

The September 13, 2016 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 David Kohle presiding.

Township Clerk Carol Marsh read the following statement for inclusion in the meeting minutes:

*"In accordance with 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 Kohle led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

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

Absent: None

Also Attending:

- David Hollberg, Township Manager
- Robert Oostdyk, Esq., Township Attorney
- Christopher Tietjen, Asst. to the Twp. Manager
- Carol J. Marsh, Township Clerk

There were 14 members of the public in attendance.

**PRESENTATIONS.** There were no presentations.

**REPORTS FROM VOLUNTEERS.**

- Ken Hardaker, Flood Control Advisory Committee member, provided information on the test version of an app which may aid in communicating information concerning flood issues.
- Louise Marchese, Recording Secretary, Flood Control and Economic Development Advisory Committees, reported the Flood Committee is discussing a public forum for flood assistance and information, and reported an improved CRS rating for the Township. The Economic Development Advisory Committee held a Grand opening of Level 1 Games on Saturday, and is looking forward to receiving information regarding the September 10<sup>th</sup> Zoning Workshop meeting.
- Frank Spizzirri, Open Space Committee Vice Chair, reported the Committee met with new consultants. Members of the Committee will be attending the Hoedown.

**PUBLIC COMMENT.**

- Alan Geissel, 25 Winfield Avenue, described problems with drainage on Winfield Avenue and requested the Township make improvements.
- Jordan Galiano, 10 Peck Avenue, reported on activities of the Pequannock Skatepark Association.

**PUBLIC HEARINGS.**

**PUBLIC HEARING - Ordinance No. 2016-12, AN ORDINANCE CREATING A NEW CHAPTER 067 ENTITLED "CHICKENS" ESTABLISHING STANDARDS FOR KEEPING CHICKENS AND AMENDING CHAPTER 189 ENTITLED "ZONING".**

There were no public comments.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, the Public Hearing was closed without objection.

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

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

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

#### **ORDINANCE INTRODUCTIONS.**

**ORDINANCE INTRODUCTION - Ordinance No. 2016-13**, BOND ORDINANCE RE-APPROPRIATING \$16,100,000 AND RE-AUTHORIZING THE ISSUANCE OF \$15,525,000 BONDS AND NOTES OF THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY TO PROVIDE FOR THE VILLAGE AREA SEWER EXTENSION PROJECT AND RELATED IMPROVEMENTS PREVIOUSLY AUTHORIZED AND SUPERSEDING BOND ORDINANCE #2010-22, AS AMENDED AND SUPPLEMENTED BY #2014-02, AS AMENDED BY 2015-11 OF THE TOWNSHIP, AMENDING SUCH BOND ORDINANCE AND DIRECTING THE SPECIAL ASSESSMENT OF PART OF THE COST THEREOF.

Township Manager Hollberg explained the ordinance adds properties to the project and consolidates and supersedes previously approved ordinances.

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. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Kohle.

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

#### **RESOLUTIONS.**

- **R2016-155**, authorizing Tax Office cancellation for the surviving spouse of a deceased veteran.
- **R2016-156**, authorizing the discharge of an affordable housing program mortgage (122 Chatfield Drive).
- **R2016-157**, authorizing payment in the amount of \$3,773.10 to Denise Furfaro for Accumulated Leave.
- **R2016-158**, authorizing payment in the amount of \$4,746.20 to William Pereira for Accumulated Leave
- **R2016-159**, supporting the Morris County Fire Mutual Aid Plan in the Township of Pequannock.
- **R2016-160**, establishing an ad-hoc Advisory Committee to evaluate the feasibility of a joint Community & Recreation Center in conjunction with the Boys and Girls Club and appointing committee members.
- **R2016-161**, renewing membership in the Morris County Municipal Joint Insurance Fund.
- **R2016-162**, approving Change Order Nos. 17 through 19 for the Village Area Sewer project and increasing the contract with Underground Utilities Corp. to a revised contract price of \$13,756,017.05.
- **R2016-163**, approving payment of the itemized claims as set forth on the **September 9, 2016** Bill List.
- **R2016-164**, declaring surplus property and providing for the donation of surplus property to the City of Baton Rouge.

