

The Workshop Meeting of the Township Council of the Township of Pequannock was called to order at 7:30 p.m. on Tuesday, July 13, 2010 in the Court Room in Town Hall located at 530 Newark-Pompton Turnpike; Mayor Edward Engelbart presiding.

Mayor Engelbart opened the meeting with a welcome and the following announcement:

*"Notice requirements of Public Law 1975, c.231 have been complied with for this meeting through notice of date, time, place and proposed agenda being posted in the Municipal Building and mailed to five area newspapers including the official Township newspaper."*

Mayor Engelbart led the Flag Salute which was followed by a moment of silence and a prayer.

Mayor Engelbart introduced Jay Delaney as the new Township Clerk and requested a roll call.

**ROLL CALL**

***Present:***

Edward G. Engelbart, Mayor  
Louis A. Skvarca, Deputy Mayor  
Joseph L. Jorgensen  
Joel D. Vanderhoff

***Also attending:***

David W. Hollberg, Township Manager  
Robert H. Oostdyk, Jr., Township Attorney  
Jay Delaney, Township Clerk

***Absent:***

Nicholas Kapotes

**PRESENTATIONS**

**PV Park and Woodland Lake Berm Evaluation** - Paul Darmofalski, P.E., summarized the results of the evaluation of the soils and hydrology of the existing 12-foot by 600 foot long berm which was damaged during 2005 when the lake level had been lowered for cleaning and maintenance.

Richard Kessler, a geotechnical engineering consultant, presented the results of his inspection and reviewed alternate methods to improve the structural integrity and eliminate the seepage of water through the existing berm. The first alternative reviewed is installing vinyl sheet piles 55 feet deep at an approximate cost of \$500,000 with an expected useful life of 50 years. The second alternative involves digging a trench in the existing berm and filling with a cement/benonite. The cost of this alternate was estimated at approximately the same cost.

Mr. Darmofalski outlined the costs for additional improvements regardless of the alternative chosen and estimated a total budget of \$750,000 including design, permits and contract management. Both alternatives were recommended to be bid to provide costs comparison.

Township Engineer David Battaglia explained the potential for grant funding if the proposed improvements include use for flood control.

Councilman Jorgensen noted the improvements being discussed do not improve water quality in the lake but allow the lake level to be lowered for cleaning and maintenance.

Manager Hollberg also noted the option of constructing a pool facility as an alternative to investing in lake improvements.

Tom Andrea, 6 Elm Road, questioned the ability to de-silt the lake without lowering the lake level and leaving the berm as-is.

Rocco Salluce, 153 Jacksonville Road, questioned the cost of recent emergency repairs and the need for these additional improvements. Manager Hollberg estimated the costs at \$200,000 but noted those repairs were performed on top of the existing soils without having the information

now available.

David Cox, 269 Sunset Road, questioned the annual revenue at PV Park, the cost of this study and expressed concern for the burden of the cost of improvements on all taxpayers. In response Manager Hollberg reported the lake generates approximately \$140,000 in revenue and \$44,000 was authorized with approximately \$28,000 spent to date for the study.

Nate Glinbizzi, 25 Richards Street, suggested the McDonald beach property should be purchased for flood protection and the money would be better spent for a community pool outside of the flood area.

Sharon Taylor, 19 Libby Avenue, inquired how often the silt would need to be removed. Councilman Jorgensen noted the lake has not been de-silted since the site was a sand pit in the 1950s.

Henry Samek, 4 Misty Court, suggested stainless steel sheeting be considered and would also like to know the cost of a pool before any decisions are made.

Jerry Piro, 82 Madison Avenue, questioned the connection with MacDonald Lake which was confirmed by Mr. Darmofalski.

Maria Goll, 2 Willow Avenue, stated she has been using the Park for 30 years and noted the increased presence of geese. Manager Hollberg stated if the berm is improved and the lake level lowered, the lake could then be cleaned on an annual basis which has not been done in five years.

Diane Parr, 10 Willow Avenue, questioned the inability of the township to remove the geese which were described as disgusting and not healthy. Manager Hollberg expressed the need to address the geese problem on a regional basis.

Tom Andrea, 6 Elm Road, suggested consideration be given to de-silting the lake without lowering the lake level.

Mayor Engelbart thanked Paul Darmofalski, Richard Kessler and David Battaglia for their presentation and announced the matter would be considered in the future.

#### **PUBLIC COMMENT**

Norma Snowden, 52 Ramapo Road, commented on the improved conditions and personnel at PV Park this year compared to last year and the impact of the use of the facility by various day camp programs.

Steve Zahner, 26 Van Riper Avenue, noted the increasing use of the Washington Park ballfields and requested the lights be on for extended hours until 9:00 p.m. on Tuesdays through Thursdays and Mondays if possible so the fields can be used for two games nightly.

