

The April 10, 2018 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; Deputy 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."

Deputy 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:

Deputy Mayor David Kohle
Councilwoman Melissa Florance-Lynch
Councilman Ryan Herd
Councilman Richard Phelan

Absent:

Mayor Catherine Winterfield

Also Attending:

David Hollberg, Township Manager
Robert Oostdyk, Esq., Township Attorney
Carol J. Marsh, Township Clerk

There were 19 members of the public in attendance.

Deputy Mayor David Kohle modified the order of the agenda to consider the following resolution:

- **R2018-79**, appointing Adam Brewer as Township Manager and approving a contract.

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, Resolutions R2018-99 was adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mr. Kohle, Mr. Phelan.

Against: None. Abstain: None. Absent: Mayor Winterfield.

Mr. Kohle introduced Mr. Brewer who thanked the Governing Body for the appointment and stated he looks forward to working in a great community.

PRESENTATIONS. There were no presentations.

REPORTS FROM VOLUNTEERS.

- Rudy Steintal, Open Space Advisory Committee member, reported on the success of the annual Mayor's River Clean up and thanked everyone for their support.
- Tom Andrea, Environment Commission Secretary, reported the committee is holding a free Tree Giveaway on Saturday, April 28th in the Town Hall parking lot.
- Joe Wells, Open Space Advisory Committee Chair, reported the Committee is organizing an event to identify and remove invasive species on Pequannock Avenue on April 14th. Volunteers will plant the same area with native trees and shrubs on the following weekend.
- Adam Iaccheo, 5 Dorothy Lane, provided information on the long term maintenance plans for the tree planting, reported there will be a rain barrel project held at the same time as the tree giveaway on April 28th, and announced there will be a mini bio blitz on Saturday May 12th at 10:00 a.m. at Woodland Lake.

PUBLIC COMMENT.

- Rudy Steintal, 28 Libby Avenue, questioned if the Township could reconsider policies on

vegetative waste in light of the amount of debris created in recent storms.

- Joe Wells, 5 Washington Street, expressed regret for remarks made at an earlier Council meeting.
- Nick DeStefano, 28 Greenwood Avenue, requested information on the size limits for branches to be picked up as vegetative waste, reported on large trees fallen near flood prone waterways, and expressed concern for pedestrian safety related to cars speeding on Pequannock Avenue.

PUBLIC HEARINGS.

PUBLIC HEARING - Ordinance No. 2018-02; ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, the Public Hearing was opened without objection

There were no public comments.

On a motion by Mr. Herd, seconded by Mrs. Florance, the Public Hearing was closed without objection.

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

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

PUBLIC HEARING - Ordinance No. 2018-03; AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION UNDER N.J.S.A. 40A:4-53 FOR PREPARATION OF A REVISION AND CODIFICATION OF ORDINANCES IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY

On a motion by Mr. Herd, seconded by Mr. Phelan, the Public Hearing was opened without objection.

There were no public comments.

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, the Public Hearing was closed without objection.

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

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

PUBLIC HEARING - Ordinance No. 2018-04; AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION UNDER N.J.S.A. 40A:4-53 FOR ENGAGEMENT OF A SPECIAL CONSULTANT(S) FOR THE PREPARATION OF A MASTER PLAN IN ORDER TO UPDATE THE PLAN IN ACCORDANCE WITH LAW IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY

On a motion by Mrs. Florance-Lynch, seconded by Mr. Phelan, the Public Hearing was opened without objection

There were no public comments.

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

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

For: Mrs. Florance-Lynch, Mr. Herd, Mr. Kohle, Mr. Phelan.

Against: None. Abstain: None. Absent: Mayor Winterfield.

PUBLIC HEARING - Ordinance No. 2018-05; AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION UNDER N.J.S.A. 40A:4-53 FOR PREPARATION AND EXECUTION OF A REVALUATION OF REAL PROPERTY AND AN UPDATE THERETO IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY

On a motion by Mrs. Florance-Lynch, seconded by Mr. Herd, the Public Hearing was opened without objection

- Tom Andrea, 6 Elm Road, questioned if the revaluation was intended for the entire Township or a certain section. Mr. Hollberg explained the process was intended for a point in the future related to the settlement of a tax appeal and would be for the entire Township.

