

The May 27, 2014 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 Melissa Florance-Lynch presiding.

Township Clerk Delaney read the following statement for inclusion in the meeting minutes:

"Pursuant to 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 mailed to all persons requesting notice and providing payment in accordance with Township policy."

Mayor Florance-Lynch led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

Mayor Melissa Florance-Lynch
Deputy Mayor Cathy Winterfield
Councilman David Kohle
Councilman Richard Phelan
Councilwoman Jay Vanderhoff

Absent: None

Also Attending:

David Hollberg, Township Manager
Robert Oostdyk, Esq., Township Attorney
Joseph J. Delaney, Jr., Township Clerk

There were 12 members of the public in attendance.

PRESENTATIONS.

- Kevin Keaveney was recognized for attaining the rank of Eagle Scout.

REPORTS FROM VOLUNTEERS.

- Frank Spizzirri, Open Space Committee Chair, reported 64 Pequannock Avenue closed today.

PUBLIC COMMENT.

- Darlene Cronin, 38 Oping Road, reported bamboo from neighboring property is invading her yard and requested the Township consider an ordinance banning the planting of bamboo.

PUBLIC HEARINGS.

PUBLIC HEARING - Ordinance No. 2014-06, AN ORDINANCE AMENDING CHAPTER 152 (SEWERS) OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK

There were no public comments.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, the ordinance was adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
Against: None. Abstain: None. Absent: None.

PUBLIC HEARING - Ordinance No. 2014-07, AN ORDINANCE AMENDING CHAPTER 129 (PARKS AND RECREATION) OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK AND REVISING FEES FOR PEQUANNOCK VALLEY PARK AND WOODLAND LAKE

There were no public comments.

On a motion by Mr. Kohle, seconded by Mr. Phelan, the ordinance was adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
Against: None. Abstain: None. Absent: None.

PUBLIC HEARING - Ordinance No. 2014-08, AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 4115, LOT 9 (47 PEQUANNOCK AVENUE) FROM KADRIE KUPA AND VISAR KUPA

There were no public comments.

On a motion by Mr. Phelan, seconded by Mr. Kohle, the ordinance was adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
Against: None. Abstain: None. Absent: None.

PUBLIC HEARING - Ordinance No. 2014-09, ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 4111, LOT 4 (34 HAMPTON AVENUE) FROM FRANCIS AND MICHELE McMURRAY

There were no public comments.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, the ordinance was adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
 Against: None. Abstain: None. Absent: None.

ORDINANCE INTRODUCTIONS.

- **ORDINANCE NO. 2014-10**, ORDINANCE AMENDING CHAPTER 3.36 AND DESIGNATING THE FLOOD CONTROL ADVISORY COMMITTEE AS THE TOWNSHIP PUBLIC INFORMATION COMMITTEE

Mr. Hollberg explained the Ordinance and Ordinance No. 2016-11 which follows are part of an effort to improve the Township's standing in the Community Rating system.

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

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
 Against: None. Abstain: None. Absent: None.

- **ORDINANCE NO. 2014-11**, ORDINANCE AMENDING CHAPTER 85 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK ENTITLED "FLOOD DAMAGE PREVENTION"

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

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
 Against: None. Abstain: None. Absent: None.

RESOLUTIONS.

- **R2014-90**, authorizing a Developer's Agreement between the Township of Pequannock and ABN Realty Co., LLC.
- **R2014-105**, authorizing a Professional Services Agreement with Joseph Novelli, ASA.
- **R2014-109**, adopting the 2014 Municipal Budget.
- **R2014-110**, authorizing release of designated escrow deposits.
- **R2014-111**, approving the designated special event permit application(s).
- **R2014-112**, establishing hourly review and inspection rates to be charged for the year 2014.
- **R2014-113**, approving payment of itemized claims as set forth on the May 23, 2014 Bill List.

Mr. Phelan requested Resolution R2014-90 be voted on separately.

Mr. Hollberg suggested holding Resolution R2014-105 for action following the Closed Session and Resolution R2015-109 which is pending state review.

On a motion by Mr. Phelan, seconded by Mr. Kohle, **Resolution R2014-90** was adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Ms. Winterfield, Mayor Florance-Lynch.
 Against: None. Abstain: Mr. Vanderhoff. Absent: None.

On a motion by Mr. Kohle, seconded by Mr. Vanderhoff, **Resolutions R2014-110 through R2014-113** were adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
 Against: None. Abstain: None. Absent: None.

ITEMS FOR DISCUSSION.

