

The June 9, 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 Carol Marsh 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 distributed to all persons requesting notice 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  
 Carol J. Marsh, Township Clerk

There were 30 members of the public in attendance.

**PRESENTATIONS.**

- Relay for Life Day Proclamation
- Tom Newman, Environmental Commission Chair, presented the annual Environmental Commission Report

**REPORTS FROM VOLUNTEERS.**

- Nick DeStefano, Flood Advisory Committee Vice Chair, reported on various aspects of the recently announced Flood Mitigation Assistance (FMA) grants and distributed copies of the FMA fact sheet.
- Frank Spizzirri, Open Space Committee Chair, reported the Open Space Committee needs several positions filled and requested information regarding quorum for the committee.
- Ed Engelbart, 275<sup>th</sup> Anniversary Committee member, Historic District Commission member, thanked the School District for involving students in the 275<sup>th</sup> Anniversary, reported on planned activities of the Committee, provided information on the Morris County Historic Preservation grants, and congratulated Engine Company #1 on its 100<sup>th</sup> Anniversary.
- Rocco Salluce, Fair Housing Committee Chair, reported letters have been sent and responses fit past patterns, and reported meeting as a private citizen with representatives of the Morris County Municipal Utilities Authority.
- Lou Hebert, Memorial Day Coordinating Committee, thanked the Council, Parks and Recreation, and the Department of Public Works for their participation in a great parade.

**PUBLIC COMMENT.**

- Peter Spina Jr., Lincoln of Wayne, and Mary Gray, Chilton Medical Center Foundation, provided information on the recently submitted application for a special event to benefit Chilton Hospital tentatively scheduled for July 25, 2015.
- Rocco Salluce, 153 Jacksonville Road, commented he expected the Council would receive a

full report on the cost of the Bogert property, cautioned the council not to get involved in a money pit, noted the hauler for recycling doesn't get credit for the weight of materials collected on Shred day, and complimented the location of the farmers market on Beaverbrook Road.

**PUBLIC HEARING - Ordinance No. 2015-07, AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 1404, LOT 11 (581 ROUTE 23) FROM ELEANOR BOGERT**  
Township Attorney Oostdyk reported there are unresolved issues which are likely to result in changes to the contract.

After a brief discussion, the Council agreed the public hearing should be carried to a future meeting to allow for finalizing the contract.

- Rocco Salluce, 153 Jacksonville Road, advised the Council to act with caution in considering the purchase of the property.
- Lisa Data, 420 Turnpike, Friends of Martin Berry House, now The Pequannock Township Historical Society, expressed her support of the acquisition, reported the committee began fundraising at the Street Fair and agreed to a request by Mr. Phelan to keep the Council updated on their fund raising activities.
- Sharon Taylor, 19 Libby Court, requested information on the open issues. Mr. Oostdyk provided examples, noting many are timing issues. In response to Ms. Taylor's question concerning the responsibility for inspections, Mr. Hollberg explained inspections are done by Pequannock Township as the contract purchaser.
- Ed Engelbart, 64 Hopper Avenue, reported on the role of the Morris County Historic Preservation Trust Fund Advisory Board and the Board of Chosen Freeholders in the allocation of resources for the purpose of preserving historic sites.

On a motion by Mr. Phelan, seconded by Mr. Kohle, the public hearing on Ordinance No. 2015-07 was carried to July 14, 2015 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. 2015-09, ORDINANCE AMENDING CHAPTER 16 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND AMENDING THE PROVISIONS CONCERNING PLANNING BOARD MEMBERSHIP**

Mr. Phelan commented the ordinance should be reviewed by the Planning Board.

Mr. Oostdyk explained the ordinance updates the local ordinance to mirror the New Jersey State Municipal Land Use Law.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, 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 INTRODUCTION - Ordinance No. 2015-10, AN ORDINANCE AMENDING CHAPTER 166 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK ENTITLED "SWIMMING POOLS"**

Township Manager Hollberg explained the ordinance clarifies the requirements for the location of swimming pools.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, 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.**

- **R2015-105A**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2015-106**, approving the designated special event permit application.
- **R2015-107**, awarding a contract for Boulevard Sidewalk Reconstruction II to FDM Construction LLC for the contract amount of \$118,669.50 in accordance with the bid specifications.
- **R2015-108**, approving the purchase of goods and services for Road Resurfacing for the Village Sewer Project from Tilcon, New York, Inc. under cooperative purchasing contract MCCP #6.
- **R2015-109**, approving the payment of the itemized claims as set forth on the June 4, 2015 Bill List.

On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, **Resolutions R2015-105A through R2015-109** 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.**

- **Appointments for Boards, Commissions, and Committees.**  
The Council requested a special meeting be scheduled to discuss upcoming Board and Committee appointments.
- **FEMA PDM Elevation Grant.**  
Mr. Hollberg explained the criteria for determining properties to be included in the current grant application and for prioritizing properties for future grant applications, and explained steps to be taken over the next few months.
- **Turnpike Sewer Extension**  
Mr. Hollberg reported the proposed sewer extension is technically feasible and the process is at a decision point. Mr. Phelan provided additional information on reported sewer flows. The Council agreed to move forward with the proposal.
- **Application for special event permit, Lincoln of Wayne and Chilton Hospital**  
Mr. Hollberg reported concerns of the staff regarding the event. The schedule of the event and policies concerning the event were discussed. Mr. Spina of Lincoln of Wayne and Mary Gray of Chilton Hospital stated they would explore the use of an alternate sight. Members of the Council indicated that the time period could be waived if a suitable site was located.
- **Request for vacature of recorded 25 ft. wide landscape buffer, 231 West Parkway.**  
Steven Schepis representing Evolution Properties, the owners of 231 West Parkway, Pompton Plains, provided background on an application currently under review by the Planning Board and requested the Council consider releasing the easement on the property to allow for additional parking and improved traffic flow. Members of the Council expressed support for the proposal.

