

The May 28, 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 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.

Present:

Mayor Richard Phelan
 Deputy Mayor Melissa Florance Lynch
 Councilman David Kohle
 Councilman Jay Vanderhoff
 Councilwoman Cathy Winterfield

Absent:

None

Also Attending:

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

There were 12 members of the public in attendance.

Mayor Phelan paid tribute to those who gave their lives in service to the nation.

PRESENTATIONS.

- Pequannock Township Historian Ed Engelbart presented a collection of photographs donated to the Historic District Commission by Mark Convoy of Glen Rock, who dedicated the collection to the Veterans of World War II, invited the Council to the dedication of a restored American Express wagon and a reproduction of a Wells Fargo Express sign, thanked the council for their support of the Historic District Commission and volunteers for their assistance, and expressed his support for continuing Morris County's Open Space Trust Fund.

REPORTS FROM VOLUNTEERS.

- Frank Spizzirri, Open Space Chair, noted that Mr. Engelbart's comments were unsolicited.

PUBLIC COMMENT.

- Dave Cox, 269 Sunset Road, thanked the Township for paving Sunset Road, and questioned if Mr. Engelbart had located the Pompton Plains sign that was retrieved from Jersey City. Mr. Engelbart regretted that he had not.
- Kathleen Schatzman, Humane Society NJ Director, 94 White Pine Drive, Colts Neck, offered assistance to the Township in adopting humane methods of managing ducks and geese.
- Tony Franchino, 21 Lyman Avenue, questioned the amount of Blue Acres funding, requested the Council consider buying his house and stated that he won't vote for anyone who has run for freeholder before since there are still trees on County property across from his which were downed as long ago as Hurricane Floyd. Mr. Franchino also reported holes in the road near the railroad tracks.

PUBLIC HEARING - Ordinance No. 2013-06, AN ORDINANCE ESTABLISHING MINIMUM AND MAXIMUM SALARIES AND PAY RATES FOR DESIGNATED OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF PEQUANNOCK FOR THE YEAR 2013

The Council expressed support for the ordinance.

- Alberta Alleva, 75 West Parkway, questioned who "designated officials" referred to, if their raises would be public information, and if the employees would be involved in setting their goals.

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

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

PUBLIC HEARING - Ordinance No. 2013-08, ORDINANCE REPEALING CHAPTER 107 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK ENTITLED "MASSAGE, BODYWORK, AND SOMATIC THERAPY ESTABLISHMENTS"

There was no public comment. On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, the ordinance was adopted by the following vote:

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

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

PUBLIC HEARING - Ordinance No. 2013-09, ORDINANCE APPROPRIATING \$232,000 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY

There was no public comment. On a motion by Mr. Vanderhoff, seconded by Ms. Winterfield, the ordinance was adopted by the following vote:

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

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

PUBLIC HEARING - Ordinance No. 2013-10, AN ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AND APPROPRIATING THE SUM OF \$571,000 FOR FINANCING THEREOF.

There was no public comment. On a motion by Mr. Kohle, seconded by Mrs. Florance-Lynch, the ordinance was adopted by the following vote:

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

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

ORDINANCE INTRODUCTIONS.

- **Ordinance No. 2013-11, ORDINANCE AMENDING CHAPTER 77 THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND ESTABLISHING REVISED PROCEDURES FOR AFFORDABLE HOUSING RESALE APPLICATIONS AND OWNERSHIP CONTROLS**

Mrs. Florance-Lynch noted that the changes implemented in the ordinance were suggested by the Fair Housing Committee.

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

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

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

- **Ordinance No. 2013-12, ORDINANCE APPROPRIATING \$261,000 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY**

Township Manager Hollberg explained that the ordinance includes the Stephen J. Gerace field improvements and a PV Park Master Plan.

Ms. Winterfield stated her opposition to the ordinance, reiterated that she would like usage statistics and more consideration made to traffic and parking controls.

Mayor Phelan stated that a traffic study was planned and a fence was planned.

In response to a question by Mrs. Florance Lynch, Mr. Hollberg explained Washington Park was included in the event bids come in low and the funding balance could be applied to Washington Park.

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

For: Mr. Kohle, Mr. Vanderhoff, Mayor Phelan.

Against: Mrs. Florance-Lynch, Ms. Winterfield. Abstain: None. Absent: None.

- **Ordinance No. 2013-13, AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT AND VARIOUS IMPROVEMENTS TO THE SEWER FACILITIES IN AND BY THE TOWNSHIP OF PEQUANNOCK, COUNTY OF MORRIS, STATE OF NEW JERSEY AND APPROPRIATING THE SUM OF \$67,000.00 FOR FINANCING THEREFOR**

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

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

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

RESOLUTIONS.

