

The April 22, 2014 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 Melissa Florance-Lynch presiding.

Township Clerk Jay 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 Florance-Lynch led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

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

Absent: None

Also Attending:

David Hollberg, Township Manager  
 Robert Oostdyk, Esq., Township Attorney  
 Joseph J. Delaney, Jr., Township Clerk

There were 27 members of the public in attendance.

**PRESENTATIONS.**

- The Hillview Elementary School Environmental Club presented plans for a Township Recycling Center

**REPORTS FROM VOLUNTEERS.**

- Tom Newman, Environmental Commission Chair, presented Environmental Commission accomplishments for 2013 as well as planned activities and goals for 2014.
- Frank Spizzirri, Open Space Committee Chair, reported the committee is working on easements at the former A&P property.
- Rocco Salluce, Fair Housing Committee member, reported on compliance issues with affordable housing enforcement.

**PUBLIC COMMENT.**

- Rocco Salluce, 153 Jacksonville Road, questioned the status of zoning enforcement of a site on Newark Pompton Turnpike.

**PUBLIC HEARING - Ordinance No. 2014-03, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR THE YEAR 2014**

There were no public comments.

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

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

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

**PUBLIC HEARING - Ordinance No. 2014-04, ORDINANCE AMENDING CHAPTER 41 (ALARM SYSTEMS) OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK AND PROVIDING FOR FEES FOR MULTIPLE FALSE ALARMS**

- Rocco Salluce, 153 Jacksonville Road, requested an explanation of the changes.

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

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

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

**PUBLIC HEARING - Ordinance No. 2014-05, ORDINANCE AMENDING CHAPTER 152 (SEWERS) OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK**

Frank Spizzirri, 35 West Franklin Avenue requested an explanation of the ordinance.

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

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

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

**ORDINANCE INTRODUCTIONS.**

- **ORDINANCE NO. 2014-06**, AN ORDINANCE AMENDING CHAPTER 152 (SEWERS) OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK

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

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

- **ORDINANCE NO. 2014-07**, AN ORDINANCE AMENDING CHAPTER 129 (PARKS AND RECREATION) OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK AND REVISING FEES FOR PEQUANNOCK VALLEY PARK AND WOODLAND LAKE

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

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

**RESOLUTIONS.**

- **R2014-90**, authorizing a Developer's Agreement between the Township of Pequannock and ABN Realty Co., LLC.
- **R2014-91**, accepting a conveyance from ABN Realty Co., LLC (portion of Block 2705, Lot 2).
- **R2014-93**, authorizing release of designated Escrow Deposits.
- **R2014-94**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2014-95**, confirming the designated membership in the Pequannock Township Fire Department.
- **R2014-96**, approving the designated special event permit application(s).
- **R2014-97**, supporting passage of S-1510 authorizing municipalities to finance water conservation, storm shelter construction, and flood and hurricane resistance projects.
- **R2014-98**, approving payment of itemized claims as set forth on the April 17, 2014 Bill List.

Mr. Phelan requested Resolutions **R2014-90** and **R2014-91** be discussed separately.

Members of the Council requested information regarding the timing of the agreement and required permits. After discussion, **R2014-90** was held for further review.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, **Resolutions R2014-91 through R2014-98** were adopted by the following vote:

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

**ITEMS FOR DISCUSSION.** There were no discussion items.

**REPORTS AND NOTICES.**

- Planning Board Hearing Notice - The Happy Hound K-9 Social Club, LLC 721 Rt. 23 South (B-802, L-5)
- NJDEP Permit Application Notice -- New York SMSA Limited Partnership d/b/a Verizon Wireless re: 84 Lincoln Park Road (B-4401, L-9)
- Franklin Township resolution in support of a water tax to fund loss of land equity in Highlands Region.
- Town of Boonton resolution supporting legislation to make permanent the required employee healthcare benefits payroll contribution set forth in Ch. 78. P.L. 2011

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

- The Township will be installing new signs at various locations in residential neighborhoods where we have received complaints of excessive speeding. The signs read "Drive Like Your Kids Live Here". Some of the locations where they will be placed include Ackerson, Cooper and Nichols. Thanks to Councilman Kohle for the suggestions.
- The preconstruction meeting for the Village Area Sewer project was held last week. Initial preliminary work is underway and equipment and material will start being staged over the next two weeks. Initial construction will begin about May 12<sup>th</sup> and will involve a closure on the Boulevard at Sunset Road for about two days.
- The preconstruction meeting for the Boulevard Sidewalk project will be held next week at which time a construction schedule will be discussed. This will be primarily a summer project and should have minimal impact to traffic along the Boulevard.
- The Township met with officials from Pilgrim Pipeline who are in the process of scoping a project that will bring a petroleum transmission pipeline through the Township using the existing Gas

Transmission Right of Way. They are in the process of completing surveys and environmental studies.

- Several additional FEMA acquisition contracts will be coming to the Council for approval over the next month as we have made progress with a few of the properties that were stalled for a variety of reasons.

#### **COUNCIL REPORTS.**

##### **Mr. Kohle:**

- Fair Housing Committee will meet tomorrow night.
- Thanked Frank Spizzirri, Chair of the Open Space Committee, for a tour of properties on the Township's Open Space inventory last Friday.

##### **Ms. Winterfield**

- Friends of the Martin Berry House, a subgroup of the Historic District Commission will have their first meeting Wednesday, April 30<sup>th</sup> at 7:00 p.m.
- Requested information regarding the Highlands Act Water Tax.
- Requested an update on the Jefferson property soil sampling.

##### **Mr. Phelan:**

- On August 2<sup>nd</sup> the First Aid Squad is having a wet down in Greenview Park.

##### **Mr. Vanderhoff:**

- Planning Board met last night and approved the Happy Hound K9 Social Club, and a resolution to send the sign ordinance to the Council.
- Requested status regarding the appraisal of 255 Mountain Avenue.

##### **Mayor Florance-Lynch:**

- No report.

#### **PUBLIC COMMENT.**

- Frank Spizzirri, 35 West Franklin, requested a speeding sign be saved for West Franklin Avenue and reported on an article in The Record regarding a municipality in the Highlands Planning Area facing difficulty placing a ball field.
- Rocco Salluce, 153 Jacksonville Road, objected to the number of political signs at an address on West Parkway. Mr. Oostdyk noted municipalities have very limited ability to control of political signs. Questioned if work has begun on construction of the Castle.

#### **EXECUTIVE (CLOSED) SESSION.**

On a motion by Mr. Vanderhoff, seconded by Mr. Phelan, **Resolution R2014-99**, authorizing an Executive Session to discuss matters of Attorney Client Privilege (Property Maintenance Enforcement), and Land Acquisitions was unanimously adopted.

The public portion of the meeting was recessed at 8:33 p.m. followed by the Executive Session during which the following items were discussed:

- Attorney Client Privilege: The Council discussed a property maintenance enforcement issue and received an update from the Township Manager of available resources and was able to give direction concerning general policy concerning property maintenance.
- Property Acquisitions: The Township Manager gave an update regarding the status of the Jefferson Street environmental review and the appraisal for 255 Mountain Avenue.

The closed session was completed at 8:58 p.m. at which time the public meeting was reconvened.

Township Attorney Oostdyk summarized the Executive Session discussion. 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. Phelan, seconded by Mr. Kohle, the meeting was adjourned at 8:59 p.m. without objection.



Prepared August, 2016 by  
Carol J. Marsh, Township Clerk



Melissa Florance-Lynch, 2014 Mayor