

NOTICE OF MEETING

PLEASE TAKE NOTICE THAT THE PEQUANNOCK TOWNSHIP COUNCIL WILL HOLD A REGULAR MEETING ON TUESDAY, FEBRUARY 26, 2008, STARTING AT 7:30 P.M. IN THE COURTROOM OF THE MUNICIPAL BUILDING LOCATED AT 530 NEWARK-POMPTON TURNPIKE, POMPTON PLAINS, NEW JERSEY.

1. **Mayor calls the Meeting to Order** with the Reading of the Sunshine Statement, a Flag Salute and Prayer.

2. **Moment of Silence:** Honoring the Men and Women of our Armed Forces who protect our Nation and for those who have given the ultimate sacrifice for our Nation.

3. **Roll Call:** EE J SK V K MGR. ATTY. CLERK _____ P.M.

4. **Minutes for Approval:**

Regular Meeting: January 22, 2008
Special Meeting: January 28, 2008
Workshop Meeting: February 12, 2008

5. **Special Presentation:**

Township Open Space Committee - 2008 Open Space Priority List

6. **Public Discussion:** Persons wishing to address the Township Council are requested to come forward stating their name and address for the record. The public will have an additional comment period at the end of this agenda.

7. **Ordinances for Introduction:**

#2008-1 Ordinance - Amending Chapter 129 entitled, "Parks & Recreation" of the Code of the Township of Pequannock.
(This Ordinance increases seasonal cost for utilization of Woodland Lake in a nominal amount based upon the recommendation of the Director of Parks & Recreation.)

- #2008-2 Ordinance - Authorizing the execution of a Contract for the purchase of Block 3710, Lot 7 from Dennis & Laura Barry. (Based upon the recommendation of the Open Space Committee a Contract has been negotiated with Dennis & Laura Barry for their property located at 114 North Pequannock Avenue also known as Block 3710, Lot 7 in the amount of \$327,500.00. The funding for this acquisition will be underwritten through Township Open Space Funds, County Open Space Funds, and State Planning Incentive Funds.)
- #2008-3 Ordinance - Authorizing the execution of a Contract for the purchase of Block 3709, Lot 1 from Joan Pierone. (Based upon the recommendation of the Open Space Committee a Contract has been negotiated with Joan Pierone for her property located at 144 North Pequannock Avenue also known as Block 3709, Lot 1 in the amount of \$475,000.00. The funding for this acquisition will be underwritten through Township Open Space Funds, County Open Space Funds, and State Planning Incentive Funds.)
- #2008-4 Ordinance - Amending Chapter 189 of the Revised General Ordinances of the Township of Pequannock and establishing land use regulations for wireless communication towers and antennas. (This Ordinance would put in place stringent cell tower regulations within the Township.)
- #2008-5 Ordinance - Amending Chapter 182 of the Code of the Township of Pequannock, Section 182.02, entitled Water Charges. (This Ordinance will amend the water rates for 2008 by ten cents per thousand gallons or a rate of \$2.50 per thousand gallons and sets in place a multi-year rate structure for 2009 and beyond. This increase reflects the future development of the water system while taking into account the current rate which has remained unchanged for nine years.)
- #2008-6 Ordinance - Amending Chapter 152 of the Code of the Township of Pequannock, Section 152.03, entitled Building Sewers; Connections; Fees; Public Sewer System Extension. (This Ordinance puts in place a sewer rate increase for 2008 in the amount of \$70.00 or a rate of \$690.00 for 2008 as well as establishing a multi-year rate structure for 2009 and beyond. The rate within the sewer utility was last adjusted in 2006.

8. **Hearing of Ordinances: Final Reading and Adoption**

None.

9. **Consent Agenda:** Anything placed on this agenda has been deemed to non-controversial and a matter of routine business and will be voted on by one motion.

