

The October 8, 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
 Peter Correale, Health Officer

There were 13 members of the public in attendance.

REPORTS FROM VOLUNTEERS.

- Frank Spizzirri, Open Space Committee Chair, reported today was the final day for comments on the Recreation Open Space Inventory ROSI amendment, reported contact with Morris County concerning funding for easements, and requested the Council consider restoring the local open space tax.

PUBLIC COMMENT.

- Frank Spizzirri, 35 West Franklin Avenue, requested more detailed information on the Bill List, and noted that the Suburban Trends meeting list doesn't include Township Council meetings.
- Lou Hebert, 22 Copley Court, reported Board of Adjustment meetings are also omitted from the Suburban Trends meeting list.
- Anthony Franchino, 21 Lyman Avenue, commented on: the danger crossing the Turnpike by pedestrians; no one is taking responsibility for removing downed trees; McDonald beach is no longer a beach; using birth control for geese; the Boys and Girls Club was supposed to improve the building and put in a swimming pool.
- Louise Marchese, 16 Rowland Road, reported that dredging grants are available. Mr. Hollberg explained the Township will be applying for the grants and clarified that the funds would be used for de-snagging rather than dredging.

PRESENTATIONS.

- A proclamation was presented to Eagle Scout Michael Luehs.

PUBLIC HEARING - Ordinance No. 2013-20, AN ORDINANCE TO AMEND CHAPTER 088 ENTITLED, "FOOD AND BEVERAGE" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK (continued)

Township Health Officer Peter Correale explained the training requirements addressed by the ordinance. Members of the Council expressed concern about adding new fees to local businesses. Mr. Hollberg questioned if the requirement could be implemented at no cost to the establishment initially.

- Louise Marchese, 16 Rowland Road, noted the restaurant business is very transient and questioned if the certificate could be used by an employee at a new position.
- Christopher Lotito, 84 Madison Street, requested information about violation rates in Bloomingdale where the requirements have been in place for several years.
- Frank Spizzirri, 35 West Franklin Avenue, suggested the Chamber of Commerce might be an avenue for soliciting feedback from the businesses.
- Henry Samek, 4 Misty Court, questioned the impact of fees and fines on businesses.
- Rocco Salluce, 153 Jacksonville Road, stated that a lot of businesses are struggling and objected to the implementation of the fee.

Township Manager Hollberg suggested the inclusion of a future date for implementing the fee. The ordinance was amended to delay implementation of the fee until January 1, 2016

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, the amended 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. 2013-22, AN ORDINANCE TO AMEND CHAPTER 166 ENTITLED, "SWIMMING POOLS" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK

Mr. Vanderhoff expressed concern the screening requirement will be confused with existing fencing requirements. The ordinance was amended to clarify the language concerning screening and fencing.

- Henry Samek, 4 Misty Court, commented on the need for fencing around the pond at The Glens.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, the amended 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. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2013-155**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2013-156**, approving payment of itemized claims as set forth on the **October 3, 2013 Bill List**.
- **R2013-157**, approving the special event application for The First Reformed Church, Pequannock Area Ride for Rescue.

On a motion by Mr. Vanderhoff, seconded by Mrs. Florance-Lynch, **Resolutions R2013-155 through R2013-157** 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.

- LED signs - The council discussed the language concerning LED signs in the C1 and residential districts; use of signs at schools and municipal buildings; and the size of electronic signs. It was agreed the Township should seek input from professional organizations before moving forward with the ordinance.

REPORTS AND NOTICES. There were no reports or notices.

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

- Two property closing were completed under FEMA yesterday.
- We will be applying for a DEP grant for de-snagging in cooperation with Morris County and surrounding municipalities.

COUNCIL REPORTS.

Mrs. Florance-Lynch:

- Provide status on the Tax Reward program: 1056 homeowners and 29 renters have registered their cards; 25 merchants are now signed on; \$21,964.21 in total sales was reported resulting in \$1,923.80 in tax savings.
- Economic Development Committee is working closely with the Chamber of Commerce to attract more business to the Tax Reward program; Mobile apps for phones will be available shortly.
- Shred Day is Saturday, November 9, and the Morris County Municipal Utilities Authority is holding a Household Hazardous waste day in the Municipal parking lot on Saturday, October 19.

Ms. Winterfield

- Historic District Commission reported that, on Saturday and Sunday, the small museums of Morris County are open for the annual Pathways to History event.

Mr. Kohle:

- Fair Housing Committee met on September.
- Parks and Recreation Committee met last night; a Halloween party is scheduled for Saturday October 26 at Greenview Park; the last two Farmers Market dates will be Thursday, October 10 and Thursday, October 17; a Holiday Festival is scheduled for Thursday, December 12th from 6:30 to 8:00 p.m. at Greenview Park.

Mayor Phelan:

- Noted the recent passing of Grace Askling.
- Requested Marty Dobb be recognized at the next meeting of the Township Council.

PUBLIC COMMENT.

- Rocco Salluce, 153 Jacksonville Road, requested an update on the Cablevision cameras, questioned the status of a property on the Turnpike, requested information on a property in The Glens concerning a Fair Housing issue, and questioned the renewal date of the garbage contract.
- Henry Samek, 4 Misty Court, questioned the status of the resident survey, noted that if businesses close taxes will be made up for by the residents, and presented information on overregulation by the government.
- Sharon Taylor, 19 Libby Avenue, requested a review of the Boys and Girls Club organization. Mr. Hollberg explained that the club had been purchased from the Board of Education several years ago; and renovations were planned; the cost of repairs does not come from the municipal budget.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, **Resolution R2013-158**, authorizing an Executive Session to discuss the following items was adopted:

- Contract Negotiations – Property Acquisition
- Litigation – Lucas Construction

The public portion of the meeting was recessed at 8:45 p.m. Open Space Committee Chairman Frank Spizzirri attended the closed session related to the acquisition of open space.

- Contract Negotiations – Property Acquisition: Township Manager Hollberg reported on the tentative agreement to purchase the Jefferson Avenue property for \$980,000 and outlined various funding options including the use of Township and Morris County open space funds. Mr. Spizzirri stated his support for the acquisition. Township Attorney Oostdyk outlined the option to purchase or lease the property while securing grant funds. The consensus was to apply for Morris County funding and pursue an option to purchase the property.

Mr. Spizzirri left the closed session at 9:04 p.m.


- Litigation - Lucas Construction: Township Attorney Oostdyk reported the judge decided to allow the bid withdrawal leaving the Township to either reject all bids or award to a higher bidder. Mr. Oostdyk was directed to draft a resolution rejecting all bids for the next meeting.

The closed session was completed at 9:10 p.m. at which time the public meeting was reconvened.

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 Ms. Winterfield, seconded by Mr. Vanerhoff, the meeting was adjourned at 9:11 p.m. without objection.



Joseph J. Delaney, Jr., Township Clerk