

The December 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 16 members of the public in attendance.

PRESENTATIONS.

- The 2013 Mayor’s Award was presented to the Suburban Woman’s Club of Pompton Plains.
- January 11 of each year was proclaimed Human Trafficking Awareness Day in the Township of Pequannock.

REPORTS FROM VOLUNTEERS.

- Frank Spizzirri, Open Space Committee Chair, reported the committee supports renewal of the Land Conservancy contract; interested members will submit Volunteer Applications; and distributed an updated Open Space Properties List. Drafts of Easement Agreement have been reviewed by the committee. Mr. Spizzirri also reported that he, Township Manager Hollberg, Township Attorney Oostdyk and representatives from the Land Conservancy will meet to finalize the agreements. The meeting time of the Committee will change from 7:30 to 7:00 p.m. in 2014. Mr. Spizzirri thanked the Council for their support.
- Louise Marchese, Economic Development Committee Recording Secretary, reported the following accomplishments for the year: assisted in the publication of the Town Guide; development and promotion of the Pick Pequannock campaign and the Property Tax Reward program; attended six Grand Openings; launched the new website; hosted tables at the Street Fair and the Hoedown; and reviewed the Township’s sign ordinance. Ms. Marchese thanked Committee Chair Rob Cascone.

PUBLIC COMMENT.

- Frank Spizzirri, 35 West Franklin Avenue, thanked the Council for ongoing improvements to West Franklin Avenue.

PUBLIC HEARING - Ordinance No. 2013-23, ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 3701 LOT 1 (JEFFERSON AVENUE) FROM ADVENTURE HOLDING I LLC

There were no public comments. Ms. Winterfield requested the environmental work proceed quickly.

On a motion by Mr. Vanderhoff, seconded by Mr. Kohle, **Ordinance No. 2013-23** 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. 2013-24, AN ORDINANCE AMENDING CHAPTER 129 OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK AND REVISING FEES FOR PEQUANNOCK VALLEY PARK AND WOODLAND LAKE.

There were no public comments. Mr. Kohle requested the language be changed from “flat fee” to “Facility Use Fee” to clarify the meaning. Mrs. Florance Lynch requested confirmation that Woodland Lake memberships are restricted to residents of Pequannock Township.

On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, **Ordinance No. 2013-23** as amended 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.

- **R2013-185**, awarding a contract for Emergency Tree Removal.
- **R2013-186**, supporting the Drive Sober or Get Pulled Over 2013 Year End Statewide Crackdown.
- **R2013-187**, consenting to the proposed Water Quality Management (WQM) plan amendment.
- **R2013-188**, authorizing participation in a Joint Insurance Fund.
- **R2013-189**, authorizing the cancellation of Reserve Account Balances.
- **R2013-190**, approving payment of itemized claims as set forth on the **December 5, 2013 Bill List**.

R2013-187 and R2013-188 were removed from consideration at this time

Township Manager Hollberg outlined the proposal to join the Morris County Joint Insurance Fund. The Council requested a representative from the County Planning office attend a meeting to provide information on the Water Quality Management plan.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, **Resolutions R2013-185, R2013-186 and Resolutions R2013-189 through R2013-190** 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.

- Annual Reorganization meeting - will be scheduled for Tuesday, January 7 at 7:00 p.m.

REPORTS AND NOTICES. There were no reports or notices.

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

- Final renewals and quotes were received today for both our General Insurance and Group Health Insurance. The recommended change in General Insurance will save about \$10,000 and our fixed costs for Group Health will remain flat for 2014.
- The original scope of work for the de-snagging project has been completed slightly under budget. The contractor will complete additional work until the original grant funds have been fully expended allowing us to close out the grant and provide final documentation to NJDEP before our next grant application is considered.
- Mountain Avenue locations for an elevated water tank will work hydrologically; construction and design estimates have been requested for budget consideration.
- During the month we will transition to a new, hosted telephone service which will reduce our costs by almost half and provide a much larger range of services; no phone numbers will change.

COUNCIL REPORTS.

Mr. Vanderhoff:

- Fire Co. No. 1 held annual elections; Chief Bell will continue next year.
- Fire Co. No. 2 elections are scheduled for Thursday night.
- The Planning Board has not met.

Mr. Kohle:

- Open Space Committee met last night and discussed easements.
- Thanked the Committee chairs for making the year uneventful.

Mrs. Florance-Lynch:

- Provided the following status on the Tax Reward program: 1,314 homeowners and 72 renters have registered their cards representing about 20% of total households; 27 merchants are now signed on; \$103,000 in total sales was reported resulting in tax credits of about \$9,480. Next steps are being discussed.
- Flood Advisory Committee meets this Thursday at 7:30.
- Green Team meeting has been changed to December 16 at 7 p.m.
- Environmental Commission meets tomorrow.

- Library Board meets December 18.
- Requested status on the resident survey.

Ms. Winterfield:

- Questioned the engineering costs for the Mountain Avenue water tank.
- Commented on the appraisal for a Historic Property.

Mayor Phelan:

- Requested status on courtroom cameras.
- Commented on the Town Guide and newsletter.
- Announced an Eagle Scout Court of Honor for Troop 144, December 29 at 1:30 p.m.

PUBLIC COMMENT. There were no public comments.

APPROVAL OF MINUTES.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, minutes of the August 27, September 10, September 24, and October 8 meetings were unanimously approved with Mr. Kohle abstaining on the August 27 minutes.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Kohle, seconded by Mrs. Florance Lynch **Resolution R2013-191**, authorizing an Executive Session to discuss Cedar Crest and Panraq Associates tax appeals, Handel litigation, and Open Space acquisition was unanimously adopted.

The public portion of the meeting was recessed at 7:48 p.m. followed by the Executive Session during which the following items were discussed:

- Cedar Crest tax appeal – Township Attorney Oostdyk reported a preliminary appraisal estimate has been reviewed and the Tax Assessor has reviewed the property owner’s application for tax exemption for the non-profit (nursing care) area of the property. Mr. Oostdyk and Township Manager Hollberg outlined the Township strategy to defend the tax assessment.
- Panraq Associates (Spa 23) tax appeal – Township Attorney Oostdyk reviewed his memo on a proposed settlement and was provided direction by the Council.
- Handel Litigation – Township Attorney Oostdyk reported on the status of the pending litigation with the next step being depositions. Various enforcement options and several neighbor disputes and concerns were discussed.
- Township Manager contract renewal - Mayor Phelan outlined the agreed upon parameters to prepare a final agreement.
- Open Space Acquisitions – Township Manager Hollberg reported on the the status of pending property acquisitions.

The closed session was completed at 8:27 p.m. at which time the public meeting was reconvened. Township Attorney Oostdyk summarized the Executive Session discussions. No formal action was taken.

ADJOURNMENT. There being no further business, on a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, the meeting was adjourned at 8:30 p.m. without objection.

Joseph J. Delaney, Jr., Township Clerk