

The January 22, 2013 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 David Kohle
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 16 members of the public in attendance.

PRESENTATIONS. There were no presentations.

REPORTS FROM VOLUNTEERS.

- Rocco Salluce, Fair Housing Committee Chairman, requested an update on enforcement actions.
- Jay Wanczyk, Open Space Advisory Committee and Historic District Commission, conveyed a message from Frank Spizzirri, Committee Chairman that the committee is in favor of renewing the Township's contract with the New Jersey Land Conservancy. The Historic District Commission is making progress with the museum and anticipates opening the Museum every Sunday; the Express Wagon is being restored with funds from the Township Historic Society. The annual report of the Commission is forthcoming; reported Crest 21 Real Estate has donated funds toward a laptop to be used in the museum's surveillance system.

PUBLIC COMMENT.

- David Cox, 269 Sunset Road - Mayor Phelan expressed frustration with JCP&L in response to Mr. Cox commenting on his continuing requests street light repairs. Mr. Cox also reminded the council a prior engineer had suggested that Sunset Road be repaired and expressed dissatisfaction with the state of the repairs.
- Rocco Salluce, 153 Jacksonville Road, asked if the Cablevision contract was exclusive, reported on a recent discussion with Verizon for FIOS service and inquired about the status of cablevision cameras, stated his support for Green Team suggestions but opposes mandatory requirements, and expressed concern that the shredding program will reduce recycling efforts by contractor.
- Jay Wanczyk, 26 Poplar Avenue, announced the Pequannock Valley Rotary Club's Valentine Dinner Dance, and invited all to attend.
- John Potenza, 435 Newark-Pompton Turnpike, stated his opinion that the proposed rezoning is inconsistent with the Master Plan, that the prior use has been discontinued for more than 10 years, that the current use is not in keeping with residential character of the area, and presented documentation concerning solid waste violations.
- Don Bruno, 5 Bruno Lane, Zoning Board of Adjustment Chairman, speaking as an individual, reported on various aspects of a zoning board application for a property in the proposed zone, recounted some of the history of the area and requested the Council find a compromise such as a professional or residential building.

PUBLIC HEARING. There were no public hearings.

ORDINANCE INTRODUCTIONS.

- **ORDINANCE NO. 2013-01**, AN ORDINANCE AMENDING CHAPTER 189 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND ESTABLISHING A NEW

ZONING DISTRICT TO BE KNOWN AS THE C1A COMMUNITY BUSINESS DISTRICT AND
REGULATIONS GOVERNING THE C1A COMMUNITY BUSINESS DISTRICT

Mr. Vanderhoff stated the ordinance moves the process to the Planning Board where the zoning will be reviewed and a compromise can be developed.

Mrs. Florance-Lynch expressed agreement that something needs to be done with the area as well as concern about allowing contractor equipment and trucks at the site, and is unsure that the Planning Board can work out the details.

Mayor Phelan asked Zoning Board Chairman Bruno what the effect of zoning the area for residential and professional use would be on the current usage. Mr. Bruno reviewed the history of the site.

Ms. Winterfield requested Township Attorney Oostdyk review the effect of the ordinance on the non-conforming status, expressed her opinion that the ordinance should reflect the long term goal for the area, and suggested the ordinance be modified.

Mr. Kohle expressed concern about various aspects of the ordinance.

Mayor Phelan suggested the ordinance be introduced with paragraph A(3)e and paragraph U removed.

On a motion by Ms. Winterfield, seconded by Mr. Kohle, the ordinance as modified was introduced by the following vote:

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

April 23rd was set as the tentative date for the public hearing.

ITEMS FOR DISCUSSION.

Mayor Phelan suggested the council consider the items for discussion prior to the consideration of resolutions

- Draft resolution authorizing continuation of the Green Team Advisory Committee and appointing members to serve for the calendar year 2013. Mrs. Florance-Lynch provided background and accomplishments of the Green Team and outlined the Green Team activities. Council members discussed the mission and structure of the Green Team and Environmental Commission and the committee structure in general and agreed to have volunteers interested in the Green Team update the mission of the Green Team for further consideration.

RESOLUTIONS.

- **R2013-43**, approving payment of itemized claims as set forth on the January 18, 2013 Bill List.
- **R2012-44**, authorizing a one (1) Year contract with Chilton Hospital for daytime EMS Medical Services

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, **Resolutions R2013-43 and R2013-44** were adopted by the following vote:

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

Mr. Vanderhoff requested that appointments to the Flood Advisory Committee be considered individually.

- **R2013-42A**, appointing Donald Argott to the Flood Control Advisory Committee.

