

The February 12, 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 12 members of the public in attendance.

**PRESENTATIONS.** There were no presentations.

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

- Jay Wanczyk, Chair of the Historic Preservation Commission, reported that the commission is reviewing the Township code concerning the Commission and will communicate any recommendations for updates to the council.
- Rob Cascone, Chair of the Economic Development Committee, reviewed the accomplishments of the Economic Development Committee including a Web page, Facebook, and the Pick Pequannock program.

#### **PUBLIC COMMENT.**

- Bob Steffy, 610 Mill Creek, Cedar Crest, reviewed the costs of the property tax rebate program and stated that the costs are too high to be a win-win.
- Christopher Lotito, 84 Madison, encouraged the Council to support legislation that would remove the fees for accessing digitized court records.

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

#### **ORDINANCE INTRODUCTIONS.**

- **ORDINANCE NO. 2013-02** AN ORDINANCE AMENDING CHAPTER 129 OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK AND REVISING DAILY USE FEES FOR PEQUANNOCK VALLEY PARK AND WOODLAND LAKE AND ESTABLISHING A NON-RESIDENT FEE FOR BARK PARK TAGS. The council discussed various aspects of the fees and enforcement issues. Mrs. Florance-Lynch questioned the rate change for weekend holiday residents over 60. Ms. Winterfield questioned the effectiveness of the enforcement concerning use of the Bark Park by non-residents and suggested using keys for access.
- Frank Spizziri, 33 West Franklin Avenue, suggested collecting daily usage information for PV Park.
- Lou Herbert, 22 Copley Court, asked if there had been a change in the group rate for PV Park.
- Ralph DiBuono, 44 Franklin Avenue, suggested that use of Bark Park be free for non-residents who live in a town that does not have a Bark Park.
- Rudy Steinthal, 28 Libby Avenue, suggested that the council establish a facility fee for profit making groups that use the Park.

On a motion by Mr. Vanderhoff, seconded by Mr. Kohle, the ordinance was introduced by the following vote:

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

#### **RESOLUTIONS.**

- **R2013-46**, requesting permission to increase the Police Department Petty Cash Fund from \$50.00 to \$100.00.

- **R2013-47**, authorizing an agreement with The Land Conservancy of N.J. for Open Space Advisory services for the year 2013.
- **R2013-48**, authorizing an agreement with the Land Conservancy of N.J. for Supplemental Property Acquisition services.
- **R2013-49**, supporting a Property Tax Rewards Program.
- **R2013-50**, approving payment of itemized claims as set forth on the **February 8, 2013 Bill List**.
- **R2013-51**, confirming designated memberships in the Township Fire Department.

Councilwoman Florance-Lynch requested clarification on the difference between the two Land conservancy contracts and for an explanation of the bill for Added and Omitted Taxes.

In response to questions from Councilman Kohle, Township Manager Hollberg explained the services and payments for towns which are served by Health Department.

Councilwoman Winterfield expressed concern about the reporting of the Tax rewards program. Councilman Vanderhoff commented the tax reward program will be a learning experience.

Mayor Phelan questioned the source of payment to NewBridge.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, **Resolutions R2013-46 through R2013-51** were adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Kohle, 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:

- Township is developing a Workforce Wellness Program allowing employees to regularly monitor their own health factors and compile data on the group as a whole to determine where significant risk factors may impact future health insurance costs.
- The Township closed on the second FEMA acquisition yesterday at 43 Harrison Road

**COUNCIL REPORTS.**

**Mrs. Florance-Lynch:**

- The next Economic Development Committee is scheduled for February 27th.
- Environmental Commission meets tomorrow night.
- The Flood Committee meeting is scheduled for Thursday; appointments have been held until the next meeting.
- Potential members of the Green Team will be meeting discuss goals for the team.
- Library meets Feb 20th.
- The Central Regional Flood board is reviewing the Feeder Dam removal study.

**Ms. Winterfield:**

- The Teen Advisory Committee met January 24th; thanked Deputy Clerk Marsh for web assistance. The next meeting will be February 28th at 7:30.
- Announced a Gun Safety program to be held at the Morristown Library on February 27th.

**Mr. Kohle:**

- The Fair Housing selected Rocco Salluce as Chairman and Alberta Alleva as Vice Chair and discussed the need for enforcement.
- The Open Space Committee discussed the use of Open Space funds for baseball field at the Stephen J. Gerace Elementary School; requested a letter to remove the library and pump station on Brooklawn Drive from the Recreational and Open Space Inventory (ROSI), and requested a detailed income/expense report of the Open Space Trust fund for 2012.
- Parks and Recreation Committee met on Feb 4th.

**Mr. Vanderhoff:**

- Fire Department mandatory training is being completed online.
- The new training officer has set up schedule of joint training between the two companies which should be starting in about a week.
- Commended the Public Works Department for the snow removal during the recent storm.
- The Shade Tree Commission meets next week.

**Mayor Phelan:**

- The Parks and Recreation Committee discussed removal of the dirt pile at Washington Park.
- There have been three Budget meetings; one more is scheduled.
- Discussed iPads to reduce the use of paper documents.
- Requested status update on Cablevision cameras.

**PUBLIC COMMENT.**

- Sharon Taylor, 19 Libby Avenue, complimented the Public Works Department on their snow removal.
- Ralph DiBuono, 44 Franklin Avenue, suggested relocating recreation facilities to newly acquired flood areas and using the better properties for alternative uses.

**EXECUTIVE (CLOSED) SESSION.**

- On a motion by Mr. Vanderhoff, seconded by Mrs. Florance-Lynch, the council unanimously approved **Resolution R2013-52**, authorizing an Executive Session to discuss potential litigation matter and ongoing litigation involving the township zoning ordinance.

The public portion of the meeting was recessed at 8:35 p.m. followed by the Executive Session at 8:40 p.m. Township Attorney Oostdyk reported on the status of pending zoning denial appeal litigation and recently settled tax foreclosure litigation that may involve the Township as the holder of the tax sale premium. The closed session was completed at 9:06 p.m. at which time the Council reconvened the public meeting. No formal action was taken.

**APPROVAL OF MINUTES.**

On a motion by Mr. Vanderhoff, seconded by Ms. Winterfield, minutes of the December 26, 2012 meeting were approved by the following vote:

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

Against: None. Abstain: Mr. Kohle. Absent: None.

**ADJOURNMENT.** There being no further business the meeting was adjourned at 9:09 p.m. by unanimous vote of the council.



Joseph J. Delaney, Jr., Township Clerk