

The May 9, 2017 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 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 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 Catherine Winterfield
- Councilman Ryan Herd
- Councilman David Kohle
- Councilman Richard Phelan

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 17 members of the public in attendance.

**PRESENTATIONS.**

- Mayor Florance-Lynch and the Township Council presented Chief Brian Spring with a proclamation in observance of National Police Week and Peace Officers Memorial Day.

**REPORTS FROM VOLUNTEERS.**

- Louise Marchese, Economic Development Commission Recording Secretary, reported the committee met on April 26<sup>th</sup> and is exploring all avenues which will result in growing and expanding businesses in town; the Castle should be opening this fall; the committee is hoping a planner will be hired by the Township, and speakers for the previous meeting have been rescheduled.
- Dave Stapp, Pequannock Township First Aid & Rescue Squad Vice President, expressed the Squad's appreciation for the support they receive from the Police Department.

**PUBLIC COMMENT.** There were no public comments.

**PUBLIC HEARING – 2017 Municipal Budget Amendment**

On a motion by Mr. Kohle, seconded by Mr. Herd, the Public Hearing on the 2017 Municipal Budget Amendment was opened without objection.

There were no public comments.

On a motion by Mr. Kohle, seconded by Mr. Herd, the Public Hearing on the 2017 Municipal Budget Amendment was closed by the following vote:

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

**2017 Municipal Budget Amendment Adoption.**

On a motion by Mr. Phelan, seconded by Mr. Kohle, resolution R2017-97 adopting the 2017 Municipal Budget Amendment was adopted by the following vote:

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

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

**2017 Municipal Budget Adoption.**

On a motion by Mr. Phelan, seconded by Ms. Winterfield, resolution R2017-98 adopting the 2017 Municipal Budget was adopted by the following vote:

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

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

**ORDINANCE INTRODUCTIONS.**

**ORDINANCE INTRODUCTION - Ordinance No. 2017-05; BOND ORDINANCE PROVIDING FOR THE ELEVATION OF FLOOD PRONE HOMES AND THE ACQUISITION AND INSTALLATION OF GENERATORS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$5,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

Township Manager Hollberg explained the ordinance facilitates cash flow, expenditures of the Township will be reimbursed through grants, and property owners will be responsible for costs not covered by grants. There will be no cost to the tax payers of the Township.

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

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

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

**ORDINANCE INTRODUCTION - Ordinance No. 2017-06; ORDINANCE AMENDING CHAPTER 64 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND REPEALING THE FIFTY PERCENT WAIVER OF FEES FOR FLOOD PLAIN MITIGATION ELEVATIONS.**

Mr. Hollberg stated the waiver of fees was put in place as a temporary measure and the ordinance reinstates the fees. The fees will be reimbursed to the homeowner under the grant.

On a motion by Mr. Herd, seconded by Ms. Winterfield, the ordinance was approved for introduction by the following vote:

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

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

**ORDINANCE INTRODUCTION - Ordinance No. 2017-07; ORDINANCE AMENDING CHAPTERS 3 AND 79 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND AMENDING THE FEE FOR AN APPLICATION FOR PUBLIC DEFENDER SERVICES.**

Mr. Hollberg stated the ordinance makes the Township's fee schedule consistent with state law.

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

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

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

**ORDINANCE INTRODUCTION - Ordinance No. 2017-08; ORDINANCE APPROPRIATING \$667,000 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY**

Mr. Hollberg explained this and the following two ordinances make up the 2017 capital program which was discussed during the budget process. The various projects are listed in each ordinance.

On a motion by Ms. Winterfield, seconded by Mr. Herd, the ordinance was approved for introduction by the following vote:

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

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

**ORDINANCE INTRODUCTION - Ordinance No. 2017-09; AN ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AND APPROPRIATING THE SUM OF \$1,070,000 FOR FINANCING THEREOF.**

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

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

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

**ORDINANCE INTRODUCTION - Ordinance No. 2017-10; ORDINANCE APPROPRIATING \$170,000 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE WATER UTILITY IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY**

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

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

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

#### **RESOLUTIONS.**

- **R2017-99**, authorizing Tax Office refunds, overpayments or cancellations.
- **R2017-100**, authorizing the abatement of property maintenance violations at designated properties.
- **R2017-101**, approving the designated special event permit applications (Thunderbird Car Show).
- **R2017-102**, approving payment of the itemized claims as set forth on the **May 4, 2017** Bill List.

On a motion by Mr. Phelan, seconded by Mr. Kohle, **Resolutions R2017-99 through R2017-102** were adopted by the following vote:

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

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

#### **ITEMS FOR DISCUSSION.**

- **Morris County Stigma Free**

Members of the Council discussed items which might follow the adoption of a resolution declaring Pequannock a Stigma Free Community and requested the resolution be placed on the May 23<sup>rd</sup> agenda.

