

The October 8, 2018 special 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 Catherine Winterfield 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 Special Meeting was filed in the Office of the Township Clerk; posted on the bulletin board in the Municipal Building and on the Township website; and mailed to all persons requesting notice in accordance with Township policy. 48-hour notice of this meeting was also transmitted via fax or email to the Suburban Trends, Daily Record, and The Record newspapers. Notice of this meeting included statements that a public hearing will be conducted on the Final Assessment Report for the Village Area Sewer Assessments and that formal action may be taken."*

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

Absent: None

Also Attending:

David H. Ruitenbergh, Esq.  
Adam Brewer, Township Manager  
Carol J. Marsh, Township Clerk

There were 15 members of the public in attendance.

Mr. Ruitenbergh reviewed the Doctrine of Necessity as it pertained to conflicts held by members of the council in regard to the assessments of the Village Area Sewer Project.

Mr. Kohle stated he is a member of the First Reformed Church and his wife is a Senior Elder and further stated he believed he could be impartial on the subject.

Ms. Winterfield stated she is a member of the First Reformed Church she believed she could be impartial on the subject.

Mr. Phelan stated he is a member of the First Reformed Church and further stated he could be impartial on the subject.

Mrs. Florance-Lynch stated she works in a building on Route 23 that is affected by the sewer assessment and is not an owner and further stated she felt she could be impartial.

**PRESENTATIONS.**

▪ Village Area Sewer Project: Assessment Report.

Ted Lamicella of Associated Appraisal Group reviewed the appraisal report for the Village Area Sewer Project.

Members of the Council questioned Mr. Lamicella on the methodology and conclusions of the report.

**PUBLIC HEARINGS.**

**PUBLIC HEARING - Village Area Sewer Project: Assessment Report**

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

- Dr. Richard Tell, 512 Newark-Pompton Turnpike, questioned Mr. Lamicella about the time and properties used as comparables. Mr. Lamicella stated the time frame was accurate and noted the report was updated to reflect 3 commercial properties were in Wayne. Mr. Tell objected to the small number of properties used.
- Steve Sideris stated he is the owner of Plaza 23 Diner, 411 Route 23 South, and questioned how the amount of the assessment was determined which was provided by Mr. Brewer. Mr. Sideris stated it was a large amount of money.
- Kyle Poskitt, 363 Route 23, stated he is the property owner and owner of Realty Executives, the business located on the property. Mr. Poskitt further stated he plans to appeal the assessment and reviewed his reasons for filing the appeal.

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

**RESOLUTIONS.**

- **R2018-179**, confirming assessments for the Village Area Sewer Project.

On a motion by Mr. Kohle, seconded by Mr. Phelan, **Resolutions R2018-179** was adopted by the following vote:

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

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

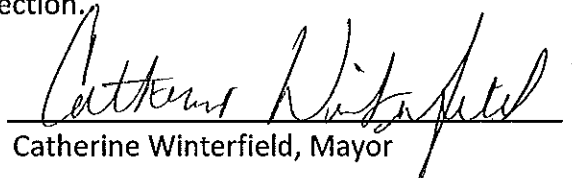
**PUBLIC COMMENT.** There were no public comments.

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Herd, seconded by Mrs. Florance-Lynch, the meeting was adjourned at 7:44 p.m. without objection.



Carol J. Marsh, Township Clerk



Catherine Winterfield, Mayor