

The September 10, 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.

Township Clerk Delaney 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

There were 9 members of the public in attendance.

PRESENTATIONS.

- A proclamation was presented to Robert Parker, CEO of New Bridge Services, declaring September 19, 2013 New Bridge Services day.

REPORTS FROM VOLUNTEERS.

- Christopher Lotito, Open Space Committee member, requested information on property acquisition.

PUBLIC COMMENT. There were no public comments.

PUBLIC HEARING - Ordinance No. 2013-18, AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF SANITARY SEWER IMPROVEMENTS ALONG WEST FRANKLIN AVENUE IN AND BY THE TOWNSHIP OF PEQUANNOCK, COUNTY OF MORRIS, STATE OF NEW JERSEY AND APPROPRIATING THE SUM OF \$15,000 FOR FINANCING THEREFOR.

There were no public comments. 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. 2013-19, BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF WATER MAINS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$140,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$140,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

There were no public comments.

Ms. Winterfield requested a summary of the Township debt. On a motion by Mr. Vanderhoff, 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 INTRODUCTION - Ordinance No. 2013-20, AN ORDINANCE TO AMEND CHAPTER 088 ENTITLED, "FOOD AND BEVERAGE" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK

Township Manager Hollberg outlined the ordinance.

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

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

ORDINANCE INTRODUCTION - Ordinance No. 2013-21, AN ORDINANCE TO AMEND CHAPTER 150 ENTITLED, "INDIVIDUAL SEWAGE DISPOSAL SYSTEM" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK

Township Manager Hollberg outlined the ordinance noting the changes to the fees reflect the time spent in the review process.

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

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

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

ORDINANCE INTRODUCTION - Ordinance No. 2013-22, AN ORDINANCE TO AMEND CHAPTER 150 ENTITLED, "INDIVIDUAL SEWAGE DISPOSAL SYSTEM" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK

The ordinance was withdrawn from consideration pending further review.

RESOLUTIONS.

- **R2013-135**, approving the special event license for American Prosperity Group/Brainy-Acts.
- **R2013-136**, approving the special event license for the North Jersey Half Marathon.
- **R2013-137**, authorizing release of designated Escrow Deposits.
- **R2013-138**, accepting the donation from Geraldine Mines of the 0.3 acre parcel known as Block 401, Lot 3.
- **R2013-139**, awarding a contract pursuant to the New Jersey State Contract Pricing Program to Warshauer Generator, LLC.
- **R2013-140**, awarding a contract for the reconstruction of West Franklin Avenue to Reivax Contracting Corp.
- **R2013-141**, requesting approval for the dedication by rider of Joint Insurance Fund refunds
- **R2013-142**, canceling unexpended Capital Appropriation balances.
- **R2013-143**, approving payment of itemized claims as set forth on the **September 5, 2013 Bill List**.

On a motion by Mr. Vanderhoff, seconded by Mrs. Florance-Lynch, **Resolutions R2013-135 through R2013-143** 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.

REPORTS AND NOTICES. There were no reports or notices.

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

- An updated project status report has been distributed to the Council.
- At the last meeting the Manager was authorized to acquire Tax Title Liens on units with Fair Housing restrictions. At this time all of the open municipal balances on those units have been paid and there will be no need to use the authorization provided. The Tax Sale will be held tomorrow.
- Two grant applications have been prepared for NJDOT Grants to assist with the repaving and sidewalk upgrades along Sunset Road from West Parkway to the Boulevard. One grant is for the standard DOT municipal aid and a second for Safe Streets to Transit for the sidewalks and required handicapped improvements. Resolutions of support for these grants will be included your agenda for September 24th.
- Inquiries have been made into the progress of the Cablevision Franchise renewal process. The Board of Public Utilities (BPU) indicated the Appendix A to the agreement, listing the municipal locations to receive cable service under the agreement needed to be submitted. A follow-up copy of Appendix A has been provided to both the Cablevision and the BPU.
- Lincoln Park administrator Perry Meyers has expressed concern over the Suburban Trands article regarding the use of the Lincoln Park Lake by our PV Park members in circumstances when our lake is closed. While answering a question posed by a resident at a meeting, my intent was to relay the circumstances that had occurred over the past two seasons with regard to our lake closures. I had hoped to express how flexible Lincoln Park had been in allowing us to access their lake on short notice in 2012 and it was not my intention to place blame on Lincoln Park or Mr. Meyers for the fact that an agreement for interlocal use was not in place at the beginning of the 2013 season.

COUNCIL REPORTS.

Mr. Kohle:

- Parks and Recreation Committee reported the Family and Friends of Freedom group will be

honoring our veterans at the next Farmers market; the committee discussed PV Park membership and the possibility of adding a water slide.

- Open Space Committee met last night and discussed the Jefferson property.

Mr. Vanderhoff:

- Suggested a section of grass be removed as a deterrent to the water fowl at PV Park.
- Questioned if there was consideration of the use of rail tracks for light rail.
- Fire Co. No. 2 meeting was postponed

Ms. Winterfield:

- Historic District Commission discussed their Hoedown Contest. The Commission will be participating in a 16 town Museum weekend on October 12 and 13; discussing the acquisition of the Martin Berry House.
- Commented on the resident survey.

Mrs. Florance-Lynch:

- Economic Development Committee will be attending the Hoedown to provide information on the Tax Reward Program; next meeting is scheduled for October 23.
- Flood Advisory Committee will meet this Thursday.
- Environmental Commission meets Wednesday, September 11.
- Green Team will meet Monday, September 23.
- All four committees will be represented at the Hoedown.
- Shred Day is scheduled for Saturday, November 9 from 9:00 a.m. to 1:00 p.m.
- Morris County Municipal Utility Authority's Household Hazardous Waste Collection Day is October 19.
- Library Board is scheduled to meet September 18.

Mayor Phelan:

- Unico's September 11 Anniversary Ceremony will be held at 6:30 p.m.
- PV Park earned more revenue in 2013 than in 2012.
- Improvements to the Boulevard sidewalks are tentatively scheduled for the spring of 2014.
- Requested the bill lists be posted online.
- iPads are being ordered.
- The First Aid Squad is hosting a performance of Beatlemania on October 26.
- First Aid Squad's Casino Night is January 25.
- Council members are available to answer resident questions on a non-official Facebook page.

PUBLIC COMMENT.

- John Bannon, 212 Green Leaf Court, Cedar Crest, 14 month resident, requested information on the Tax Reward program and complimented the Township parks.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Vanderhoff, seconded by Mrs. Florance-Lynch, **Resolution R2013-144**, authorizing an Executive Session to discuss property acquisition, Cedar Crest tax appeal and the Lucas Sewer Contract litigation was unanimously adopted.

The public portion of the meeting was recessed at 7:40 p.m. followed by the Executive Session which began at 7:45 p.m..

- Property acquisition – Township Manager Hollberg reported on the various funding options available.
- Cedar Crest tax appeal – Township Attorney Oostdyk provided an update on the tax appeal status.
- Litigation - Lucas Sewer Contract - Township Attorney Oostdyk provided an update.

The closed session was completed at 8:07 p.m. at which time the public meeting was reconvened and Township Attorney Oostdyk summarized the Executive Session discussions. No formal action was taken.

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

ADJOURNMENT. There being no further business, on a motion by Mr. Vanderhoff, seconded by Mr. Kohle, the meeting was adjourned at 8:08 p.m. without objection.



Joseph J. Delaney, Jr., Township Clerk