

The January 28,2020 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 Ryan Herd 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 Herd led the Pledge of Allegiance, which was followed by a prayer and a moment of thanks for those individuals serving our nation.

Present:

Mayor Ryan Herd  
Deputy Mayor Kyle Russell  
Councilman David Kohle  
Councilman Richard Phelan

Also Attending:

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

Absent:

Councilwoman Melissa Florance-Lynch  
(joined the meeting at 7:08 p.m.)

There were 7 members of the public in attendance.

**PRESENTATIONS.** There were no presentations.

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

**PUBLIC COMMENT.**

- Daniella Lobo-Rauch, 209 Comley Road, Lincoln Park, introduced herself and her colleague Christine as nursing students doing a project with a focus on the elderly in Pequannock Township, and commented on high rates of depression in the elderly and the importance of community services which include the elderly and noting services such as Dial-A-Ride and Senior House which are available to Pequannock Township's elderly.

**MANAGER'S REPORT.** Township Manager Adam Brewer reviewed the Manager's report for the meeting, noting an ordinance recommended by the Shade Tree Commission is listed for introduction this evening, and a discussion item on the Sewer Master Plan.

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

**ORDINANCE INTRODUCTIONS.**

**ORDINANCE INTRODUCTION - Ordinance No. 2020-01; ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK REQUIRING THE REGISTRATION OF CONTRACTORS PROVIDING TREE CARE SERVICES WITHIN THE TOWNSHIP AND REVISING THE SPECIES OF TREES TO BE PLANTED"**

Township Manager Brewer reviewed the terms of the ordinance.

Mr. Phelan noted the Shade Tree Commission has reviewed the ordinance and expressed support for its introduction.

Mrs. Florance-Lynch joined the meeting at 7:08.

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. Kohle, Mr. Phelan, Mrs. Russell, Mayor Herd

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

#### **RESOLUTIONS.**

- **R2020-59**, authorizing the acceptance of a hold harmless agreement from Robert Zodda and Corie Zodda (Block 2107, Lot 8 / 48 Sunset Road).
- **R2020-60**; authorizing a professional services agreement between the Township of Pequannock and H2M Associates, Inc. to amend ordinances related to the 2019 master plan.
- **R2020-61**, appointing Adam W. Brewer as Fund Commissioner and Diane Rizzi as Alternate Fund Commissioner to the Morris County Municipal Joint Insurance Fund.
- **R2020-62**; appointing Adam W. Brewer as the Township Commissioner and Julie Kupilik as the Township's Alternate Fund Commissioner to the North Jersey Municipal Employee Benefits Fund.
- **R2020-63**; cancelling unexpended General Capital Appropriation balances.
- **R2020-64**; cancelling the Recreation Capital Improvement Fund to Recreation Capital Fund Balance.
- **R2020-65**; authorizing release of designated Escrow Deposits.
- **R2020-66**; authorizing release of Inspection Escrow Deposits and Bonds for ABN/Badanco and ABN Realty.
- **R2020-67**, approving payment of the itemized claims as set forth on the **January 24, 2020** Bill List and 2016 FEMA Elevation Escrow list.

On a motion by Mr. Kohle, seconded by Mr. Phelan, **Resolutions R2020-59 through R2020-67** were adopted by the following vote:

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

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

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

- Sewer Utility Master Plan update: Members of the Council discussed the draft plan, made recommendations for updates to the implementing ordinance, and requested a draft ordinance be listed for discussion.

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

#### **COUNCIL REPORTS.**

##### ***Ms. Florance-Lynch***

- Economic Development Advisory Committee met and reorganized. An updated list of officers will be forwarded to the Clerk's office.

##### ***Mr. Kohle:***

- Fair Housing Committee met last Wednesday. Rocco Salluce will be the 2020 Chair and Mary Thomas will be Vice Chair.
- Suggested a representative of Optimum/Cablevision attend a Council meeting.

##### ***Mr. Phelan:***

- Shade Tree Commission met yesterday – their recommended ordinance was introduced this evening.
- A municipal vehicle was scratched last Saturday.

**Mrs. Russell:**

- There will be an “Empty Bowls” event at the High School at 5:30 on March 3<sup>rd</sup>.
- Grains of Hope is March 20<sup>th</sup>.
- March 28<sup>th</sup> is a mini golf fundraiser sponsored by the Friends of the Library.
- April 4<sup>th</sup> is the Mayor’s River Cleanup.
- May 5<sup>th</sup> is the library book sale.

**Mayor Herd:**

- Complimented the Fire Company Installation Dinner.
- Connor Dewey, a recent Eagle Scout was the 72<sup>nd</sup> to achieve the rank in Pequannock Township.
- Attended a recent meeting with Congresswoman Mikie Sherrill.
- The Historic Society is discussing an interpretive plan for the Martin Berry House.
- March 3<sup>rd</sup> is a presentation on vaping with Timothy Schumaker at the High School.

**PUBLIC COMMENT.**

- Frank Spizzirri, 35 West Franklin Avenue, reported the food pantry is in need of donations, and noted the sound is not audible on Channel 77.
- Peter Schmitt, 16 Manor Avenue, attended a meeting of the Economic Development Advisory Committee where the Master Plan was discussed and suggested there be a prioritization and budget for the plan’s recommendations.
- David Hollberg, 289 Boulevard, commented on issues involved in allowing individual sewer connections and recommended any encumbrance of sewer capacity include the possibility of redevelopment in the business districts.

**APPROVAL OF MINUTES.**

On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell, minutes of the November 26<sup>th</sup>, 2019, December 10, 2019 and December 20, 2019 regular meetings and the December 12, 2019 special meeting were unanimously approved with Mr. Phelan abstaining on the minutes of the December 10<sup>th</sup> and December 20<sup>th</sup> meetings.

**EXECUTIVE (CLOSED) SESSION.**

On a motion by Mrs. Florance-Lynch, seconded by Mr. Kohle, **Resolution R2020-68**, authorizing an Executive Session to discuss Contract Negotiations with the City of Newark and Litigation of Sewer Assessment Appeals was unanimously adopted.

The public portion of the meeting was recessed at 7:33 p.m. followed by the Executive Session during which the following took place:

- Contract Negotiations with the City of Newark for bulk water: The Township Manager updated the Council on the status, or lack thereof of negotiations, and direction was given as to how to proceed.
- There was a discussion regarding sewer assessment appeals, one filed by the First Reformed Church and the other by the Evangelical Lutheran Church. Settlement positions were presented to the Council and the Council was in agreement with those proposed reductions.
- An update on the status of the tax appeal of Plaza 23 was also discussed.


The closed session was completed at 8:00 p.m. at which time the public meeting was reconvened.

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

Mr. Oostdyk stated there would be a separate resolution for the settlement agreement of each church and requested that any members of the Council who is a member of either church should avoid voting on the resolution for that church.

**ADJOURNMENT.**

There being no further business, on a motion by Mr. Kohle, seconded by Mrs. Russell, the meeting was adjourned at 8:02 p.m. without objection.



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Carol J. Marsh, Township Clerk



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Ryan Herd, Mayor