

The November 27, 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; 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 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 Catherine Winterfield
Deputy Mayor David Kohle
Councilwoman Melissa Florance-Lynch
Councilman Ryan Herd
Councilman Richard Phelan

Absent: None

Also Attending:

Adam Brewer, Township Manager
Robert Oostdyk, Esq., Township Attorney
Julie Kupilik, Township CFO
Carol J. Marsh, Township Clerk

There were 9 members of the public in attendance.

PRESENTATIONS. There were no presentations.

REPORTS FROM VOLUNTEERS.

- Frank Spizzirri, Open Space Committee Vice Chair, reported Committee Chair Joe Wells is working on the kiosk for the Riverside Drive portion of the Riverwalk.
- Tom Andrea, Parks and Recreation Advisory Committee Chair and Secretary for the Environmental Commission, thanked Mr. Brewer for his efforts to assist in acquiring kayaks during a recent sale and stated a group will meet at the municipal building and carpool to the Two Bridges Sewerage Authority facility tour on December 1st.

PUBLIC COMMENT. There were no public comments.

MANAGER'S REPORT. Township Manager Adam Brewer reviewed the Manager's report for the meeting, noting the sources of water from the Newark water supply, stating department head budget hearings were held in compliance with the Faulkner Act, and summarizing issues discussed at a symposium regarding shared services.

PUBLIC HEARINGS.

PUBLIC HEARING - Ordinance No. 2018-24, BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE MARTIN BERRY HOUSE IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$360,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$342,857 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mr. Brewer described the intent of the ordinance stating the ordinance provides a funding mechanism to effectuate the grant and will result in the issuance of little if any debt.

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. Kohle, seconded by Mr. Phelan, the Public Hearing was closed without objection.

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch the ordinance 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 HEARING - Ordinance No. 2018-25, BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE MARTIN BERRY HOUSE IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$360,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$342,857 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mr. Brewer reviewed the ordinance noting the ordinance authorizes appropriate accounting re-appropriations and does not provide for the issuance of new debt or new expenditures.

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

There were no public comments.

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

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

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

Against: None. Abstain: None. Absent: None

ORDINANCE INTRODUCTIONS. There were no ordinances presented for introduction.

RESOLUTIONS.

- **R2018-198**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2018-199**, confirming the designated membership in the Pequannock Township Fire Department (VanSant).
- **R2018-200**, rescheduling a regular Township Council meeting.
- **R2018-201**, accepting a sanitary sewer easement over a portion of 560 Route 23 (Virginia Industries LLC).
- **R2018-202**, authorizing the discretionary award of a contract for sewer connections and septic abandonment for 615 and 621 Newark-Pompton Turnpike in the amount of \$20,960.00, in accordance with the quotation provided.
- **R2018-203**, authorizing the transfer of 2018 Municipal Budget Appropriations.
- **R2018-204**, cancelling unexpended Sewer Capital Appropriation balances.
- **R2018-205**, approving payment of the itemized claims as set forth on the **November 21, 2018** Bill List and the **November 21, 2018** 2015 and 2016 FEMA Elevation Escrow Lists.

Ms. Marsh stated Resolution R2018-202 has been withdrawn and will be rescheduled for the December 27, 2018 meeting.

On a motion by Mr. Herd, seconded by Mrs. Florance-Lynch, **Resolutions R2018-198 through R2018-201 and R2018-203 through R2018-205** were adopted by the following vote:

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

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

ITEMS FOR DISCUSSION.

▪ Scheduling of December and January meetings:

The Council requested special meetings be scheduled for 4:30 p.m. on December 4th and tentatively on December 17th at 6:00 p.m. The Council also requested the 2019 Reorganization meeting be held on January 2nd at 6:00 p.m.

▪ Best Practices Inventory.

Mr. Brewer reviewed the recently submitted Best Practices Inventory noting the Township score was 90 percent and no state funding would be withheld. Ms. Kupilik explained Local Finance Notice LFN 2018-13 which was referenced in the inventory.

▪ Legacy Castle fireworks

The Council discussed possible voluntary time restrictions on fireworks displays at the Legacy Castle especially on school nights, and requested certain restrictions be observed.

REPORTS AND NOTICES. There were no reports or notices.

COUNCIL REPORTS.

Ms. Florance-Lynch

- Economic Advisory Committee meets tomorrow at 7:30 p.m.
- Questioned if committee budget requests would still be accepted.

Mr. Herd:

- Noted the tree lighting was beautiful.
- Provided information from NJSLOM on fitness products, questioned if outdoor workout equipment could be added to the rail trail and if grant might be available.
- Reported on Municipal Alliance activities noting Morris County will be holding a Youth Wellness Summit on Thursday, March 7th 2019. They have requested a liaison from the Council or High School.
- Questioned if it would make sense to provide police patrols at schools during opening and closing times.
- Commented the public may be unaware of the toll emergency calls take on volunteers and thanked our first responders for their efforts.

Mr. Kohle:

- Fair Housing will meet tomorrow night at 7:00 p.m.
- Questioned if the Township would re-schedule a previously held crosswalk exercise.

Mrs. Florance-Lynch

- Questioned where residents should express opinions concerning the name of the bike path.

Mr. Phelan:

- Reiterated Mr. Herd's comments concerning the efforts of volunteers
- Complimented the Department of Public Works for their work during the snow storm.

Mayor Winterfield:

- There will be a memorial service for Eleanor Bogart at the Martin Berry House Saturday at noon.

PUBLIC COMMENT.

- Frank Spizzirri, 35 West Franklin Avenue, stated residents with objections to the proposed rail

trail name should address the issue with the County and questioned if we have or need ordinances regulating the distribution of marijuana.

APPROVAL OF MINUTES.

On a motion by Mr. Kohle, seconded by Mrs. Florance-Lynch, minutes of the November 7, 2018 meeting were unanimously approved with Mr. Herd and Mr. Phelan abstaining.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Kohle, seconded by Mrs. Florance-Lynch, **Resolution R2018-209**, authorizing an Executive Session to discuss matters of attorney client privilege and litigation related to sewer assessment appeals was unanimously adopted.

The public portion of the meeting was recessed at 8:35 p.m. Councilwoman elect Kyle Russell joined the closed session.

During the Executive Session the following items were discussed:


- **Litigation (sewer assessment appeals):** The Council reviewed the appeals filed in superior court in connection with the Village Area Sewer Assessment project. A discussion was held both generally and in regard to specific properties.
- **Attorney Client Privilege:** The Council also had an opportunity to hear from the Township Manager regarding several issues the Manager is presently working on and is going to be proposing changes in policies in 2019 but will continue with the existing policies for now. The Council expressed support of the Manager's plans in that regard. Finally a discussion ensued regarding legal implications of social media and the Township's participation in social media and direction was given as a result of the discussion.


The closed session was completed at 8:36 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 Mrs. Florance-Lynch, the meeting was adjourned at 8:36 p.m. without objection.



Carol J. Marsh, Township Clerk

Catherine Winterfield, Mayor