

The August, 28 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 provided 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 Jay Vanderhoff
 Councilperson Cathy Winterfield

Absent:

Councilman Edward Engelbart

Also Attending:

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

There were 13 members of the public in attendance.

PRESENTATIONS.

Mayor Phelan honored the Memory of L/Cpl Philip Hess USMC with a brief history of his life and announced the street dedication ceremony planned for September 2, 2012.

REPORTS FROM VOLUNTEERS. There were no volunteer reports.

PUBLIC COMMENT.

Joe Jorgenson, 14 Myer Place, objected to his 2012 tax assessment and outlined various problems. Mr. Oostdyk suggested that he and Mr. Jorgenson discuss the filing of a Correction of Errors Appeal. In response to Mr. Jorgenson's objections to the use of concrete curbs debris in Woodland Lake as retaining wall, Township Manager Hollberg explained the material was moved to give the bank more definition and that the issue of permits was reviewed by the Township Engineer and DEP and determined that no wetlands exist at the location.

PUBLIC HEARING: Ordinance No. 2012-21, ORDINANCE ESTABLISHING THE TOWNSHIP OF PEQUANNOCK EMERGENCY MEDICAL SERVICE

Ms. Winterfield questioned the definition of physically fit; suggested a veteran preference for employment be established; include specifics regarding the person responsible for performance evaluations; and asked for verification the service will not result in increased liability insurance premiums.

Township Manager Hollberg explained that the physical requirements are standard, that the responsibility for performance evaluations is part of the job description for Department Supervisors, and that our current insurance already covers the EMS function so the Township's insurance rates would not be affected.

Mr. Vanderhoff suggested that preference to veterans would be appropriately established as an overall policy.

Mrs. Florance-Lynch expressed her approval of the ordinance.

Rob Cascone, 504 Chatfield Drive, expressed his agreement that Chilton Hospital is not providing adequate service but cautioned against expanding the service too quickly.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, **Ordinance No. 2012-21** was adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Vanderhoff, Ms. Winterfield, Mayor Phelan.

Against: None. Abstain: None. Absent: Mr. Engelbart.

ORDINANCE INTRODUCTIONS. There were no ordinances introduced.

RESOLUTIONS.

- **R2012-149**, supporting the Drive Sober or Get Pulled Over 2012 Statewide Crackdown.
- **R2012-150**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2012-151**, authorizing the Utility Collector to cancel designated maintenance fees.

- **R2012-152**, authorizing the abatement of property maintenance violations at designated properties.
- **R2012-153**, approving issuance of an Alcoholic Beverage Control Social Affair Special Permit.
- **R2012-154**, approving payment of the **August 22, 2012 Bill List**.

In response to questions from Ms. Winterfield regarding resolution R2012-149 and the Bill List, Mr. Hollberg reported the Drive Sober grant funds police overtime for DWI enforcement during specific periods during the year, and that engineering costs in the bill list were for work on the water blending facility.

Following a brief discussion of the Social Affairs Permit application, the council agreed to move the resolutions.

On a motion by Mr. Vanderhoff, seconded by Mrs. Florance-Lynch, **Resolutions R2012-149 through R2012-154** were adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Vanderhoff, Ms. Winterfield, Mayor Phelan.

Against: None. Abstain: None. Absent: Mr. Engelbart.

ITEMS FOR DISCUSSION.

MANAGER'S REPORT.

- The 2012 Tax Rate has been certified at \$2.102 per \$100.00 of assessed value. Tax bills have been issued and 3rd quarter payments are due by September 21.
- Sewer Assessments for the Farm Road/Munson Drive sewer project were confirmed last evening and bills will be issued by the end of the week. Initial payments will be due within 45 days.
- The assessment confirmation hearing for the Pequannock Avenue phase of the sewer project will be scheduled for Monday, September 24.
- Funding for Riverwalk phase 6 property acquisitions has been approved by the Morris County Open Space Flood Mitigation Program. Since this funding has been approved; the application from the traditional Morris County Open Space funding program will be withdrawn.
- A pre-construction meeting for the Water Blending Facility project has been scheduled for September 5th.
- Survey work on West Franklin Road is underway; plans and bid specifications are being finalized for the project.
- Demolition of 2 homes on Pequannock Avenue purchased under the Riverwalk Phase 5 grant is underway.