- **Pipeline Ordinance**

Mr. Hollberg outlined the provisions of a draft ordinance regulating oil, gas and other hazardous materials and requested the Council review and provide comments. Members of the Council expressed agreement with the concept and requested the ordinance be placed on the May 23<sup>rd</sup> agenda for further discussion

**REPORTS AND NOTICES.** There were no reports or notices.

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

- An updated Project Status Report has been distributed. Progress has been made in the past couple of months on the water tank, Martin Berry House, and Mountain Avenue projects.
- Bids for the addition to the Library have been reviewed and the low bidder is non-responsive based on their failure to list their subcontractors and fully complete the bidder's checklist. The second low bidder has filed an objection to the low bid. The low bidder will have an opportunity to be heard at the next Council meeting. After the hearing, Council will consider a resolution to award to the lowest responsible responsive bidder.
- Please make note of activities within the Township on these dates:
  - Monday, May 29 Memorial Day Parade
  - Saturday, June 3 Shred Day: 9-12 at Town Hall
  - Sunday, June 4 Street Fair: 11-5 on the Turnpike at Jackson Ave
  - Thursday, June 29 Fireworks at the High School Field
  - Saturday, July 8 Food Truck Festival: 11-6 at PV Park
  - Saturday, Oct 28 Household Hazardous Waste Day: 9-2 at PV Park

**COUNCIL REPORTS.**

***Mr. Herd:***

- Senior Citizen Advisory Committee did not meet this month.
- Open Space Committee requested information on the availability of equipment to clear trails and to make informational plaques. The rail trail is reported to be near completion.
- Reported on litter left at Hillview School and Washington Park.
- Municipal Alliance Committee meeting is tomorrow at 4:30 p.m.
- In response to a question from Mayor Florance-Lynch, Mr. Herd reported on challenges involved in reaching Township Senior Citizens.

***Mr. Phelan:***

- Reported the Township's inspection of his sump pump was efficient and well organized.
- Fire Co. No. 1 met last Friday.
- Fire Co. No. 2 meets this Thursday.

***Ms. Winterfield:***

- Historic District Commission is preparing for several upcoming events; Township Historian Ed Engelbart will be leading a Civil War Cemetery Tour on May 21<sup>st</sup>. Proceeds will go to the Historical Society for the Martin Berry House.
- Following the parade there will be a ceremony at Grace Chapel commemorating the 100<sup>th</sup> year anniversary of the United States entering into World War One.
- Environmental Commission meets tomorrow night.

***Mr. Kohle:***

- Fair Housing Committee met on April 26<sup>th</sup>; commended the work of the new secretary.
- Toured the Castle last Wednesday.
- Parks and Recreation Advisory Committee met May 1<sup>st</sup>; PV Park opens May 27<sup>th</sup>; noted he continues to report nothing new with the community center ad hoc committee.
- The selection committee for Citizen of the Year met May 1<sup>st</sup>. The recipient will be announced at the next Council meeting. Mr. Kohle recommended keeping the same procedure for selecting Citizen of the Year next year.

- Pequannock Township First Aid & Rescue Squad Chief Lyon reported Pequannock High School Student and Emergency Medical Technician and First Aid Squad member Kayla Taylor received a scholarship from 200 Club of Morris County. This is the second year in a row a member of the Pequannock Township First Aid & Rescue Squad has received a scholarship from the 200 Club.
- On Saturday April 29<sup>th</sup> members of the first Aid Squad, Police Department, Fire Companies, and Emergency Management received training in the management of search and rescue operations which was partially funded through Pequannock Rotary. The Pequannock Township High School Crash Reenactment program is scheduled for June 6<sup>th</sup>.

**Mayor Florance-Lynch:**

- Commended Parks and Recreation for their work organizing a successful Fishing Contest event, and asked about the policy regarding the use of paddle boards on Woodland Lake. Mr. Hollberg explained there are safety hazards which preclude swimming in Woodland Lake.
- Requested a tour of Martin Berry House and Henning House be scheduled.

**PUBLIC COMMENT.**

- Steve Connolly, 44 Duncan Avenue, thanked the Council for including a skate board park in the plans for developing Washington Park.

**APPROVAL OF MINUTES.**

On a motion by Mr. Phelan, seconded by Mr. Herd, minutes of the April 25, 2017 meeting were unanimously approved.

**EXECUTIVE (CLOSED) SESSION.**

On a motion by Mr. Kohle, seconded by Ms. Winterfield, **Resolution R2017-103**, authorizing an Executive Session to discuss litigation was unanimously adopted.

The public portion of the meeting was recessed at 7:59 p.m. followed by the Executive Session. Appraisal expert Theodore J. Lamicella of Appraisal Systems, Inc. joined the closed session at which the following items were discussed:

- Cedar Crest Tax Appeals – The Council received an update from the Township Attorney and the appraisal expert on the matter of the Cedar Crest Tax Appeal and direction was given accordingly.

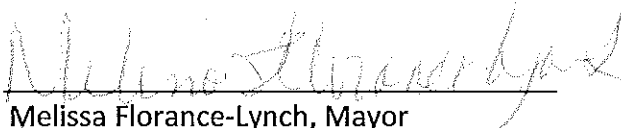
The closed session was completed at 8:37 p.m. at which time the public meeting was reconvened.

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

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Kohle, seconded by Mr. Herd, the meeting was adjourned at 8:30 p.m. without objection.

  
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Carol J. Marsh, Township Clerk

  
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Melissa Florance-Lynch, Mayor