

The September 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 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.

Mayor Phelan paid tribute to the victims and heroes of September 11, 2001.

**ROLL CALL.**

Present:

Mayor Richard Phelan  
Deputy Mayor Melissa Florance Lynch  
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  
Jill Hartmann, Township Planner

Absent:

Councilman Edward Engelbart  
Councilman Jay Vanderhoff

There were 8 members of the public in attendance.

**PRESENTATIONS.**

Township Planner Jill Hartmann presented a rezoning proposal for a portion of the Newark Pompton Turnpike which includes a provision allowing gasoline sales establishments, auto repairs shops, and construction contractor offices and storage, as conditional uses. Mr. Hollberg provided background on the existing commercial activities located in this area presently zoned for single family residences and explained the proposed re-zoning allows some commercial use that is compatible with the surrounding residential properties. In response to questions from the Council, Ms. Hartmann reported the status of the sign ordinance and noted that development of the properties would continue to be subject to site plan review.

**REPORTS FROM VOLUNTEERS.** There were no volunteer reports.

**PUBLIC COMMENT.**

- David Cox, 269 Sunset Road, questioned the effect of the proposed zoning ordinance on pre-existing nonconforming uses.
- Louise Marchese, 16 Roland Road, observed that the anniversary of 9/11 is today. In response to objections from Ms. Marchese concerning donations for defibrillators, Mr. Hollberg explained that the defibrillators are not required, but are a good idea, that the impetus for the request came from community organizations and they hoped that the request for donations would help make the public aware that the defibrillators were available.
- Chris Scott, 5 Riverside Drive and 11 Slingerland, reiterated his request made at a previous meeting that he not be required to pay school taxes on unoccupied property and expressed dissatisfaction with the length of time the purchase process was taking.
- Tom Andrea, 6 Elm Road, thanked the Mayor for his comments on 9/11, questioned the ability of the Township council to abate taxes on fire damaged properties, and suggested that members of the council consider attending the Town hall style meetings which are held bimonthly at Cedar Crest.
- Tony Franchino, 21 Lyman Ave, commented on the lack of 9/11 services and questioned the Township's response to the extended loss of electricity in some neighborhoods during the prior night's storm. Mr. Hollberg explained the priorities for responses to power outages.
- Henry Samek, 4 Misty Court, commented on the New Jersey Administrative code concerning assessment of taxes on incomplete structures, and questioned the tax increases on commercial properties.

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

**ORDINANCE INTRODUCTIONS.**

- **Ordinance No. 2012-23**, ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 307, LOT 2 (JAMES LUKIEVICS) AND A CONTRACT FOR THE PURCHASE OF BLOCK 307, LOT 1 (EVELYN NEUNTEUFEL)

Members of the council expressed their support for the ordinance. On a motion by Mrs. Florance-Lynch, seconded by Ms. Winterfield, the ordinance was introduced by the following vote:

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

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

**RESOLUTIONS.**

- **R2012-156**, authorizing Tax Office refunds, overpayments or cancellations
- **R2012-157**, authorizing liens on designated properties for costs associated with the abatement of property maintenance violations
- **R2012-158**, authorizing release of designated Escrow Deposits
- **R2012-159**, approving payment of the itemized claims as set forth on the **September 7, 2012 Bill List**

On a motion by Mrs. Florance-Lynch, seconded by Ms. Winterfield, **Resolutions R2012-156 through R2012-159** were adopted by the following vote:

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

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

**ITEMS FOR DISCUSSION.**

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

- The preconstruction meeting for the Water Blending Facility was held last week. Mobilization for pipe construction should begin next week. The Township will send notices to homeowners in the area along Mountain Avenue regarding construction and traffic detours. There will be no day time access to Tudor Drive from Mountain Avenue for several weeks.
- Plans for road resurfacing have been completed. This work will be accomplished through a Morris County cooperative purchasing contract so that a separate bid will not be necessary. Work will be scheduled with the coop vendor.
- Surveying for West Franklin has been completed and project design is now underway.
- The spaces designated for Senior Parking in the front lot will be painted this weekend.
- Recognized Jean McCrystal as the Employee of the Month

**COUNCIL REPORTS.*****Mrs. Florance-Lynch:***

- The Environmental Commission met briefly this evening.
- The Green Team will meet September 18 at 7:30 pm.
- Both the Green Team and the Environmental Commission will be at the Hoe Down.
- The next Economic Development Commission meeting is scheduled for September 26<sup>th</sup>.
- The Library Board will meet September 19<sup>th</sup>.
- The Flood Committee is scheduled to meet Thursday September 13<sup>th</sup>.
- The Army Corp of Engineers and NJDEP have scheduled a meeting in Wayne on Sept 13<sup>th</sup> at 6 p.m.
- An Eagle Scout project has been completed at Woodland Lake. The boat house will be used for storage of paddle boats and kayaks.
- Questioned the Manager on the grade at the boat ramp.

***Ms. Winterfield:***

- Asked for clarification concerning removal of feeder dams. The dams will not be removed.
- The Open Space Committee met on Monday, 9/10 and discussed beginning the easement project associated with the completion of the Riverwalk. Gail McDonald from The Land Conservancy of New Jersey was in attendance & agreed to set-up a meeting with Frank Spizzirri, Chair of the Open Space Committee, to review other town's easement work & see how it could aid Pequannock in the process.
- Teen Advisory - Planning a Fall Fever event on 10/27 with Lincoln Park teens. The tentative location is Lincoln Park Lake.
- Reminded Mr. Hollberg about providing a resolution for Veteran friendly hiring in Pequannock Township.
- Asked about re-painting lanes between Sunset Rd. & West Parkway. The lines will be painted as part of the road resurfacing project in the next 2 - 3 months.

- Asked for status on outstanding building permits.

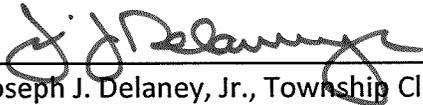
**Mayor Phelan:**

- Requested that the Township obtain an MIA flag.
- Questioned the Manager on the status of the council meeting video and requested that the Township arrange to have a camera for the council meetings.
- Announced that the Greenwood sewer assessment meeting is scheduled for September 24<sup>th</sup>.

**PUBLIC COMMENT.**

- Michael Handel, 22 Foothills Drive, suggested that properties be demolished before purchase, and informed the council that a traffic study had been done and thanked council for consideration on the central business district ordinance.
- Henry Samek, 4 Misty Court, requested an update on the status of shared services.
- Chris Scott, 5 Riverside Drive and 11 Slingerland Avenue – In response to questions concerning the payment of school taxes on unoccupied property, Township Attorney Robert Oostdyk explained there is no mechanism in the State of New Jersey for the separation of taxing authorities. Mr. Scott also asked about the possibility of talking to someone from the county concerning de-snagging the river, and asked if it was possible to evaluate maintenance of Beedy's dam.

**ADJOURNMENT.** There being no further business, on a motion by Mrs. Florance-Lynch, seconded Ms. Winterfield, the meeting was adjourned at 9:03 p.m. by unanimous vote of the Council.

  
\_\_\_\_\_  
Joseph J. Delaney, Jr., Township Clerk