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, **Resolutions R2016-155 through R2016-164** were adopted by the following vote:

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

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

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

**REPORTS AND NOTICES.** There were no reports or notices.

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

- The Police Department initiated a Distracted Driver Education program to coincide with the opening of school. A summary of the violations identified during the first 4 days of the program was distributed.
- The two FEMA elevation grant applications have advanced forward. A Public Notice for the 2015 Grant will be published. The 2016 grant application has been selected by FEMA for further review.
- To keep the Business District Zoning process moving forward, Council members are requested to provide their preliminary thoughts for zoning modifications to the Township Manager by the end of September so a draft ordinance for discussion can be prepared.

**COUNCIL REPORTS.**

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

- The Flood Control Advisory Committee and the Environmental Commission will be represented at the Hoedown this Saturday.
- Economic Development Committee met at the end of August and will meet again on September 28<sup>th</sup> at 7:30p.m. A representative from the Committee attended the workshop meeting on September 10<sup>th</sup> and will provide summaries and suggestions for zoning.
- Plans for the Library expansion are on the September 19<sup>th</sup> agenda of the Planning Board.
- Senior Citizen Advisory Committee will be holding an Open House on October 16<sup>th</sup> regarding activities and services for seniors.

***Mr. Phelan:***

- Reminded owners dogs are not permitted at the Hoedown.

***Mr. Vanderhoff:***

- Fire Co. No. 2 extended their apologies for forgetting invitations to the picnic and reported a change in the policy for sponsorship of banners at the High School.

***Ms. Winterfield:***

- Requested information regarding work on the Water Tank and reminded the Council and the Public that Olde Pequannock Day is scheduled for November 13<sup>th</sup> at the Montville Public Library.

***Mayor Kohle:***

- Expressed appreciation of the work done on Boulevard and Sunset Rd. sidewalks.
- Reminded the Council and the Public that the Hoedown is Saturday from 11am to 5pm with a rain date of Sunday.
- There is an Eagle Scout ceremony for Kurt Hill this Sunday at Holy Spirit.

**PUBLIC COMMENT.**

- Sharon Taylor, 19 Libby Avenue, questioned the wording of the Township ordinance concerning roosters; expressed appreciation for the work done on the Sunset Rd. sidewalks and requested information regarding plans for future sidewalk improvements.
- Frank Spizzirri 35 West Franklin Avenue, thanked the Council for new microphones in the courtroom, and clarified that the acronym EDC stands for Economic Development Committee.

**APPROVAL OF MINUTES.**

On a motion by Mrs. Florance-Lynch, seconded by Mr. Vanderhoff, minutes of the August 23, 2016 meeting were unanimously approved.

On a motion by Mrs. Florance-Lynch, seconded by Ms. Winterfield, minutes of the September 10, 2016 special meeting were unanimously approved with Mr. Vanderhoff abstaining.

**EXECUTIVE (CLOSED) SESSION.**

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, **Resolution R2016-165**, authorizing an Executive Session to discuss a matter of litigation was unanimously adopted.

The public portion of the meeting was recessed at 7:40 p.m. at which time the Township Council met in Executive Session to discuss the following items:

- Litigation – Atlantic Health Care. The township council discussed the tax appeal litigation Atlantic Health Care vs. the Township of Pequannock and direction was given the Township Manager and Township Attorney regarding a settlement proposal presented by the taxpayer.

The closed session was completed at 8:05 p.m. at which time the public meeting was reconvened.

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

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Vanderhoff, the meeting was adjourned at 8:06 p.m. without objection.



Carol J. Marsh, Township Clerk



David G. Kohle, Mayor