

The August 13, 2019 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 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."

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:

Mayor David Kohle
Councilwoman Melissa Florance-Lynch
Councilman Richard Phelan
Councilwoman Kyle Russell

Absent:

Deputy Mayor Ryan Herd

Also Attending:

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

There were 16 members of the public in attendance.

PRESENTATIONS.

- Alan Stanaback was recognized for attaining the rank of Eagle Scout.
- Life Scout Elijah Crefeld presented a proposal for a Bicycle Repair Station as his Eagle Scout project.

REPORTS FROM VOLUNTEERS. There were no reports from volunteers.

PUBLIC COMMENT.

- Lou Hebert, 11 Copley Court, requested clarification of recent news reports regarding lead in water. Mr. Kohle and Mr. Brewer explained references to issues in the "Pequannock Area" are referring to a section of Newark and there are no known issues with lead in the Pequannock Township water supply, however individual homeowners may want to consider taking steps to ensure no lead has been introduced inside homes built prior to 1987.

MANAGER'S REPORT. Township Manager Adam Brewer reviewed the Manager's report for the meeting, providing information on agenda items, noting reports from the Parks and Recreation Department were included in the report and announcing the new Township website was launched the previous Friday.

PUBLIC HEARINGS. There were no public hearings.

ORDINANCE INTRODUCTIONS.

ORDINANCE INTRODUCTION - Ordinance No. 2019-13, ORDINANCE AMENDING CHAPTER 132 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND REGULATING ITINERANT VENDING

Township Manager Brewer reviewed the terms of the ordinance.

On a motion by Mr. Phelan, seconded by Mrs. Russell, the ordinance was approved for introduction by the following vote:

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

Against: None. Abstain: None. Absent: Mr. Herd.

RESOLUTIONS.

- **R2019-169**, authorizing the discretionary award of a contract for improvements to the Animal Shelter (11 Washington Street, Pompton Plains, NJ 07444) to Get It Done Home Improvements for the additional amount of \$3,565, bringing to total contact amount to \$20,575.
- **R2019-170**, authorizing the Chief Financial Officer to encumber the amount of \$90,848 from the Township's Open Space, Recreation, Farmland and Historic Preservation Trust Fund.
- **R2019-171**, authorizing a grant agreement with Morris County for a 2019 Historic Preservation Trust Fund Grant (Martin Berry House Interior Rehabilitation).
- **R2019-172**, authorizing a grant agreement with Morris County for a 2019 Historic Preservation Trust Fund Grant (Martin Berry House Phase 3 Construction Documents).
- **R2019-173**, authorizing the discretionary award of a contract for the PubWorks Work Order System in the amount of \$26,650, in accordance with the quotation provided.
- **R2019-174**, authorizing submission of a 2020 NJDOT Local Aid Infrastructure Fund (LAIF) grant application and to execute a grant contract with the New Jersey Department of Transportation for the Hillview Guide Rail Upgrades.
- **R2019-175**, renewing membership in the Morris County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2020 and ending January 1, 2023.
- **R2019-176**, authorizing cancellation of outstanding checks.
- **R2019-177**, providing for the insertion of a special item of revenue in the 2019 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L.1948) (Martin Berry House Interior Rehabilitation).
- **R2019-178**, providing for the insertion of a special item of revenue in the 2019 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L.1948) (Martin Berry House Construction Documents).
- **R2019-179**, providing for the insertion of a special item of revenue in the 2019 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L.1948) (Municipal Alliance Grant).
- **R2019-180**, providing for the insertion of a special item of revenue in the 2019 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L.1948) (Municipal Alliance Supplemental Funds).
- **R2019-181**, approving the renewal of the designated Alcoholic Beverage Control Licenses
- **R2019-182**, approving the transfer of the Alcoholic Beverage Control Plenary Retail Distribution License from B & B Liquors, Inc. to NR Krishna, LLC.
- **R2019-183**, authorizing release of refundable permit bonds.
- **R2019-184**, authorizing release of designated Escrow Deposits.
- **R2019-185**, approving payment of the itemized claims as set forth on the **August 8, 2019** Bill List and the **August 8, 2019** 2015 and 2016 FEMA Elevation Escrow Lists.

On a motion by Mrs. Russell, seconded by Mrs. Florance-Lynch, **Resolutions R2019-169 through R2019-185** were adopted by the following vote:

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

Against: None. Abstain: None. Absent: Mr. Herd.

ITEMS FOR DISCUSSION.

- Sewer Utility Rates.