On a motion by Mayor Phelan, seconded by Mr. Vanderhoff, **Resolution R2013-42A** was adopted by the following vote:

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

- **R2013-42B**, appointing Louse Marchese to the Flood Control Advisory Committee.

On a motion by Mayor Phelan, seconded by Mr. Kohle, **Resolution R2013-42B** was adopted by the following vote:

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

- **R2013-42C**, appointing Kenneth Hardaker to the Flood Control Advisory Committee.

On a motion by Mrs. Florance-Lynch, seconded by Ms. Winterfield, **Resolution R2013-42C** was adopted by the following vote:

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

- **R2013-42D**, appointing Kim Chorba to the Flood Control Advisory Committee.

On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, **Resolution R2013-42D** was adopted by the following vote:

For: Mr. Kohle, 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:

- In response to a sudden increase in demand for flu vaccinations, the Health Department scheduled additional clinics for each of the communities that we service over the past two weeks.
- Attended the applicants briefing for Hazard Mitigation Grant Program (HMGP) funding associated with the Hurricane Sandy Disaster Declaration. Letters of intent are due by mid-February indicating the projects and approximate scope of funding being requested. Backup generators for critical facilities are eligible for funding as are electronic message boards located at facilities with back-up power. We began to inventory our needs for additional and upgraded generators in November and that will be the basis for our letter of intent.
- The total solid waste tonnage disposed from our municipal solid waste collection program in 2012 was the lowest amount in 22 years since the utility was started. While many factors contribute to this, certainly the ease of our recycling program is one. 2012 was the first year that we actively enforced mandatory recycling regulations.
- The Manager's budget proposal has been submitted to the Township Council to begin their review. As proposed the overall budget remains flat due to several flood related items not repeating in 2013. The tax impact would be 1 tax point, or a levy increase of 1.75%. The budget will change as there are several key amounts that remain unknown at this time, including insurance and State Aid amounts.

COUNCIL REPORTS.

Mrs. Florance-Lynch:

- The Economic Development Commission meets tomorrow.
- The Environmental Commission's stream inspections were recently completed. The Commission discussed the aeration plans for PV Park presented at the last council meeting.
- The Flood Committee met, potential members attended the meeting, and discussed the Village Area sewer project.
- The Green Team did not meet
- The Library Board will be mailing their calendar of programs to members as well as posting it on the web site. The Children's book sale was a success.

Mr. Vanderhoff:

- The Fire Departments did not meet.
- The Shade Tree Commission meeting is next week.
- Requested status update on the Washington Park project.

Mr. Kohle:

- The Open Space committee met on January 14. Frank Spizzirri was re-elected as Chairman; Robin Jones was re-elected as Vice-Chairman and Christopher Lotito was elected as Secretary. The Committee is recommending the renewal of the Land Conservancy contracts.
- The Fair Housing Committee meets tomorrow.

Ms. Winterfield:

- The Teen Advisory Committee will meet Thursday.
- Made inquiry on the swearing-in of committee volunteers.
- Noted that Township employees will be participating in National Wear Red Day for Heart Disease awareness on February 1st and expressed support for the program.

Mayor Phelan:

- Announced the blood drive on January 28th at Pequannock High School and one sponsored by the Suburban Women's Club at Grace Chapel on January 27th.
- Asked if anyone received a list of lakes which use the Airmax aeration system.

PUBLIC COMMENT.

- Rocco Salluce, 153 Jacksonville Road, suggested that volunteers be advised that serving on committees requires a commitment of time and asked if there are sponsors for the Library calendar.
- Mike Bertuna, 10 Beech Street, stated that more code enforcement is needed. In response to Mr. Bertuna's questioning the status of additional crosswalks in south end of town, Councilwoman Winterfield questioned the process for establishing reduced speed limits.

EXECUTIVE (CLOSED) SESSION. On a motion by Mayor Phelan, seconded by Mr. Vanderhoff, the council unanimously approved **Resolution R2013-45**, authorizing an Executive Session to discuss the Hudson City Savings Bank tax appeal.

The public portion of the meeting was recessed at 9:30 p.m. followed by the Executive Session at 9:33 p.m. Township Attorney Oostdyk outlined the proposed tax appeal settlement. The closed session was completed at 9:36 p.m. at which time the Council reconvened the public meeting.

On a motion by Mayor Phelan, seconded by Vanderhoff, the terms of the Hudson City Savings Bank tax appeal were approved by the following vote:

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

Against: None. Abstain: None. Absent: None.

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

ADJOURNMENT. There being no further business the meeting was adjourned at 9:38 p.m. without objection by unanimous vote of the council.



Joseph J. Delaney, Jr., Township Clerk