Mary Jane Lombardi, 78 Madison Street, presented several questions on the status of emergency management flood response, de-snagging of rivers and streams, flood commission, flood handbook, reverse 9-1-1, and website information. Manager Hollberg provided an update on the various flood initiatives and invited Ms. Lombardi to meet with him and the Emergency Management Coordinator.

Rocco Salluce, 153 Jacksonville Road, questioned the variety of colors used in painting fire hydrants; the division of the Township into Pequannock and Pompton Plains; the salary for the new Township Clerk; and cost for a parks/fields study with the Board of Education.

Jerry Piro, 82 Madison Avenue, questioned if the Township has an Employee Handbook; who an employee goes to if they are being harassed; the status of soil removal as part of the last sewer project; the status of the Badan development; and the status of those in violation of sewer

connection requirements.

Henry Samek, 4 Misty Court, presented a letter concerning zoning and enforcement issues.

Diane Parr, 10 Willow Avenue, questioned if a vehicle is being provided to the Township Clerk; if additional staff will be hired; and the appointment of the manager as the CFO. Township Manager Hollberg responded that no vehicle is being assigned to the Clerk and a summer intern is performing a number of assignments while using the empty desk and computer in the Clerk's Office; and provided information on the temporary reorganization of the finance office as a result of the CFO's resignation. Ms. Parr described the treatment of former Clerk as an embarrassment.

Alberta Alleva, 75 West Parkway, asked about new vehicles and inquired as to the cost of the banners that are used for various activities. Ms. Alleva suggested greater use of the website for publicizing events.

#### **ORDINANCE INTRODUCTIONS**

**Ordinance No. 2010-04**, BOND ORDINANCE PROVIDING FOR THE VILLAGE AREA SEWER EXTENSION PROJECT IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$12,000,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$11,425,000 BONDS OR NOTES THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF PART OF THE COST THEREOF.

Township Manager Hollberg provided background on the project, noting approximately 319 residential and 55 commercial properties to be served with the maximum assessment estimated at no more than \$12,000 per residential property with commercial properties assessed based on value. The public hearing is being scheduled for August 24<sup>th</sup>.

On a motion by Mr. Vanderhoff, seconded by Mr. Skvarca, the ordinance was approved for introduction by the following vote:

For: Mr. Jorgensen, Mr. Skvarca, Mr. Vanderhoff, Mayor Engelbart.  
Against: None. Abstain: None. Absent: Mr. Kapotes

#### **RESOLUTIONS FOR APPROVAL**

**R2010-092**, Authorizing the Township Manager to apply to the 2010 Morris County Open Space Trust Grant for the acquisition of properties known as Block 2701, Lots 2 & 3 (Shotmeyer).

Councilman Jorgensen noted the resolution as listed on the agenda identifies the property as Lots 2, 3 & 12 but the portion of the property which is being included in the Open Space funding is limited to lots 2 & 3 with lot 12 to be purchased without outside funding.

On a motion by Mr. Jorgensen, seconded by Mr. Vanderhoff, the resolution, as corrected, was adopted by the following vote:

For: Mr. Jorgensen, Mr. Skvarca, Mr. Vanderhoff, Mayor Engelbart.  
Against: None. Abstain: None. Absent: Mr. Kapotes

**R2010-078**, Budget Amendment No. 1, increasing Capital Improvement funding for Water Utility Share of Village Area Improvements.

Township Manager Hollberg explained the amendment increases the Capital Improvement appropriation in the Water Utility Budget to provide a more equitable allocation of road repairs associated with the Village Area project between the water and sewer utilities.

Mayor Engelbart invited public comments on the resolution. There were no public comments presented.

On a motion by Mr. Vanderhoff, seconded by Mr. Jorgensen, the resolution was adopted by the following vote:

For: Mr. Jorgensen, Mr. Skvarca, Mr. Vanderhoff, Mayor Engelbart.  
Against: None. Abstain: None. Absent: Mr. Kapotes

**R2010-094, Adopting the 2010 Municipal Budget**

Township Manager Hollberg indicated the public hearing on the budget was previously held and with the adoption of the previous amendment the budget is ready for adoption. Mr. Hollberg explained the budget includes reduced revenues from investment interest, fund balance and state aid, and overall represents a 1.5 cent increase in the tax rate, increasing taxes by approximate \$70 for the average residential property with an assessment of \$471,000.

On a motion by Mr. Jorgensen, seconded by Mr. Vanderhoff, the 2010 Municipal Budget was adopted by the following vote:

For: Mr. Jorgensen, Mr. Skvarca, Mr. Vanderhoff, Mayor Engelbart.  
Against: None. Abstain: None. Absent: Mr. Kapotes

**MANAGER'S REPORT**

Township Manager Hollberg presented his report. (copy attached)

**COUNCIL REPORTS & ANNOUNCEMENTS**

Mr. Vanderhoff suggested all parties need to work together in reaching agreement on raising houses in the flood area to an acceptable elevation without the need to go the 100-year flood height; reported on the quarterly Fire Department officer meeting.