- Proposed Zoning Ordinance Amendments:
 - "Ord. No. 12" (Industrial District): the Council expressed support for moving forward with introduction.
 - "Ord. No. 13" (Decks, Generators and Fences): the Council expressed support for moving forward with introduction.
 - "Ord. No. 14" (Signs): members of the Council expressed differing opinions concerning electronic signs on Newark Pompton Turnpike.
- **ORDINANCE NO. 2014-12**, ORDINANCE AMENDING CHAPTER 189 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND ESTABLISHING A NEW ZONING DISTRICT TO BE KNOWN AS THE I-1A INDUSTRIAL DISTRICT

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

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.
 Against: None. Abstain: None. Absent: None.

- **ORDINANCE NO. 2014-12**, ORDINANCE AMENDING CHAPTER 189 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND AMENDING THE REGULATIONS CONCERNING DECKS, GENERATORS, AND FENCES

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

For: Mr. Kohle, Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Florance-Lynch.

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

REPORTS AND NOTICES.

- Rockaway Township resolution supporting legislation extending and making permanent required employee health care benefits.
- N.J. Department of Transportation Municipal Aid Program Grant Award: Reconstruction of Sunset Road, Phase V (\$165,000)
- Public Hearing Notice: Morris Area Paratransit system - Friday, June 13, 2014.

MANAGER'S REPORT.

- Reported on Wellness Programs as a means of controlling healthcare costs.

COUNCIL REPORTS.

Mr. Vanderhoff:

- No Report

Mr. Phelan:

- No Report

Ms. Winterfield

- Save Martin Berry House meeting is tomorrow at 7:00 p.m. at the Library.
- Pick Pequannock program was the subject of a recent discussion with a local business owner.

Mr. Kohle:

- Fair Housing Committee meets tomorrow night.

Mayor Florance-Lynch:

- Thanked American Legion Posts 242 and 450 for organizing a successful Memorial Day Parade.
- The Pequannock Street Fair is scheduled for June 8th. There is still time to sign up.
- Thanked the Boy Scouts and Township Engineer Joe Golden for building the Rain Garden at the Library.
- Economic Development Committee meets tomorrow night.
- The Library Book sale is Friday and Saturday of this week.

PUBLIC COMMENT.

- Jim Mulcahy, 27 Third Street, requested information concerning the possibility of allowing a higher fence on his property.
- Darlene Cronin, 38 Oping Road, requested review of the bamboo in her yard be done quickly.
- Frank Spizzirri, 35 West Franklin Avenue, requested information about the recently introduced flood ordinance.
- Lou Hebert, 11 Copley Court, thanked the Department of Public Works, the Recreation Department, and the Police Department for their assistance with the Memorial Day Parade; questioned the impact of the newly introduced Industrial Zone ordinance on current litigation.

EXECUTIVE (CLOSED) SESSION.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, **Resolution R2014-108**, authorizing an Executive Session to discuss potential Litigation concerning litigation and potential litigation was unanimously adopted.

The public portion of the meeting was recessed at 8:06 p.m. followed by the Executive Session during which the following items were discussed:

- Potential Litigation, Cedar Crest: The Council met with Theodore Lamicella, appraisal expert in the Cedar Crest case, and were updated and advised concerning developments in the case and proposals for future action and direction was given.
- Litigation: The Manager updated the Council on a recent tort claim.

The closed session was completed at 8:28 p.m. at which time the public meeting was reconvened.

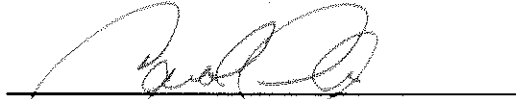
On a motion by Mr. Phelan, seconded by Ms. Winterfield, **Resolution R2014-105** was adopted by the following vote:

For: Mr. Kohle, Mr. Phelan, Ms. Winterfield, Mayor Florance-Lynch.
Against: None. Abstain: Mr. Vanderhoff. Absent: None.

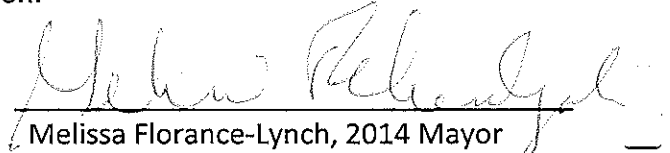
APPROVAL OF MINUTES. There were no minutes presented for approval.

ADJOURNMENT.

There being no further business, on a motion by Mr. Phelan, seconded by Ms. Winterfield, the meeting was adjourned at 8:29 p.m. without objection.



Prepared June, 2017 by
Carol J. Marsh, Township Clerk


Melissa Florance-Lynch, 2014 Mayor