Mr. Brewer reviewed the contents of a recently distributed analysis of the Sewer Utility and recommended more detailed discussions be scheduled. After discussion, members of the Council requested a discussion of the connection/capacity fee be scheduled for the following meeting.

REPORTS AND NOTICES. There were no reports or notices.

COUNCIL REPORTS.

Ms. Florance-Lynch

- Flood Control Advisory Committee met August 8th. The committee reported on the status of current flood elevation grants, requested homeowners interested in being included in the 2019 elevation grant process contact Flood Resilience Officer Jennifer McCulloch and reported Erik DeLine of the firm H2M attended the meeting to discuss the master plan. Mrs. Florance-Lynch noted the flood app has not yet been installed on the new website, reported Senator Menendez has proposed the National Flood Insurance Program Reauthorization Act and requested verification we are waiting for results from the Scientific Review Panel for the FEMA map appeals.
- Economic Development Advisory Committee will meet Wednesday, September 25th. Eric DeLine will be attendance.
- Thanked Fire Company 2 for their invitation to last week's picnic.
- Pequannock Valley Rotary is having a charity golf outing on Friday, September 6th. Proceeds will benefit CASA and New City Kids.

Mr. Phelan:

- Thanked Engine Company 2 for Saturday's picnic; they are holding a Fish Fry on October 17th. Company 1 is having a Beefsteak Dinner in October.
- Planning Board is expected to hire an engineer who will be separate from the Township Engineer on the 19th.

Mrs. Russell:

- The Hoedown is September 14th with a rain date of September 15th. Requested an explanation of plans for use of the fire pit at PV Park which was provided by Mr. Brewer.

Mayor Kohle:

- First Aid and Rescue Squad met last night. There where were 57 calls reported for the month of July.
- On August 1st, attended a Grand Opening of Forward Motion Physical Therapy.
- Attended the Planning Board meeting on August 5th
- On August 9th Mr. Brewer and he had lunch with the branch manager of Chase Bank. The projected grand opening date for the building is October 8th.
- Attended the Company 2 picnic on Saturday.

PUBLIC COMMENT.

- Frank Spizzirri, 35 West Franklin Avenue, requested an explanation of the certification of funds for resolution R2019-170. Mr. Brewer explained funds from the Open Space Trust Fund may be used for historic preservation.

APPROVAL OF MINUTES.

On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell, minutes of the July 23, 2019 meeting were unanimously approved.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Phelan, seconded by Mrs. Russell, **Resolution R2019-186**, authorizing an Executive Session to discuss matters of Attorney Client Privilege regarding a proposed affordable housing buy down and the Defined Contribution Retirement Plan, and the Litigation of Anello v. Pequannock, was unanimously adopted. Mr. Kohle stated that action may be taken following the closed session.

The public portion of the meeting was recessed at 7:59 p.m. followed by the Executive Session during which the following took place:

- There was a discussion of an affordable housing buy down proposal. The Council authorized that a resolution regarding the buy down be put on tonight's agenda when the Council returns to open session to implement the buy down.
- The manager described issues with the delay in paying the Defined Contribution Retirement Plan payments and provided the Council with a plan he has developed in order to try and take corrective action.
- Regarding the litigation matter Anello vs. the Township of Pequannock, the Governing Body was advised of a potential settlement in that matter and did approve the settlement and authorized the Township Attorney and Township Manager to sign the necessary stipulations.

The closed session was completed at 8:20 p.m. at which time the public meeting was reconvened.

Township Attorney Oostdyk summarized the Executive Session discussion.

RESOLUTIONS (CONTINUED).

- **R2019-186A**, authorizing a "buy down" for affordable housing of property known as 8 Highland Avenue to a very-low income unit and authorizing a payment of \$35,000.00 from the Township Affordable Housing Trust Fund.

On a motion by Mr. Phelan, seconded by Mrs. Florance-Lynch, **Resolution R2019-186A** was adopted by the following vote:

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

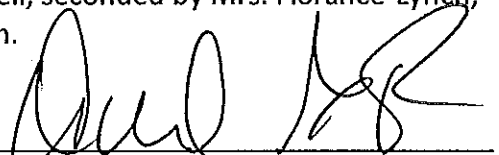
Against: None. Abstain: None. Absent: Mr. Herd

ADJOURNMENT.

There being no further business, on a motion by Mr. Russell, seconded by Mrs. Florance-Lynch, the meeting was adjourned at 8:22 p.m. without objection.



 Carol J. Marsh, Township Clerk



 David G. Kohle, Mayor