

The December 11, 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  
David Kohle, Councilman-elect

##### Absent:

None

There were 27 members of the public in attendance.

#### **PRESENTATIONS.**

- On the occasion of her 95<sup>th</sup> birthday, Pequannock Township resident Grace Askling was recognized for her years of service to our country and her bravery and dedication in providing care to American Soldiers during World War II.
- Nick Campanella, Managing Director of Fincredit Inc., outlined their Property Tax Reward Program.

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

- Samantha Faust, Teen Advisory Committee Chair, summarized the mission and status of the Teen Advisory Committee and requested \$2,000 budget for committee activities.
- Rocco Salluce, Fair Housing Committee Chair, commented on occasional violations of Fair Housing regulations, and requested the cooperation of the Council and Administration in enforcement of the regulations
- Frank Spizzirri, Open Space Advisory Committee Chair, reported on their December 12, 2012 meeting, thanked the Council, Manager, and Attorney for their efforts during the years, provided status on the committee's approach to negotiating easements related to the Riverwalk project, and encouraged the Council to renew the Land Conservancy contract.

#### **PUBLIC COMMENT.**

- Rocco Salluce, 153 Jacksonville Road, reminded the council to be frugal when preparing the 2013 budget and suggested that the Solid Waste Committee be reactivated prior to the renewal of the solid waste contract.
- Tony Franchino, 21 Lyman Avenue, objected to the level of services provided to the south end of town, reported on some of the conditions that senior citizens endured in the aftermath of Hurricane Sandy, and criticized the level of maintenance performed on the ditch in front of his house.
- Chris Scott, 11 Slingerland Avenue, wished everyone Happy Holidays, reported that the closing on his house had been cancelled in the aftermath of the storm and asked for status on the closing.
- Ray Chokov, 62 Pequannock Avenue, questioned status of the FEMA buyout on his property. Mr. Hollberg suggested they schedule a meeting to review the status.
- Joe Wells, 5 Washington Street, reported that high volume for the rabies clinic was problematic and suggested that the clinic be moved back to the DPW facility, reported the tax lien sale of the Speciale property and requested that the administration communicate information concerning property for sale to the Open Space Committee. Mr. Hollberg noted that the Passaic River coalition acquired funds for the purchase of the Speciale property, explained the tax lien sale process and will ask the tax collector to provide a list of tax liens to

be sold to the committee prior to the sale. Mr. Wells suggested pursuing access to Aquatic Park and a bike path within the town as alternatives to the bikeway.

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

**ORDINANCE INTRODUCTIONS.**

- **Ordinance No. 2012-27, ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 4116, LOT 8 (MUSTAFA & MAFIJE ASANI)**

On a motion by Mr. Vanderhoff, seconded by Mrs. Florance-Lynch, the ordinance was introduced by the following vote:

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

- **Ordinance No. 2012-28, ORDINANCE AMENDING CHAPTER 29 SECTION 029.13: HEALTH BENEFITS, LIFE INSURANCE**

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, the ordinance 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.**

- **R2012-191**, authorizing cancellation of Tax Sale Certificate.
- **R2012-192**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2012-193**, authorizing liens on designated properties for costs associated with the abatement of property maintenance violations.
- **R2012-194**, approving an amendment to the 2012 Municipal Budget in the amount of \$480,000.00 which is now available from the NJ Law & Public Safety - Hurricane Irene FEMA Disaster Assistance Program.
- **R2012-195**, supporting the Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown.
- **R2012-196**, requesting the NJDEP provide approved funding for De-Snagging and De-Silting of the Pompton River.
- **R2012-197**, approving payment of itemized claims as set forth on the **December 7, 2012 Bill List**.
- **R2012-198**, confirming the designated memberships in the Pequannock Township Fire Department.

Ms. Winterfield suggested modifying the R2012-196 to request a specific amount. After a brief discussion the Council agreed to modify R2012-195 to specify \$400,000 as the amount of the request for funding.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, **Resolutions R2012-191 through R2012-198** 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.** There were no items for discussion.

