

The March 24, 2015 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 Cathy Winterfield 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 Winterfield led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

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

Absent: None

Also Attending:

David Hollberg, Township Manager
Robert Oostdyk, Esq., Township Attorney
Joseph J. Delaney, Jr., Township Clerk
Peter Correale, Health Officer
Carol J. Marsh, Deputy Township Clerk

There were 30 members of the public in attendance.

PRESENTATIONS.

- 275th Township Anniversary
- William Joseph, Official Crier of Morris County, read a proclamation officially opening the 275th Anniversary celebration.
- Freeholder Hank Lyon presented a proclamation from the Morris County Board of Chosen Freeholders.
- Ed Engelbart, Historic District Commission, invited everyone to enjoy our bicenquingenary (275th) celebration and presented art work collected by the 275th Anniversary Committee.
- Health Officer Peter Correale reported on the Food Training Program which has run 48 programs for almost 1,000 participants. Mr. Correale recommended the 2 hour program be continued with no fee structure.
- Frank Spizzirri, Solid Waste Advisory Committee Chair, presented the Committee's report outlining 6 options for inclusion in the garbage collection bid specifications.

REPORTS FROM VOLUNTEERS. There were no reports from volunteers.

PUBLIC COMMENT.

- Mark Convoy, 6 South Highwood Avenue, Glen Rock, formerly of Pequannock, donated his arrow head collection and commended the Pequannock Township Historic District Commission for their dedication and competence.
- Representatives of the Morris County Trust for Historic Preservation: Marion Harris, Chair, and Elise Dann, Treasurer, answered questions from the Council regarding easements on the Martin Berry House and regulations and experiences regarding the preservation of Historic Sites owned by public entities.
- Ed Engelbart, Township Historian, 64 Hopper Avenue, Member of the Morris County Historic

Preservation Trust Fund Advisory Board, provided information on funding for Historic Preservation.

- Marion Harris noted the requirement for a Historic Structures Report.
- Jane Costello, 3 Van Allen Place, Pompton Plains, stated that private individuals are only required to maintain the outside of a historic building, described the loss of the interior of her prior home, and encouraged the council to take steps that would preserve the inside of the Martin Berry House as well as the outside.
- Ruth Spellman, 4 Barnard Place, Pompton Plains, commented on the failure to acquire the Debow house several years ago, stated that if at some future date funds for maintaining the Martin Berry House are not available, the house could be sold, and encouraged the Council to approve the purchase of the house.
- Stacy Ann Webb, 289 Boulevard, commended members of the audience for their enthusiasm and requested information on the number of easements held by the Morris County Trust for Historic Preservation.
- Martin Berry Williams, Pompton Plains, provided background in foundations and grants, noted that great museums did not start with endowments or memberships programs, commended the volunteers, and expressed optimism that the group's fundraising efforts would be successful.
- Dave Stapp, 749 Newark-Pompton Turnpike, thanked Ms. Harris for coming and noted that the Township's acquisition of the Martin Berry House would make the property available to the public.
- Paul Haveman, Oak Ridge, formerly of Pequannock, member of The Friends of the Martin Berry House, introduced the group, thanked Ms. Harris and assured her that the group would do everything they could to preserve the property for future generations.

PUBLIC HEARING - Ordinance No. 2015-02 AN ORDINANCE AMENDING CHAPTER 132 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND REGULATING ITINERANT VENDING, SOLICITATION, AND CANVASSING

There were no public comments.

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

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

ORDINANCE INTRODUCTION.

- **Ordinance No. 2015-03, AN ORDINANCE TO AMEND CHAPTER 219 ENTITLED, "FOOD ESTABLISHMENTS AND FOOD AND BEVERAGE MACHINES, RETAIL" OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK**

On a motion by Mrs. Florance-Lynch, seconded by Mr. Phelan, the ordinance was approved for introduction by the following vote:

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

- **Ordinance No. 2015-04, 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 2015**

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

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

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

RESOLUTIONS.

- **R2015-72**, approving introduction the 2015 Municipal Budget.
- **R2015-73**, authorizing the transfer of 2014 Budget Appropriation Reserves.
- **R2015-74**, certifying that the members of the Governing Body have reviewed the Annual Report of Audit for the Year 2013.
- **R2015-75**, authorizing payment in the amount of \$5,098.40 to David Wetmore for Accumulated Leave.
- **R2015-76**, authorizing payment in the amount of \$6,825.00 to James Hofstetter (Estate) for Accumulated Leave.
- **R2015-77**, authorizing the release of designated Escrow Deposits.
- **R2015-78**, authorizing submission of a 2015 NJDOT Discretionary Aid grant application for sunset Road Pedestrian Safety and ADA Improvements.
- **R2015-79**, authorizing execution of a contract for Open Space Advisory Services with The Land Conservancy of New Jersey.
- **R2015-80**, approving the payment of the itemized claims as set forth on the March 19, 2015 Bill List.
- **R2015-81**, authorizing self-examination of the Municipal Budget for the Year 2015.