M_____ Vote_____

- 9.1 Resolution - Transfers.
- 9.2 Resolution - Establishing a Solid Waste Advisory Committee.
(The five member Committee has to be formed to provide guidance to the Council regarding the collection of solid waste and the operation of the utility.)
- 9.3 Resolution - Authorizing the execution of a Settlement Agreement, General Release and Confidentiality/Non-Disclosure Agreement in the matter of LaCorte v. Township of Pequannock, Denise Furfaro and Kevin Boyle.
(The New Jersey Intergovernmental Insurance Fund has settled this case on behalf of the Township and its employees and requires execution of the Settlement Agreement.)
- 9.4 Resolution - Opposing A1645 and S770, Qualified Purchasing Agent.
(This bill will require the qualified purchasing agent be on municipal staff on a part-time or shared basis adding an unnecessary state mandate upon local government.)
- 9.5 Resolution - Opposing S176, Revisions to the Wrongful Death Statute.
(Revisions to this Act are contrary to Title 59 and have significant impact on all municipalities.)
- 9.6 Resolution - Supporting A1265, Municipal Library Overfunding Relief Bill.
(Given the impacts of the 4% tax levy cap this Bill would require public libraries to return surplus funding in excess of their needs due to the inflexibility of the 1/3 million library tax requirement.)
- 9.7 Resolution - Authorizing the execution a Professional Services Agreement with Integra Realty Resources of Whippany, New Jersey to undertake an appraisal of the Shotmeyer properties located along Route 23 for a fee not to exceed \$5,000.00.
(Integra Realty Resources is one of the appraisal firms who have been requested to provide appraisals for the Shotmeyer properties

located on Block 2701, Lots 2, 3 and 12, combining for a total acreage of approximately 5.2 acres of vacant property for consideration and preservation through the Township's Open Space Committee.)

- 9.8 Resolution - Opposing A816, Municipal Prosecutors' Mandates.
(This Bill would require the State Attorney General to establish maximum work loads as well as minimum funding and staffing needed by local Municipal Prosecutors. In reality this Bill authorizes an unfunded mandate on municipal governments who are already impacted by the new arbitrary and artificial levy cap.)
- 9.9 Resolution - Opposing Toll Road Asset Monetization Program.
(The Resolution addresses the concerns of many New Jersey taxpayers regarding the Monetization Program supported by Governor Corzine and its economic impact on the residents Statewide. This Resolution is supported by the Representatives of the 26th Legislature District as well.)
- 9.10 Resolution - Requesting modifications to the 4% levy tax cap.
(This Resolution urges the Governor and Legislature to seriously reconsider the levy tax cap legislation which will severely limit municipalities' ability to provide much needed services and especially those municipalities which have a long-term track record of fiscal responsibility.)
- 9.11 Resolution - Releasing Maintenance Guarantee on Block 1202, Lot 35-38.
(Mr. Robert DeGeorge, Developer of the above-mentioned property, as part of the new Dorothy Lane subdivision has requested the release of those Maintenance Guarantees. The Township Engineer and Chief Financial Officer have reviewed the request and recommendation for its release.)
- 9.12 Resolution - Opposing A-1880, Referendum on Local Bonds.
(This Bill will require a public referendum prior to the issuance of general obligation bonds by local municipalities. By delaying bond issuance for a General Election the impact in local governments' ability to purchase equipment and undertake capital programs on a year to year basis will be greatly hindered.)
- 9.13 Resolution - Acknowledging the bid for gasoline and diesel fuel for a two year period commencing April 1, 2008.
(The bid for gasoline and diesel fuel was advertised as requested, however, no bids were received at the time of the bid opening.)

9.14 Resolution - Awarding the bid of P.V. Park Concession to Recreational Concepts, L.L.C. of Newton New Jersey for the 2008 Swim Season in the amount of \$3,761.00.
(This is Recreational Concepts' third year providing concession services to P.V. Park.)

9.15 Proclamation - Read Across America.

9.16 Approval - Fernando Rodriguez, Wayne A. Rasa, and John VanSant to the rolls of Company No. 2.

9.17 Approval - Various Credits, Refunds & Redemptions.

10. **Request Reports:** Manager's Report/Council Members' Report/Council Liaison Reports.

11. **Communications:**

11.1 Letter from N.J.D.W.S.C. Re: Emergency Plan

11.2 Letter from Donna Brown Re: Leaf Collection

11.3 Letter from Evelyn Sehauer Re: Resignation from Senior Citizen Advisory Board

11.4 Memo from Peter Correale Re: Pet Licensing Fees

12. **New Business:**

Appointment of a Representative to the Passaic River Basin Flood Task Force

13. **Unfinished Business:**

None.

14. **Resolutions:**

14.1 Resolution - Authorizing an Agreement for the Township of Pequannock and William and Frances Frost to vacate the Judgment of Foreclosure on Block 1102, Lot 2 located on Mountain Avenue.

(The Township Council has been asked to give due consideration to a request from Donald Kuser on behalf of William and Frances Frost to vacate a Judgment of Foreclosure on the above-captioned property based upon compliance with the aforementioned Agreement.)

15. **Public Discussion:** Persons wishing to address the Township Council on matters related solely to this agenda are requested to come forward stating their name and address for the record.

16. **Payment of Bills:** Motion that the list of bills dated February 26, 2008 as posted and presented be paid.

17. **Adjournment:** Motion _____ S _____ that the meeting be closed at _____ p.m.