

The August 13, 2013 meeting of the Township Council of the Township of Pequannock, Morris County, New Jersey was called to order at 7:00 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:

"Pursuant to 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.

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
Joseph J. Delaney, Jr., Township Clerk
Mike DeSimone, PE, Consulting Engineer

There were 12 members of the public in attendance.

PRESENTATIONS. There were no presentations.

REPORTS FROM VOLUNTEERS.

- Frank Spizzirri, Open Space Committee Chair, reported on the status on the Recreation and Open Space Inventory (ROSI) and Riverwalk easements, and announced the public hearing on proposed modifications to the ROSI to be held during the September 24th Council meeting.
- Christopher Lotito, Historic District Commission member, thanked the Public Works Department for landscaping improvements at the Railroad Museum.

PUBLIC COMMENT.

- Alberta Alleva, 75 West Parkway, commented on the improved view with the podium relocated from the center to the side. Ms. Alleva also provided information on her recent visit to the Lincoln Park swim club and suggested: PV Park be kept open on days that swimming is not allowed; a joint Lincoln Park and Pequannock Township recreation department be considered; and improved notification when the lake is forced to closed. Ms. Alleva also thanked the council for manner in which meetings are conducted
- Tom Andrea, 6 Elm Road, commented on the Lincoln Park beach and swim club and stated that he would ask the Parks and Recreation Advisory Committee to consider Ms. Alleva's suggestions.
- Louise Marchese, 16 Rowland Road, questioned if school supplies were being sold at the Farmer's Market and objected to the use of an "A frame" sign to advertise the event. Township Manager Hollberg explained that donations of school supplies were being accepted at the market not being offered for sale.

PUBLIC HEARING. There were no public hearings.

ORDINANCE INTRODUCTION - Ordinance No. 2013-17, ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 4106 LOT 3 (STEPHANIE DROZD)

Township Manager Hollberg stated that the property is the third of 15 properties to go to contract under the Hazard Mitigation Grant Program and our second FEMA grant.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, 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.

- **R2013-121**, authorizing submission of the Sustainable New Jersey Grant Application.
- **R2013-122**, confirming designated memberships in the Township Fire Department.
- **R2013-123**, approving payment of itemized claims as set forth on the **August 7, 2013 Bill List**.

Mrs. Florance-Lynch provided background information on the Rain Garden Demonstration Grant.

Ms. Winterfield requested information on refunds to FEMA.

Mr. Vanderhoff commented on the Rain Garden project.

On a motion by Mr. Kohle, seconded by Mrs. Florance-Lynch, **Resolutions R2013-121 through R2013-123** 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.

- Lucas bid withdrawal – Township Attorney Oostdyk requested discussion in closed session.

REPORTS AND NOTICES.

- NJ Alcoholic Beverage Control Additional Retail Privilege (Ventimiglia Vineyard, LLC/Pizza Man, 574 Newark-Pompton Turnpike)
- Alberta Alleva, 75 West Parkway, questioned details of the license rules.

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

- The closing for 351 Route 23 was completed this week. This acquisition is the first funded through the Morris County Flood Mitigation Program and eliminates a high risk flood prone property with limited access. The property is immediately adjoining to Woodland Lake.
- West Parkway Striping and the 2013 Road Resurfacing projects have been completed.
- An updated project status report is attached.
- The Water Blending Facility has been operating on its automated controls for the past several weeks; suggested scheduling a dedication ceremony. The Council is requested to provide their availability for Saturday mornings August 31, September 7, and September 14.
- The Final Tax Rate was struck at \$2.075, a 1.3% reduction from 2012. The Tax Rate detail and year over year comparison is shown below:

Municipal and Library	0.492	0.497	1.0%
Local Open Space	0.010	0.006	(40.0%)
County	0.262	0.247	(5.7%)
County Open Space	0.018	0.012	(33.3%)
School	<u>1.320</u>	<u>1.313</u>	<u>(0.5%)</u>
Total	2.102	2.075	(1.3%)

COUNCIL REPORTS.

Mr. Kohle:

- Open Space Committee met last night. The signs announcing proposed changes to the ROSI are posted. The Committee discussed the Hoe Down.
- The Hoe Down is scheduled for Saturday, September 21 with a rain date of Sunday, September 22.
- Fair Housing will meet later this month.
- Washington Park dirt needs to be addressed.

Mr. Vanderhoff:

- Planning Board will meet next week.
- Questioned if boats at Woodland Lake could be rented without membership at the park.

Ms. Winterfield

- Suggested the Blending Facility Dedication be held on the 7th or 14th.
- Reported on issues concerning Teen Advisory Committee events.

Mrs. Florance-Lynch:

- Economic Development Committee: Pick Pequannock cards are available and will be mailed to all property owners/residents; approximately 25 merchants signed up and further promotion of the program. Ms. Winterfield suggested promoting in church bulletins. An outside publisher has developed a Town Guide which will be mailed shortly.
- The Flood Committee will focus on the elevation of homes in flood prone areas and on River mapping; considering how best to maintain a list of and disseminate information to residents in flood areas. The next meeting is Thursday, September 12.
- The August meeting of the Environmental Commission is cancelled.
- Green Team meets August 26th. Ms. Winterfield questioned if the mailing of the cards can be combined with the mailing of the survey.
- Environmental Commission, Green Team, Flood Advisory and Economic Development committees will be at the Hoe Down.

Mayor Phelan:

- Requested status on cameras for the Council meetings.
- Expressed concern that requested testing of sirens on the Boulevard be completed prior to the opening of school.
- Requested status on providing iPads to the Council.
- Questioned if a review of refund policy is needed.

PUBLIC COMMENT.

- Alberta Alleva, 75 West Parkway, questioned the use of the church on the cover of the "Town Guide".

EXECUTIVE (CLOSED) SESSION. On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, the council unanimously approved **Resolution R2013-124**, authorizing an Executive Session to discuss potential litigation related to the Lucas Bid withdrawal request, the 69 Pequannock LLC Tax Appeal, and the Westpark Easement.

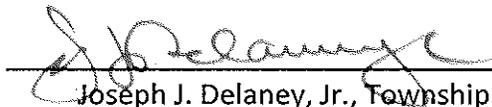
The public portion of the meeting was recessed at 8:02 p.m. followed by the Executive Session at 8:07 p.m.

- Lucas Bid Withdrawal - Sewer project engineer Mike De Simone provided a summary of the bids received and reported on his review of a recent bid submitted by Lucas for a project in Franklin Township. Township Attorney Oostdyk outlined the statute regarding bid withdrawal and recommended the Council schedule a hearing for the bidder to appear and make their cases for the withdrawal. Township Manager Hollberg presented his recommendation to deny the bidder's request to withdraw the bid.
- 69 Pequannock LLC Tax Appeal – Attorney Oostdyk presented a proposed settlement of the case and received direction from the Council.
- West Park Easement – Attorney Oostdyk and Township Manager Hollberg provided background on the dispute regarding the easement for the Water Blending Facility. Mr. Oostdyk was authorized to proceed.

The closed session was completed at 8:56 p.m. at which time the Council reconvened the public meeting. Township Attorney Oostdyk summarized the Executive Session discussion. No formal action was taken.

APPROVAL OF MINUTES. There were no minutes for approval.

ADJOURNMENT. There being no further business the meeting was adjourned at 8:59 p.m. without objection.


Joseph J. Delaney, Jr., Township Clerk