

The June 14, 2016 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  
 Deputy Mayor Jay Vanderhoff  
 Councilwoman Melissa Florance-Lynch  
 Councilman Richard Phelan  
 Councilwoman Catherine Winterfield

Absent: None

Also Attending:

David Hollberg, Township Manager  
 Robert Oostdyk, Esq., Township Attorney  
 Christopher Tietjen, Asst. to the Twp. Manager  
 Carol J. Marsh, Township Clerk

There were 42 members of the public in attendance.

**PRESENTATIONS.**

- Pequannock Township resident Herbert Sharwell was recognized on the occasion of his 100<sup>th</sup> birthday.
- Lisa Data and Dave Clougherty of Crestwood Consultants presented the results of a recent survey by the Economic Development Advisory Committee.

**REPORTS FROM VOLUNTEERS.** There were no reports from volunteers.

**PUBLIC COMMENT.**

- Len Resto, Chatham Borough Councilman, urged the Township to participate with a group of municipalities in retaining an attorney to represent them in regard to the Pilgrim Pipeline.
- Maureen Bratt, Pompton Lakes, encouraged the Council to consider joining the group of municipalities, emphasizing the need to protect the local water supply.
- Mark Plaskon, 33 Garden Place, submitted an OPRA request regarding the ownership of Circle Terrace.

**PUBLIC HEARINGS.** There were no public hearings.

**ORDINANCE INTRODUCTIONS.**

**ORDINANCE INTRODUCTION - Ordinance No. 2016-10, REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR THE ADVANCE REFUNDING OF ALL OR A PORTION OF CERTAIN SEWER UTILITY BONDS OF THE TOWNSHIP, APPROPRIATING \$4,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,000,000 SEWER UTILITY REFUNDING BONDS OF THE TOWNSHIP FOR FINANCING THE COST THEREOF**

On a motion by Mrs. Florance-Lynch, seconded by Ms. Winterfield, the ordinance was approved for introduction by the following vote:

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

**RESOLUTIONS.**

- **R2016-113**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2016-114**, authorizing the reinstatement of special assessment installment payment plan.
- **R2016-115**, authorizing cancellation of small balances on closed utilities accounts or other municipal fees.
- **R2016-116**, authorizing release of designated Escrow Deposits.
- **R2016-117**, authorizing payment in the amount of \$1,712.00 to Gloria Saltzman for Accumulated Leave.
- **R2016-118**, approving the renewal of the designated Alcoholic Beverage Control Licenses.
- **R2016-119**, appointing Polaris Galaxy as the Township's Risk Management Consultant.
- **R2016-120**, authorizing the acceptance of a hold harmless agreement from Richard and Christine Erhardt (12 Carol Place, Block 3402, Lot 15).
- **R2016-121**, confirming the designated memberships in the Pequannock Township Fire Department (Cordeiro).
- **R2016-122**, confirming the sale of public property no longer need for public use located at block 4101 lot 13 (New Read Street) in the Township of Pequannock.
- **R2016-123**, supporting Legislative Bills A-536 and S-2107 to Clarify Volunteer Positions Do Not Impact Retirement Benefits for Public Employees.
- **R2016-124**, approving payment of the itemized claims as set forth on the **June 9, 2016** Bill List.

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, **Resolutions R2016-113 through R2016-124** were adopted by the following vote:

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

**ITEMS FOR DISCUSSION.**

- Regulations regarding domestic animals on park properties
- Tom Andrea, Parks and Recreation Advisory Committee Chair, reviewed the recommendations of the Parks and Recreation Advisory Board regarding the regulation of domestic animals in parks.
- Joe Wells, 5 Washington Street, stated the previous ordinance wasn't fair or sound and therefore not enforced, commented on the issue of dog waste, and encouraged the council to adopt a common sense ordinance.
- Joe Jorgensen, 14 Meyer Place, cautioned the Council against legislating based on feeling, recommended providing a copy of the regulations regarding domestic animals in parks when dog licenses are renewed, and encouraged the Council to allow dogs in parks.
- Sean Ezzo, Township Park Ranger, commented on challenges in enforcing rules concerning dogs in parks.
- Kelli Delia, 492 Newark-Pompton Turnpike, stated restrictions should not be based on the actions of a few irresponsible dog owners and volunteered to help enforce policies.
- Robert Cascone, 37 Duncan Avenue, agreed that dogs should be kept on lease and expressed support of the ordinance.
- Karen Cascone, 37 Duncan Avenue, questioned why dogs would not be allowed near sport fields and why dog waste is considered differently than goose waste.
- Joe Wells suggested the fine for a first violation of the ordinance be decreased.

- Mike, resident of Hopper Avenue, objected to dog owners depositing dog waste in his garbage cans and expressed support for restricting areas where dogs are permitted.  
The Council discussed the regulations and requested an ordinance be prepared for introduction at the next Council meeting.

▪ Skateboard Park location

Mr. Hollberg reviewed the background for the Skateboard Parks Advisory Committee's recommendation of Washington Park as the location of a potential Skateboard park.

- Nick DeStephano, 28 Greenwood Avenue, objected to locating a skateboard park in Washington Park.
- Joe Jorgensen, 14 Meyer Place, expressed concern about the cost of building and maintaining a skateboard park and suggested the Council get an estimate of the total cost of a skateboard park prior to spending money for design and engineering.
- Mrs. Florance-Lynch questioned if Greenview Park had been considered as a location.

On a motion by Ms. Winterfield, seconded by Mr. Phelan, the Council designated Washington Park as the location for a potential skateboard park by the following vote:

For: Mr. Phelan, Mr. Vanderhoff, Ms. Winterfield, Mayor Kohle.

Against: Mrs. Florance-Lynch. Abstain: None. Absent: None.

**REPORTS AND NOTICES.**

- Bernd E. Hefele; Letter – Digital Advertising Proposal Eyespy Media
- Verizon Wireless; Sample Resolution - Small Network Node Technology  
Mr. Oostdyk briefly explained the Verizon communication.
- Morris County Freeholders; Letter - Budget Presentation  
The council agreed to request a presentation by the County Budget Committee.
- Township of West Windsor; Resolutions 182, 183, 184 regarding Highlands Preservation Area Municipalities

**MANAGER'S REPORT.** Township Manager David Hollberg reported the following:

- The 2016 Road Resurfacing Program has been completed.
- The initiative to improve our CRS rating has resulted in a Class 5 rating.
- The Hanna / Michael Court Drainage Repair project is complete.
- Township Engineer Joe Golden has scheduled a meeting for Village Area's residents to discuss the final roadway improvements that will take place in the sewer construction area. The plan for new curbs, drainage, intersection reconfiguration and resurfacing will be discussed. Parking restrictions and limited access to driveways will be reviewed
- The Pick Pequannock shopping rewards program has generated \$29,500 in rewards that will be applied against homeowner's property taxes for 2016. The number of properties receiving credit decreased from 2015 although the total value of credits remains about the same. The largest credit received this year is \$733.41.
- A contractor is using the DOT lot adjacent to the Turnpike jug handle for material storage for a State Highway project in Bergen County.
- A Shred Day has been scheduled for October 15<sup>th</sup> from 9:00 a.m. to 1:00 p.m. at the municipal building parking lot.

**COUNCIL REPORTS.**

***Mrs. Florance-Lynch:***

- The Senior Olympics were held at Greenview Park last week.

- The Pequannock Township Police Department will hold a program for Senior Citizens regarding scams directed at Senior Citizens.
- Flood Advisory Committee was present at the Street Fair last Sunday. At their last meeting the Committee discussed the possibility of holding an event to disseminate flood information and assistance.
- Library Board meets tomorrow at 7:30.
- Economic Development Committee will meet next Wednesday. The meeting may be moved due to a conflict with High School graduation.
- Attended a meeting sponsored by the Morris County Chamber of Commerce where Governor Christie spoke.