- **R2013-91, approving the special event application for the Pequannock Township Street Fair.**
- **R2013-92, approving the special event application for the Thunderbird Car Show.**

- **R2013-93**, authorizing the abatement of property maintenance violations at designated properties.
- **R2013-94**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2013-95**, authorizing release of designated Escrow Deposits.
- **R2013-96**, authorizing the execution of Flood Mitigation Grant Agreements.
- **R2013-97**, approving payment of itemized claims as set forth on the **May 24, 2013 Bill List**.
- **R2013-98**, authorizing the NJDEP Treatment Works Permit Application consent for the Village Area Sewer project.
- **R2013-99**, authorizing submission of a Community Stewardship Incentive Program Application.

The Council discussed the 45 day requirement for special event applications.

Mrs. Florance-Lynch commented that there was an issue with recycling at last year's Street Fair and requested an explanation of R2013-96.

Ms. Winterfield questioned the requirement in R2013-96 for review by the Morris County Planning Board for any structures to be built, and suggested an information meeting for residents affected by the Village Area Sewer project. Township Manager Hollberg explained that the issue of Planning Board review is moot since FEMA rules would not allow structures, and suggested the administration hold the informational meeting.

On a motion by Ms. Winterfield, seconded by Mrs. Florance-Lynch, **Resolutions R2013-91 through R2013-99** 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.

- **Ordinance No. 2013-14, AN ORDINANCE ESTABLISHING REQUIREMENTS FOR PRIVATE STORM DRAIN INLET RETROFITTING**

- Mr. Hollberg explained that ordinance brings local regulations into compliance with federal law.

- David Cox, 269 Sunset Road, commented the Council should be aware that he has an easement for storm water management on his property.

Following a discussion of the implications of the regulations, the Council opted to introduce the ordinance.

On a motion by Mr. Vanderhoff, seconded by Mr. Kohle, **Ordinance No. 2013-14** was introduced by the following vote:

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

- **AN ORDINANCE TO AMEND CHAPTER 029 ENTITLED, "SALARIES AND PERSONNEL" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK**

Township Manager Hollberg summarized the ordinance. The Council discussed the impact to current employees and to the budget and agreed to consider the ordinance for introduction at the next meeting.

MANAGER'S REPORT.

- Township Manager David Hollberg reported the following:
- Review of the design for West Franklin indicates that there is currently no water main in the road. Final design will include construction of a water main to loop the system from Newark-Prompton Turnpike to the Boulevard and all of the homes on West Franklin which currently have water connections coming from one of the side streets will be replaced with direct connections.
 - Over 100 residents participated in the Town-wide garage sale on May 18th.
 - PV Park is open and water quality readings are good.
 - Payment was received from our insurance carrier for physical damage that occurred during hurricane Sandy. The payment was for approximately \$41,000 and is less our \$5,000 policy deductible.

COUNCIL REPORTS.

Mr. Kohle:

- Restrooms are in at Greenview Park.
- PV Park had a slow weekend due to the weather.

Mr. Vanderhoff:

- Fire Officers meeting scheduled for tomorrow night.
- Planning Board meets Monday to finalize the Chilton Hospital review.

- Fire Companies have expressed concern about the number of events being held.

Ms. Winterfield:

- Teen Advisory Committee met last weeks. They are planning a Great Adventure trip on July 11.
- Historic District Commission meets Wednesday.

Mrs. Florance-Lynch:

- Environmental Commission, Green Team, and Economic Development Commission will be at the Street Fair.
- Economic Development Committee is working with FinCredit to register businesses for the Tax Reward program. About 11 businesses are registered so far.
- Relay for Life of Pompton Valley will be held again this year at the High School beginning Friday, June 14. There is a complimentary dinner for Cancer Survivors and their guests, donated by the Pompton Queen Diner.

Mayor Phelan:

- The Red Cross is holding a meeting with local OEMs and Health Departments in the Passaic Valley flood area on June 15 at 6p.m. Council Members and local churches are invited.
- Requested that Mr. Hollberg get price quotes for iPads for the Council.


PUBLIC COMMENT.

- Dave Cox, 269 Sunset Road, questioned where the farms for the farmer's market are located.
- Frank Spizzirri, 35 West Franklin, requested status on how long the delay will be on West Franklin. Mr. Hollberg explained that they would be installing a water main during construction. Mr. Spizzirri questioned the wording of Ordinance No. 2013-12.

EXECUTIVE (CLOSED) SESSION. There was no executive session.

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

ADJOURNMENT. There being no further business, the meeting was adjourned at 9:00 p.m. without objection.



Carol J. Marsh, Deputy Township Clerk