

The August 28, 2018 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 Catherine Winterfield 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 Winterfield led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

Mayor Catherine Winterfield  
Deputy Mayor David Kohle  
Councilwoman Melissa Florance-Lynch  
Councilman Ryan Herd  
Councilman Richard Phelan

Absent: None

Also Attending:

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

There were 9 members of the public in attendance.

**PRESENTATIONS.** There were no presentations.

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

**PUBLIC COMMENT.**

- Roger Fednik, 23 Lockwood Avenue, objected to the Township's policy of allowing groups of non-residents to use PV Park.
- John Snowdon, 52 Ramapo Road, objected to recent activities at PV Park and recommended the Township "take steps to ensure the park is a place to enjoy".
- Elaine Baccarella, 16 William Street, reported seeing less trash since the Carry In - Carry Out policy was implemented and suggested the policy be more widely publicized.
- Jeanne Hebert, 11 Copley Court, requested the township consider chlorinating the lake again, and recommended taking steps to publicize and enforce policies. Mr. Brewer reported the state Department of Environmental Protection prohibits the township from chlorinating the lake.
- Donna Cetani, 117 Greenwood Avenue, reported on activities of the Rotary Club.
- Elaine Baccarella questioned if the Council intended to pass an ordinance against recreational marijuana stores and farms.

**MANAGER'S REPORT.** Township Manager Adam Brewer reviewed the Manager's Report for the meeting, including information on the scope of the Jacksonville Road sidewalk project and a report from the Flood Advocate, and announced a presentation by Municipal Flood Advocate Jennifer McCulloch is scheduled for the September 25<sup>th</sup> Township Council meeting.

**PUBLIC HEARINGS.**

**PUBLIC HEARING - Ordinance No. 2018-19; ORDINANCE APPROPRIATING \$48,000 FROM WATER UTILITY CAPITAL FUND BALANCE AND \$35,000 FROM WATER CAPITAL OUTLAY FOR VARIOUS**

CAPITAL IMPROVEMENTS AND ACQUISITIONS FOR THE WATER UTILITY IN AND BY THE TOWNSHIP OF MORRIS, NEW JERSEY

On a motion by Mr. Phelan, seconded by Mr. Herd, the Public Hearing was opened without objection

There were no public comments.

On a motion by Mr. Kohle, seconded by Mrs. Florance-Lynch, the Public Hearing was closed without objection.

On a motion by Mr. Herd, seconded by Mrs. Florance-Lynch, the ordinance was adopted by the following vote:

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

Against: None. Abstain: None. Absent: None

**ORDINANCE INTRODUCTIONS.**

**ORDINANCE INTRODUCTION - Ordinance No. 2018-20;** ORDINANCE APPROPRIATING \$10,000 FROM THE SEWER UTILITY CAPITAL FUND BALANCE FOR CAPITAL IMPROVEMENTS FOR THE SEWER UTILITY IN AND BY THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY

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

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

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

**ORDINANCE INTRODUCTION - Ordinance No. 2018-21;** ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK, REGULATING DOOR TO DOOR SOLICITATION, AND ESTABLISHING A "DO NOT SOLICIT" LIST

Township Manager Brewer provided background on the ordinance.

Mr. Oostdyk reviewed recent court decisions regarding free speech which informed the ordinance and noted that, in accordance with court decisions, the ordinance allows residents to request solicitors of any kind not knock on their doors.

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

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

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

**RESOLUTIONS.**

- **R2018-161**, approving the request of Township Manager Adam Brewer to reside outside the township during his tenure in office and amending the agreement between Mr. Brewer and the Township.
- **R2018-162**, authorizing Weatherproofing Technologies, Inc., to complete Roof Sections A and B of the Roof Replacement Project at the Department of Public Works Building, located at 99 Alexander Avenue, through the Educational Services Commission of NJ Cooperative Pricing System (Formerly the Middlesex Regional Educational Services Commission)
- **R2018-163**, approving payment of the itemized claims as set forth on the **August 28, 2018** Bill List and the **August 24, 2018** 2015 and 2016 FEMA Elevation Escrow Lists.

On a motion by Mr. Phelan, seconded by Mr. Kohle, **Resolutions R2018-161 through R2018-163** were adopted by the following vote:

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

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

#### ITEMS FOR DISCUSSION.

▪ September 11, 2018 meeting schedule

Members of the Council requested the September 11<sup>th</sup> meeting be scheduled to begin at 7:30 p.m. to accommodate attendance at the 9/11 Ceremony.

▪ 2019 meeting schedule

The Council tentatively approved a schedule of meetings for 2019.

▪ Carry In - Carry Out Policy

Mr. Brewer reviewed the history of the Carry In – Carry Out policy and the results of an informal poll on the subject and suggested a hybrid of the policy which would allow the Township to place trash and recycling cans only where it makes sense.

After discussion, members of the Council agreed to allow time for the manager to develop a plan, and review the recommendations at a later date.

#### REPORTS AND NOTICES.

- Township of Wayne Ordinance No. 46-2018: AN ORDINANCE TO AMEND CHAPTER 134 (LAND DEVELOPMENT) OF THE CODE OF THE TOWNSHIP OF WAYNE.

#### COUNCIL REPORTS.

***Ms. Florance-Lynch***

- Requested the manager look into having an abandoned U-Haul truck parked near Home Town Market removed.

***Mr. Herd:***

- Commended the Pequannock Police Department for their actions after his truck was reported stolen and the Department of Public Works for their hard work and long work days, noting they are already at work at 5:30 a.m.

***Mr. Kohle:***

- Was unable to attend the Fair Housing Committee meeting on the 23<sup>rd</sup>.

***Mr. Phelan:***

- Shade Tree has requested the Council consider adopting an ordinance to protect trees in the right of way and to consider requiring the licensing of professionals who remove trees from private property.

***Mayor Winterfield:***

- Committees that didn't meet during the summer will resume in September.
- Save the date postcards for the Martin Berry House dedication on October 3<sup>rd</sup> have been mailed.

#### PUBLIC COMMENT.

- Frank Spizzirri, 35 West Franklin Avenue, reported issues with purchasing single day passes for PV Park.
- Sharon Taylor, 19 Libby Avenue, recommended PV Park procedures be reviewed rather than prohibiting use by non-residents and commended the Department of Public Works for their hard work.

#### APPROVAL OF MINUTES.


On a motion by Mrs. Florance-Lynch, seconded by Mr. Kohle, minutes of the October 14, 2014 meeting were unanimously approved with Mr. Herd abstaining.

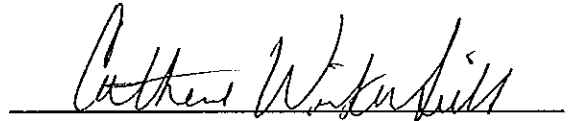
On a motion by Mrs. Florance-Lynch, seconded by Mr. Kohle, minutes of the August 14, 2018 meeting were unanimously approved with Mr. Phelan abstaining.

**EXECUTIVE (CLOSED) SESSION.** There was no Executive Session.

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Kohle, seconded by Mr. Herd, the meeting was adjourned at 8:27 p.m. without objection.

  
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Carol J. Marsh, Township Clerk

  
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Catherine Winterfield, Mayor