Mr. Skvarca reported on the July 12<sup>th</sup> Planning Board meeting; the joint meeting with the Board of Education; and requested an update on Library parking status.

Mr. Jorgensen reported on the Green team meeting and planned exhibits at the September Ho-Down; reported on the Open Space committee; requested the Manager update the website and provide YouTube links; requested the Clerk remove personal information from paperwork distributed to the Council; requested review of the parking on Sanders and West Parkway; and the policies for the use of PV Park.

Mayor Engelbart announced the recent statement included in the *Congressional Record* by Congressman Frelinghuysen on the history of the Township and recognizing the 270<sup>th</sup> Anniversary of the Township's incorporation. The Mayor also announced the First Aid Squad has received the new vehicle and Engine Company No. 2 will be holding a "wetdown" ceremony on August 7<sup>th</sup>. The Mayor reported on a recent tour with Assemblyman Alex DeCrose through several Morris County communities including Pequannock Township to address issues with DOT properties. The Mayor also reported on recent vandalism at the museum and announced the next meeting of the Passaic River Flood Task Force will be held on October 19<sup>th</sup> in Wayne.

**OLD BUSINESS**

Township Manager Hollberg reported the proposed ordinance regulating right-of-way encroachments has been reviewed and will be modified to include some definition changes suggested by staff.

**NEW BUSINESS**

Mayor Engelbart proposed a change to the meeting format to limit the first public comment period at the beginning of the meeting to 30 minutes for any agenda or non-agenda issues with a second public comment period without limitation later in the meeting. There was no objection

from the Council to try it beginning with the next meeting.

**PUBLIC COMMENT**

David Cox, 269 Sunset Road, objected to having the comment period at the beginning of the meeting and requested information regarding Resolution No. 2010-090. Mr. Cox noted the meeting with Congressman Frelinghuysen was attended by only Councilmen Skvarca and Kapotes.

Nate Glinbizzi, 25 Richards Street, expressed his displeasure with the animosity between the Council and the public and hoped that all sides would be more respectful. Mr. Glinbizzi questioned Ordinance No. 2010-04 and who will pay the difference between the amount assessed and the \$12 million total cost. In response to a question concerning salary increases included in the adopted budget, Township Manager Hollberg explained the budget includes funds for contracted increases and there are three less employees this year. Mr. Glinbizzi commented on the \$40,000 cost of the PV Park study and urged the Council to consider the needs of taxpayers particularly those who are retired on fixed incomes and not spend money on more unnecessary studies and consultants. Mr. Glinbizzi questioned the practice of hiring interns during difficult economic times.

Dolores Farrelly, Arnold Court, suggested individuals using township parks be required to post a deposit to ensure proper cleanup after use.

Frank Spizzirri, 35 West Franklin Avenue, Chairman of the Open Space Advisory Committee reported on the proposed acquisition of the Shotmeyer property adjacent to Woodland Lake and updating the Green Acres open space inventory.

Rocco Salluce, 153 Jacksonville Road, requested information on the status on the payment of delinquent taxes and questioned enforcement of the proposed right-of-way encroachment ordinance.

Henry Samek, 4 Misty Court, questioned R2010-092 regarding the Shotmeyer property and the amount of taxes paid which will be made up by the remaining taxpayers. Mr. Samek commented on existing encroachments along Romondt and Village Road.

Sharon Taylor, 19 Libby Avenue, commented on the successful fireworks.

**PAYMENT OF BILLS**

On a motion by Mr. Vanderhoff, seconded by Mr. Skvarca, payment of the bills was unanimously approved.

**EXECUTIVE (CLOSED) SESSION**

The public portion of the meeting was closed at 11:40 at which time the Township Council met in Executive Session to discuss matters concerning litigation and personnel.

Litigation – Plaskon v. Pequannock Township: Township Attorney Oostdyk reported on the status of the civil matter which has been resolved pending resolution of the summonses in Municipal Court.

Personnel: Manager Hollberg reported on the re-organization of the Finance Department and his request for additional compensation to serve temporarily as CFO. Additional salary in the amount of \$2,500 per month for the balance of this year was authorized without objection.

The closed session was completed at 11:57 p.m.

**PUBLIC SESSION**

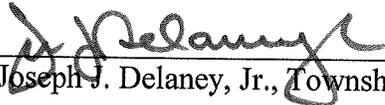
The public meeting was reconvened at 11:57 p.m. at which time Township Attorney Oostdyk summarized the matters discussed.

Township Manager Hollberg suggested the public comment changes be explained at each meeting and that some time flexibility be observed depending on the subject and number of individuals wishing to speak. Attorney Oostdyk suggested that an issue which the manager has prior notice be listed as a presentation separate from the public comment.

Mr. Vanderhoff noted the letter to Council regarding fire department membership is a violation of policy. Manager Hollberg requested the matter be handled administratively first.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:05 a.m. without objection.

  
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Joseph J. Delaney, Jr., Township Clerk

Minutes Approved: September 28, 2010