COUNCIL REPORTS.

Ms. Winterfield:

- Reported the Fair Housing Committee met last week: scheduled closings are going smoothly and the committee is working on an audit of the affordable units.
- Reminded the community that there will be a special meeting of the Township Council on September 19, 2012 to hear a presentation by NJ Connect.
- Requested that the Township consider formalizing a Veteran preference policy.
- Requested that the Council meet to discuss the Capital budget.

Mr. Vanderhoff:

- Announced the recent completion of an Eagle Scout Project – a popular floating dock at Woodland Lake.
- Reported the Shade Tree Commission and Planning Board did not meet; Fire Companies will meet next week.
- Announced he is unable to attend the September 6th Flood Control Meeting with Assemblyman Rumana; Mrs. Florance-Lynch and Emergency Management Coordinator Bobbi Jo Murphy are available.
- Informed that council that he will be absent for the next meeting.

Mrs. Florance-Lynch:

- Reported the Environment Committee's will meet on September 12th; a tentative date of April 6 is set for next year's River cleanup.
- Announced the Green Team and Environment Committee will be at the Hoe Down; both are working with the Home and School Association on education concerning car idling and have updated the anti-idling resolution for consideration by the Council.
- The Green Team will be hosting another Shred Day on Saturday, December 1.
- The Economic Development Committee will be kicking off the Pick Pequannock program to promote local businesses at the Hoe Down and are working on updates to their web site

which promotes and assists local businesses. The next networking event is scheduled for October 24th from 5pm to 7pm at the Senior Center. The next EDC meeting is Wednesday, September 26th at 7:30.

- The Library Board will meet September 19th.
- The Flood Committee will meet Thursday, September 13th.
- The Central Region Flood Basin Committee issued a press release on the first Anniversary of Irene pertaining to the lack of funds and action on Storm Water Management projects for the Passaic River Basin.
- The Senior Advisory Committee will be meeting September 4th.
- The submission deadline for the Pequannock Newsletter is September 10th.
- Thanked volunteers as well as Kings Deli, Jersey Johnny's, and Shop Rite for their donations to the weekend's successful PV park event.

Mayor Phelan:

- Announced that Councilman Engelbart is recovering from recent surgery.
- Asked for status on the Cablevision franchise agreement.
- Asked for status on the updated Reservoir Management Legislation.
- Noted that work on the Water Blending facility is underway.
- Questioned the status of FEMA reimbursements.
- Requested status on the possibility of shared services with the Riverdale Tax and Construction departments.

PUBLIC COMMENT.

- Christopher Lotito, 84 Madison Street, requested that vehicle and home based businesses be included in information disseminated by the Economic Development Committee.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Vanderhoff, seconded by Ms. Winterfield, the council unanimously approved **Resolution R2012-155**, authorizing an Executive Session to discuss litigation concerning the Handel litigation.

The public portion of the meeting was recessed at 8:20 p.m. followed by the Executive Session to review the status of the pending Handel litigation.

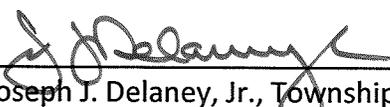
The closed session was completed at 8:38 p.m. at which time the Council reconvened the public meeting. Township Attorney Robert Oostdyk, Esq., summarized the Executive Session discussions. No formal action was taken.

APPROVAL OF MINUTES. On a motion by Mr. Vanderhoff, seconded Ms. Winterfield, the minutes for the July 10, 2012 and the July 24, 2012 meetings were approved by the following vote:

For: Mrs. Florance-Lynch, Mr. Vanderhoff, Ms. Winterfield, Mayor Phelan.

Against: None. Abstain: None. Absent: Mr. Engelbart.

ADJOURNMENT. There being no further business, on a motion by Mrs. Florance-Lynch, seconded Ms. Winterfield, the meeting was adjourned at 8:40 p.m. by unanimous vote of the Council.



Joseph J. Delaney, Jr., Township Clerk