On a motion by Mrs. Florance-Lynch, seconded by Mr. Phelan, the Public Hearing was closed without objection.

On a motion by Mr. Herd, seconded by Mrs. Florance-Lynch, the ordinance was adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mr. Kohle, Mr. Phelan.

Against: None. Abstain: None. Absent: Mayor Winterfield.

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2018-76**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2018-77**, authorizing release of designated Escrow Deposits.
- **R2018-78**, authorizing self-examination of the Municipal Budget for the Year 2018.
- **R2018-80**, authorizing execution of a Cooperative Pricing Agreement with the New Jersey Cooperative Purchasing Alliance.
- **R2018-81**, approving the designated special event permit applications (Pequannock Street Fair).
- **R2018-82**, approving payment of the itemized claims as set forth on the **April 6, 2018** Bill List

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, **Resolutions R2018-76 through R2018-78 and Resolutions R2018-80 through R2018-82** were adopted by the following vote:

For: Mrs. Florance-Lynch, Mr. Herd, Mr. Kohle, Mr. Phelan.

Against: None. Abstain: None. Absent: Mayor Winterfield.

ITEMS FOR DISCUSSION.

- **ORDINANCE NO. 2018-06; ORDINANCE AMENDING CHAPTER 189 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND INCREASING THE PERMITTED DURATION FOR THE USE OF TEMPORARY STORAGE UNITS ON PROPERTIES SUBJECT TO FLOOD ELEVATION** (Held pending Planning Board review).

Mr. Hollberg reported the Township planner has requested modifications to the introduced ordinance which will be incorporated into the ordinance following the Planning Board review.

REPORTS AND NOTICES.

- Township of Parsippany – Troy Hills; Resolution R2018-044 Expressing Its Opposition to Proposed Legislation to Permit the Recreational Use of Marijuana in the State of New Jersey.

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

- The Mountain Avenue/West Parkway Water Main project is more than half done. The tank can be painted now that the concrete has cured and the weather is warming. There are a couple of options for the name/logo on the tank: 1) Name only, 2) Township seal (crest) only, 3) The Township name and crest will both fit on the side of the tank facing I-287, 4) a Panther Paw can be substituted for the Township seal, or 5) a Panther Paw could be placed on the roof of the tank which would then be visible on applications that use aerial photography. A dedication ceremony for the water tank will be scheduled for some time in June.
- After discussion, the Council requested the tank be painted with a Panther Paw on the roof and the Township name and seal on the side.
- Bids for Mountain Avenue Reconstruction will be opened next week.
- Please make note of activities within the Township on these dates:

Saturday, April 14	Township Fishing Contest
Saturday, April 21	Little League Opening Day (Parade)
Saturday, April 28	Tree Sapling Giveaway at Town Hall
	Rain Barrel Demonstration at PV Park
Saturday, May 19	Shred Day at PV Park 9:00 – 1:00
Sunday, June 3	Chamber of Commerce Street Fair
Friday, June 29	Fireworks at High School – After Dark

COUNCIL REPORTS.

Ms. Florance-Lynch

- Economic Development Committee met with the Township Planner and discussed potential changes to the zoning regulations for the community's business districts and commercial highway locations.
- Members of the Council, Chamber of Commerce and EDC attended two ribbon cuttings last Saturday, Bellus Skin Care Company, and Creative Trends Studio. There will be another on Saturday, April 14th at 12 for Glaminator Beauty Bar at 631 Route 23 South.
- The City of Newark recently joined the property tax reward program.
- Attended a Chamber of Commerce luncheon this afternoon. The Chamber is interested in working with the Township.
- Mental Health First Aid Training is scheduled for Saturday, May 5th from 9 to 5.
- Last Sunday volunteers did not find nests for addling at Woodland Lake.
- Congressman Rodney Frelinghuysen has announced a U.S. Service Academy Night on Monday, May 14th from 7 to 9 at the Montville High School. Representatives from all 5 Military Academies Monday will be there to provide information to potential students.