On a motion by Mr. Vanderhoff, seconded by Mr. Phelan, the Council directed the Township Attorney to draft a resolution approving the release of the Township's rights pertaining to the 25 foot wide buffer by the following vote:

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

Against: None. Abstain: None. Absent: None

- (Public Hearing June 23, 2015) Ordinance No. 2015-08, AMENDING CHAPTER 189 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK.

#### REPORTS AND NOTICES.

- Congressman Frelinghuysen, Pequannock Township's 275<sup>th</sup> Anniversary
- Governor Christie, Pequannock Township's Memorial Day Parade and 275<sup>th</sup> Anniversary
- Pequannock Township Memorial Day Coordinating Committee
- Notice of Planning Board hearing, 231 West Parkway, Evolution Properties
- Notice of Public Hearing, Morris County Department of Human Services, Morris Area Paratransit System

#### MANAGER'S REPORT.

 Township Manager David Hollberg reported the following:

- Nelson Tree Service is in the Township doing tree trimming around power lines under contract with JCP&L. They have been in contact with us and will be distributing information to affected homeowners.
- Road resurfacing of the Sewer Project Phase 1 streets is underway and will be completed within the next day or two.
- There continue to be communication issues with the contractor for Jefferson Street however work was done today and hopefully will continue through satisfactory completion of the project.
- The Township's presentation to the Morris County Historic Preservation Trust Fund Board for our grant application is tomorrow evening.

#### COUNCIL REPORTS.

##### *Mr. Kohle:*

- Parks and Recreation met last week;
- Open Space Committee met last night;
- The Street Fair is scheduled for June 14<sup>th</sup>;
- Fireworks will be held July 1<sup>st</sup> with a rain date of September 19<sup>th</sup>;
- July 18 is the 275<sup>th</sup> Celebration and Food Truck event.

##### *Mrs. Florance-Lynch:*

- Environmental Commission meets tomorrow evening at 7:30;
- Flood Advisory Committee meets Thursday at 7:30. Mr. Hollberg will be in attendance.

##### *Mr. Vanderhoff:*

- Fire Co. No. 1 is planning their 100<sup>th</sup> Anniversary Wetdown October 3<sup>rd</sup>. The new truck is expected early in September.
- Fire Co. No. 2 meets Thursday night.

##### *Mr. Phelan:*

- The First Aid Squad is seeking 18 new members. Training is paid for. Junior members must be 16 years of age. Regular members must be 18. Mr. Phelan requested an appeal be posted on Facebook. Mr. Vanderhoff requested the appeal include the Fire Department.

##### *Mayor Winterfield:*

- Along with Mrs. Florance Lynch and Mr. Kohle, met with 6<sup>th</sup> graders at PV Middle School and reported on their concerns.

#### PUBLIC COMMENT.

- Mike Bertuna, 10 Beech Street, questioned if the Township was able to acquire signs for

crosswalks, requested the reason for cones located by storm drains, and expressed concern the 25 foot buffer is in a flood zone. Mr. Hollberg explained the signs will be ordered soon, the cones were placed by the County and the 25 foot buffer is not in a flood zone.

- Nick DeStefano, 28 Greenwood Avenue, questioned the status of the repeal of the floodway definition. Mr. Hollberg explained the Township is working jointly with the other communities in the Pompton River Basin to develop the Township's position.
- Frank Spizzirri, 35 West Franklin Avenue, reported cars disregarding pedestrians in the cross walk on Newark-Pompton Turnpike.
- Rocco Salluce suggested Governor Christie be invited to the 275<sup>th</sup> Celebration and recommended money be invested in video cameras to investigate possible leaks in the sewer system.
- Sharon Taylor, 19 Libby Avenue, wished everyone a good night.

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

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, **Resolution R2015-109A**, authorizing an Executive Session to discuss property acquisition was unanimously adopted.

The public portion of the meeting was recessed at 9:51 p.m. followed by the Executive Session during which the following items were discussed:

- Property Acquisition – Martin Berry House

The council was updated by the Manager regarding grant opportunities in connection to the Martin Berry House. The council also briefly discussed the attorney review letter on the home and direction was given to the Manager.

The closed session was completed at 10:00 p.m. at which time the public meeting was reconvened.

Township Attorney Oostdyk summarized the Executive Session discussion. No formal action was taken.

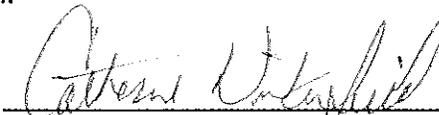
#### **APPROVAL OF MINUTES.**

On a motion by Mr. Phelan, seconded by Mayor Winterfield, minutes of the May 26, 2015 meeting were unanimously approved.

**ADJOURNMENT.** There being no further business the meeting was adjourned at 10:02 p.m. without objection.

There being no further business, on a motion by Mr. Kohle, seconded by Mr. Phelan, the meeting was adjourned at 10:02 p.m. without objection.

  
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Carol J. Marsh, Township Clerk

  
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Catherine Winterfield, Mayor