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

- Attended a FEMA meeting a week ago last Friday concerning the Sandy disaster reimbursement program. FEMA emphasized the requirement to obtain all DEP permits. In addition, FEMA will now pay for 30 days worth of straight time.
- The Township received \$480,000 in reimbursements from FEMA and will be able to pay off last year's 5 year special emergency.
- Met with local engineers and representatives from NJDEP in today to review the feeder dam report. The participants of the meeting supported the report's conclusion that there is no benefit to removing the dams. NJDEP will explore the meeting's recommendation that the land upland of the dams be used to increase flood storage.
- The annual road resurfacing project is complete. The utility poles on Sunset Road were relocated. The surface work will have to be delayed until it is warmer. Temporary measures for making the roads usable are being considered.

**COUNCIL REPORTS.**

**Mrs. Florance-Lynch:**

- The Environmental Commission will meet tomorrow and will attend a joint meeting Tuesday with the Green Team to discuss goals for next year.
- Shred Day was a success, taking in 9,040 pounds of paper as opposed to about 5,500 pounds

- collected at the last shred day.
- The Economic Development Committee is working on the Shop Local campaign, putting together a Town Guide with local merchants, and building a web site.
- The Flood Committee is meeting this Thursday.
- The Library is hosting a Colonial Holiday dance program on Sunday, December 16 at 2PM.
- The Central Flood Basin committee met.

**Mr. Engelbart:**

- The Historic District Commission is working with a contractor to replace the lights that were vandalized. They received a donation of Fire Company membership certificates dating back to 1915.
- Thanked Dave Battaglia for his service to the community.

**Mr. Vanderhoff:**

- Fire Company 1 held its elections for 2013 last Friday. The officers remain the same.
- Fire Company 2 will have its elections this Thursday night.
- Commended the DPW on the leaf cleanup this year.
- Suggested the Township communicate information about the radio station to the public.
- Noted that the Bike Path plan needed to be reviewed by the Police Department. Mr. Engelbart reminded the council that the bike path would require changes in parking.

**Ms. Winterfield:**

- Thanked the chairs of her committees for their presentations this evening.
- At their meeting, the Parks and Recreation Advisory Committee asked the council to consider setting the rates for PV park early and discussed putting money for aeration in the capital budget.

**PUBLIC COMMENT.**

- Dave Cox, 269 Sunset Road, reported a tree that is leaning on a telephone line and asked the Township to investigate.
- Frank Spizzirri, 35 West Franklin Avenue, thanked the council for Ordinance 2012-27 and asked for clarification of plans to improve the ball field.
- Rocco Salluce, 153 Jacksonville Road, noted problems with speeding on Newark Pompton Turnpike, requested information on Ordinance 2012-28, and asked if the Township makes money from the paper shredding. Mr. Hollberg explained that the ordinance provides opportunities for new employees to save money by offering different levels of health care plans and that the Township gets credit for the tonnage for recycling.
- David Harding, 5807 Tudor Drive, commended the Friends of the Pequannock Township Public Library for their programming.
- Mike Bertuna, 10 Beech Street, reminded the council that there is a JCP&L meeting in Lake Hopatcong.

**EXECUTIVE (CLOSED) SESSION.**

On a motion by Mr. Vanderhoff, seconded by Mr. Engelbart, the council unanimously approved **Resolution R2012-199**, authorizing an Executive Session to discuss the PBA and PSOA contracts and various employment situations.

The public portion of the meeting was recessed at 9:25 p.m. followed by the Executive Session; Deputy Clerk Carol Marsh and Councilman-elect David Kohle also attended.

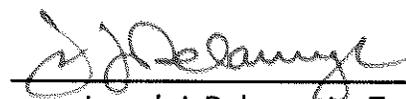
The closed session was completed at 9:59 p.m. at which time the Council reconvened the public meeting. Township Attorney Robert Oostdyk summarized the Executive Session discussions.

On a motion by Mr. Vanderhoff, seconded by Ms. Winterfield, **Resolution R2012-200** ratifying the collective bargaining agreements between the Township of Pequannock and the Police Benevolent Association and Superior Officers Association was adopted by the following vote:

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

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

**ADJOURNMENT.** There being no further business, on a motion by Mr. Vanderhoff, the meeting was adjourned at 10:01 p.m. without objection.

  
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Joseph J. Delaney, Jr., Township Clerk