Mr. Herd:

- Open Space Advisory Committee met last night and discussed the tree planting on Pequannock Avenue Saturday, April 21th at 9:00 a.m. Volunteers are still needed. Reported on a proposal from the State to purchase land for open space adjacent to Mountainside Park provided mountain biking is permitted.
- Joe Wells, 5 Washington Street, noted there is nothing on the regulation that prohibits mountain biking and there will be a meeting with Morris County to discuss the proposal, and noted there may be issues with a connection across I-287. Mr. Hollberg questioned if there would be trails designated as bike trails, expressing concern about potential conflicts between hikers and mountain bikers.

- Flood Committee meets this Thursday at 7:30 in the Municipal Building.
- Municipal Alliance Committee meets tomorrow at 4:30 p.m. in the High School.

Mr. Phelan:

- Fire Co. No. 1 met Friday.
- Fire Co. No. 2 meets this Thursday and will provide an update on the schedule for delivery of the new fire truck.

Mr. Kohle:

- Met with Mr. Hollberg, Health and Human Resources Director Peter Correale, and Little League executives and have agreed on a policy for usage of the fields for this year.
- PBA local 172 will be holding a classic car show at PV Park on Saturday, April 28th with a rain date of May 12th. Anyone wishing to enter a car should contact the Police Department.
- Parks and Recreation met last Monday and discussed a holding a volunteer barbeque with brief presentations by each committee.
- First Aid Squad met last night and reported 59 calls for the month of March and 6 at Cedar Crest. The Squad thanked the Township for including two new power stretchers in the budget.
- Met with Mayor Winterfield, Mr. Hollberg, Joe Wells and Morris County Parks regarding encroachments on the property designated for the rail trail.

PUBLIC COMMENT.

- Jordon Galiano, 10 Peck Avenue, reported on his conversation on fundraising related to skate board development in the New York City area, commented on safety issues related to the use of parking lots for skate boarding, and predicted an increase in the number of kids who would be interested in skateboarding if there were a facility.

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

EXECUTIVE (CLOSED) SESSION.

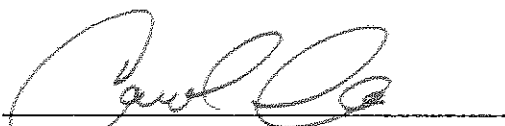
On a motion by Mr. Kohle, seconded by Mr. Phelan **Resolution R2018-209**, authorizing an Executive Session to discuss a Tax Appeal of Balaji, LLC and a personnel matter was unanimously adopted.

The public portion of the meeting was recessed at 8:01 p.m. followed by the Executive Session during which the Council authorized the filing of a tax appeal in the matter of the Township of Pequannock vs. Balaji, and was given an update regarding a personnel issue involving the Police Department by the Township Manager.

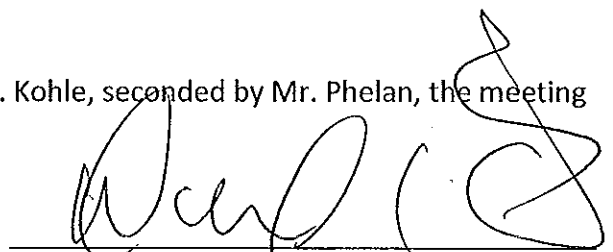
The closed session was completed at 8:14 p.m. at which time the public meeting was reconvened. Township Attorney Oostdyk summarized the Executive Session discussion. No formal action was taken.

ADJOURNMENT.

There being no further business, on a motion by Mr. Kohle, seconded by Mr. Phelan, the meeting was adjourned at 8:14 p.m. without objection.



Carol J. Marsh, Township Clerk


David Kohle, Deputy Mayor