Shade Tree Commission's fall round of take downs will be starting next week. The Public Works Department is doing more of the take downs and trimming in house which should result in savings.
- The Planning Board approved a two lot subdivision on Turnpike and Ramapo with no variances.
- Requested that a letter be sent requesting budgeted money for de-snagging.
- Fire Company No. 2 is holding a fish and chip dinner this Thursday at the Fire House from 4:30 to 7:30; tickets are limited.
- Fire Company No. 1's beefsteak dinner is November 3<sup>rd</sup>.

##### ***Ms. Winterfield:***

- Fair Housing met last Wednesday. There was a good reply on the outstanding census.
- Teen Advisory is having their first event: Fall Fever. Teens are invited with a school ID.

##### ***Mr. Engelbart:***

- Requested replacement lights at the museum.
- Requested status on the Village Area Sewer project.
- Asked if the bill depot system resulted in savings. Mr. Hollberg explained that there is savings off the retail bill price.

##### ***Mrs. Florance-Lynch:***

- Corrected a previous report regarding the status of a committee member.
- The Environmental Commission reviewed the plans for the Chilton Hospital expansion, discussed the redistricting on the Turnpike, reviewed issues concerning the water quality at PV Park and asked for information regarding the Walkable Communities Report.
- The Green Team is seeking input from the Police Department and the Board of Education on the anti-idling campaign. They are hosting a shred day at Town Hall on Saturday, December 1st.
- The Economic Development Committee is hosting a Business Networking Event on October 24<sup>th</sup> from 5 to 7 at the Senior Center.
- The Library Board meeting has been moved to October 24<sup>th</sup>.
- The Flood Committee asked for status on gathering signatures on Flood Legislation and has reached out to other towns concerning an updated flooding guide book.
- Asked if there was an appropriate time frame for requesting road re-surfacing.
- Asked for information concerning the decommissioned fire truck.

##### ***Mayor Phelan:***

- Announced the observation of Veteran's day on 11/11 @ 11 AM.
- Asked for status of the West Franklin Street project.
- Commented on the newspaper's article concerning the Chilton Hospital EMS service.

#### **PUBLIC COMMENT.**

- Bill Freeze, elder of Grace Bible Church, thanked the council for approving the Harvest Festival Event and invited them to attend.
- Tom Andrea, 6 Elm Road, asked for information concerning the Wayne ordinance notice.
- Rocco Salluce, 153 Jacksonville Road, requested information on the level of Township debt, asked for status on the water blending facility, asked how long citizens have to complete payment of their sewer assessments, and requested that Ms. Winterfield remain as liaison to the Fair Housing Commission. Mr. Hollberg outlined the various categories of the Township's authorized and outstanding debt and estimated that the Water Blending facility would be in operation by the middle of February. Mayor Phelan explained that all citizens have 10 years to complete the payment of assessments, and noted that as liaison to the Fair Housing Committee, Ms. Winterfield provides communication and does not vote.
- Dave Cox, 269 Sunset Road, asked who is responsible for trees that are falling down on the property behind his house. Mr. Oostdyk explained that the owner of the property is responsible.

**EXECUTIVE (CLOSED) SESSION.**

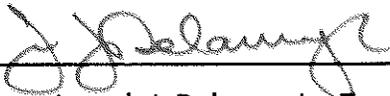
On a motion by Mr. Vanderhoff, seconded by Mr. Engelbart, the council unanimously approved **Resolution R2012-170**, authorizing an Executive Session to discuss litigation concerning the Handel property.

The public portion of the meeting was recessed at 9:01 p.m. followed by the Executive Session at 9:02 p.m.

The closed session was completed at 9:26 p.m. at which time the Council reconvened the public meeting. Township Attorney Oostdyk summarized the Executive Session discussion. No formal action was taken.

**APPROVAL OF MINUTES.** There were no minutes for approval.

**ADJOURNMENT.** There being no further business the meeting was adjourned at 9:27 p.m. without objection by unanimous vote of the council.

  
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Joseph J. Delaney, Jr., Township Clerk