On a motion by Mr. Vanderhoff, seconded by Mr. Kohle, **Resolution R2013-72**, approving introduction of the 2015 Municipal Budget was adopted by the following vote:

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

Against: None. Abstain: None. Absent: None

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, **Resolutions R2015-73 through R2015-81** were adopted by the following vote:

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

Against: None. Abstain: None. Absent: None

ITEMS FOR DISCUSSION.

- **R2015-82**, authorizing submission of an application to the Morris County Historic Preservation Trust Fund Program.

The Council requested Resolution **R2015-82** be considered following the closed session.

REPORTS AND NOTICES.

- Zoning Board of Adjustment Hearing Notice: Brian Miller (5 Ridge Road)
- Zoning Ordinance Modification request: Adventure Holdings, LLC (101 Alexander Avenue, B-2705, L-1)

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

- Village Area Paving: as a result of the weather over the last three months, the contractor has not done any paving. In all of the areas that have been excavated in the several months they started laying the base materials, putting down stone and aggregate. Paving in the service trenches was

- scheduled to begin today and over the course of next 10 days or two weeks they will be paving the main line in all of the areas of the Village that were excavated.
- There are significant changes in the proposed flood insurance rate maps, some of which are cause for concern. We will be meeting with our neighboring towns to discuss where we have commonality. Once there is a formal presentation from FEMA, which should occur in the next few weeks, there will be a time frame for appeals. In order to appeal we will need to provide scientifically based evidence which will probably require hiring a hydrologist. We will explore the possibility of doing so on a cost shared basis.
 - The Governor's budget proposal included a road map for pension reform which has caused a fair amount of concern among both municipalities and unions. The State has not met its obligations to fund the state portion of pensions for many years which has caused them a significant deficit in their pension funding. The proposal has several aspects which the League of Municipalities will review. The Managers League and Finance Officers met last week to review some of the issues. Members of the executive board of GFOA including Mr. Hollberg are on the League's review committees and will be taking part in the evaluation process.

COUNCIL REPORTS.

Mr. Kohle:

- Fair Housing Committee is meeting tomorrow.

Mrs. Florance-Lynch:

- Flood Committee would like to thank the Council and the Township Manager and staff for their support in moving forward with the full Flood Mitigation report for our flood prone areas. It seems that the Town is in a position to move forward with the first round of FEMA grants when they become available. The Flood Committee is continuing to work on public outreach and will continue to work with the Town to improve our current rating system which will help residents with insurance premiums in the future. The next Flood meeting is scheduled for Thursday April 9th at 7:30 p.m.
- Economic Development Committee is meeting tomorrow night at 7:30 p.m. A representative from the Morris County Economic Development Corporation will attend to help with questions about redevelopment of business areas and economic growth. The Committee is planning to invite Downtown New Jersey to the following meeting.
- Municipal Alliance Committee is hosting a comedy night tomorrow night at the High School from 6:30 to 9 p.m. Everyone is invited.

Mr. Phelan:

- Requested status on Sunset Road repaving.

Mr. Vanderhoff:

- No report

Mayor Winterfield:

- Joint Study Committee, along with Mr. Hollberg, met and discussed sharing services related to vehicle maintenance. Mayor Winterfield and Deputy Mayor Kohle will also be attending a meeting with the Passaic County Board of Realtors.
- The 275th Anniversary Committee is working on a logo. The parade scheduled for June 27th has been cancelled. Other activities are being planned. The next meeting is in 2 weeks.

PUBLIC COMMENT.

- Ed Engelbart, 64 Hopper Avenue, expressed hope that negotiations with Eleanor Bogert

would be concluded and the Township would move forward with the purchase of the Martin Berry House.

EXECUTIVE (CLOSED) SESSION. .

On a motion by Mr. Phelan, seconded by Mr. Kohle, **Resolution R2015-81A**, authorizing an Executive Session to discuss contract negotiations and potential property acquisition.

Mr. Delaney stated that formal action might be taken following the Executive Session.

The public portion of the meeting was recessed at 8:50 p.m. at which time the Township Council met in Executive Session to discuss the following items:

- Contract negotiations with the Department of Public Works
- Potential property acquisition of the Martin Berry House

The Township manager updated the Council on the status of the negotiations with the Department of Public Works and advised the council on the various issues pertaining to the negotiations and the results thereof.

Council gave the Township Manager directions to continue the negotiations with the owner of the Martin Berry House and gave direction as to what a potential contract and contingencies in that contract might look like. The Township manager and Township attorney will continue with negotiations with the property owner.

The closed session was completed at 9:34 p.m. at which time the public meeting reconvened.

Township Attorney Oostdyk summarized the Executive Session discussion.

RESOLUTIONS (continued).

- **Resolution R2015-82**, authorizing submission of an application to the Morris County Historic Preservation Trust Fund Program.

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, **Resolution R2015-82** was adopted by the following vote:

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

Against: Mr. Vanderhoff. Abstain: None. Absent: None.

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

ADJOURNMENT. There being no further business the meeting was adjourned at 9:37 p.m. without objection.



Joseph J. Delaney, Jr., Township Clerk