**Mr. Phelan:**

- No report.

**Mr. Vanderhoff:**

- Fire Co. No. 2 is holding a fundraiser on June 25<sup>th</sup>.
- Expressed support for taking action regarding Pilgrim Pipeline and reservations concerning the viewpoints of professionals involved in the process.

**Ms. Winterfield:**

- Commended the Chamber of Commerce on the success of the Street Fair.

**Mayor Kohle:**

- The Senior Olympics was a success.
- Chamber of Commerce Street Fair was also a success. Thanked the Police Department for bringing the prescription drug drop off.
- Attended the Morris County Chamber of Commerce Breakfast where Governor Christie spoke.
- Agreed that some action should be taken regarding Pilgrim Pipeline and asked that a draft ordinance be prepared.

**PUBLIC COMMENT.**

- Jordan Galiano, 10 Peck Avenue, thanked the Council for their approval of a skateboard park location, reported on fundraising activities, and stated having a designated location will aid in future fundraising.
- Sharon Taylor, 19 Libby Avenue, noted that meetings of the Skateboard Park were publicly noticed and the committee discussed the location extensively. Expressed support for the ordinance regarding domestic animals in parks, commented on the roles of pets such as therapy dogs and recommended owners provide the Township with information regarding their dogs that is in addition to the minimum requirements.
- Mike Bertuna, 8 Reynolds Road, stated the Street Fair was a success, reported quick resolution of his report of a pothole, expressed concern that locating a skateboard park in a flood zone will create obstacles for its development, and questioned if the location would create extra expenses.
- Loretta Terraneo, 61 Third Street, expressed supported for the proposed dog ordinance and suggested the Council consider fencing a larger area in Foothills Park for free running dogs than the one currently in existence.
- Sean Ezzo, Township Park Ranger, commented on the safety of free running dogs.
- Dave Sippel, 537 Newark Pompton Turnpike, reported he plans to be involved in fundraising

for the Park, thanked the Council for designating a location and expressed his opinion that it would help with the fundraising efforts.

**APPROVAL OF MINUTES.**

On a motion by Mr. Phelan, seconded by Ms. Winterfield, minutes of the May 10, 2016 meeting were approved by voice vote with Mrs. Florance-Lynch abstaining.

**APPROVAL OF MINUTES.**

On a motion by Mr. Phelan, seconded by Ms. Winterfield, minutes of the May 24, 2016 and June 2, 2016 meetings were approved by the following vote:

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

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

**EXECUTIVE (CLOSED) SESSION.**

On a motion by Mr. Phelan, seconded by Mr. Vanderhoff, **Resolution R2016-125**, authorizing an Executive Session to discuss Personnel and Contract Negotiations related to the acquisition of the Bogert property was unanimously adopted.

The public portion of the meeting was recessed at 9:25 p.m. followed by the Executive Session during which the following items were discussed:


- Contract negotiations: The Council reviewed the Bogert contract and gave direction to the Township Manager and Township Attorney regarding the oil tank issue.
- Personnel: Began the process of performance reviews for the Township Manager and Township Clerk which will be continued at the next closed session.

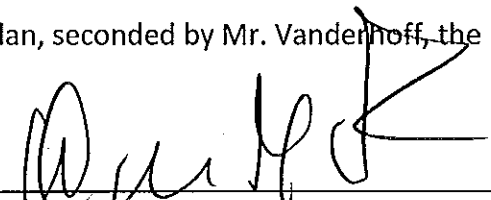
The closed session was completed at 9:44 p.m. at which time the public meeting was reconvened.

Township Attorney Oostdyk summarized the Executive Session discussion. No formal action was taken.

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Phelan, seconded by Mr. Vanderhoff, the meeting was adjourned at 9:46 p.m. without objection.

  
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Carol J. Marsh, Township Clerk

  
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David G. Kohle, Mayor