The February 25, 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
Councilwoman Melissa Florance-Lynch
Councilman David Kohle
Councilman Richard Phelan

Absent: None

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

There were 4 members of the public in attendance.

PRESENTATIONS. There were no presentations.

REPORTS FROM VOLUNTEERS.
- Frank Spizirri, Open Space Advisory Committee Vice Chair, questioned when the ordinance stating the number of members of the Open Space Advisory Committee would be corrected.
- Stacy-Ann Webb, Shade Tree Commission Chair, thanked the Council for adopting Ordinance No. 2020-01 which had been recommended by the Commission, and suggested the website be updated to improve accessibility of service requests.

PUBLIC COMMENT. There were no public comments.

MANAGER’S REPORT. Township Manager Adam Brewer reviewed the Manager’s report for the meeting, noting examples of sewer capacity for various uses were provided to the Council, and ordinances for introduction and adoption are on the agenda as well as a Closed Session discussion of potential contracts for a PV Park concession.

PUBLIC HEARINGS.

PUBLIC HEARING - Ordinance No. 2020-02; ORDINANCE AMENDING SECTION 3(a) OF BOND ORDINANCE #2017-01 OF THE TOWNSHIP OF PEQUANNOCK, IN THE COUNTY OF MORRIS, NEW JERSEY, FINALLY ADOPTED FEBRUARY 14, 2017 IN ORDER TO INCLUDE ADDITIONAL PROPERTIES TO BE ASSESSED FOR THE COSTS OF THE ROUTE 23 SEWER PROJECT

On a motion by Mr. Kohle, seconded by Mrs. Florance-Lynch, the Public Hearing was opened without objection
There were no public comments.

On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell, the Public Hearing was closed without objection.
On a motion by Mrs. Russell, seconded by Mrs. Florance-Lynch, the ordinance was adopted by the following vote:

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

ORDINANCE INTRODUCTIONS.

ORDINANCE INTRODUCTION - Ordinance No. 2020-03; ORDINANCE AMENDING CHAPTERS 152 AND 163 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK (Draft Sewer Ordinance)

Township Manager Brewer stated the ordinance will bring the municipal code into compliance with the new potential Master Plan.

After discussion members of the Council agreed to support introduction of the ordinance noting their support is dependent on the Sewer Master Plan including encumbrance of sufficient capacity for area designated for sewers in the current Sewer Master Plan.

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. Kohle, Mr. Phelan, Mrs. Russell, Mayor Herd
Against: None.  Abstain: None.  Absent: None.

ORDINANCE INTRODUCTION - Ordinance No. 2020-04; ORDINANCE TO ESTABLISH AND PRESERVE A CAP BANK (N.J.S.A. 40A: 4-45.14)

On a motion by Mrs. Florance-Lynch, 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.

▪ R2020-75, authorizing Tax Office refunds, overpayments or cancellations.
▪ R2020-76, authorizing release of deposits for construction in a Township Right of Way.
▪ R2020-77, authorizing release of designated Escrow Deposits.
▪ R2020-78, appointing the Health Officer.
▪ R2020-79, awarding contracts for Concession Providers for Various Events of the Parks and Recreation Department to Mister Sam’s Ice Cream, Harpers Amusements and Sip ‘N Swirl in accordance with the Request for Proposals
▪ R2020-80, authorizing a Temporary Emergency Appropriation for Operating Purposes.
▪ R2020-81, authorizing cancellation of outstanding checks.
▪ R2020-82, approving payment of the itemized claims as set forth on the February 21, 2020 Bill List.

On a motion by Mrs. Russell, seconded by Mrs. Florance-Lynch, Resolutions R2020-75 through R2020-82 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.  There were no discussion items.

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

Ms. Florance-Lynch
- Economic Development Advisory Committee meets tomorrow evening at 7:30 p.m.
- Flood Control Advisory Committee reports that elevations are going smoothly.

Mr. Kohle:
- Fair Housing Committee meets tomorrow evening.

Mr. Phelan:
- Noted updates to Fire Department contacts are on the website and requested pricing information on repairs to a Fire Department vehicle.

Mrs. Russell:
- Environmental Commission is collecting plastic bags at the library and at Senior House. So far 33 lbs. have been collected.
- March 1st is the pancake breakfast for Troop 144.
- March 3rd is the High School Empty Bowls followed by a presentation on Vaping.
- March 28th is mini golf and tricky tray at the library.
- Requested information on the Citizen of the Year award process.

Mayor Herd:
- Joined the Governor’s call this morning. One hundred million dollars in additional funds will be allocated for addressing the opioid epidemic across the state.
- Little League baseball is open. More players are needed. Information can be found at www.peqll.org.
- Attended the February 19th Morris County League of Municipalities meeting along with Council members Kyle Russell, Melissa Florance-Lynch and David Kohle.
- In anticipation of a congressional subcommittee hearing on Thursday, February 27th, participated in a February 21st meeting with Mr. Brewer, Township Flood Resilience Officer Jennifer McCulloch, and Kellie Doucette of Congresswoman Mikie Sherrill office concerning FEMA, flood maps, and the current use of flawed technology.
- The Council’s first budget meeting of the year was held on February 22nd.
- There will be a ribbon cutting on February 27th for the Chilton Surgical Associates on Thursday, February 27th at 242 West Parkway Suite 100 from 5:30 to 7:00 p.m.
- Tuesday, March 3rd from 7:00 to 8:30 p.m. is a presentation on vaping by Timothy Shoemaker at the High School.
- Pequannock Historical Society needs volunteers to assist in cleaning out the Martin Berry House Saturday, February 29th at 10:00 a.m. to 2:00 p.m.

PUBLIC COMMENT. There were no public comments.

APPROVAL OF MINUTES.
On a motion by Mr. Kohle, seconded by Mr. Phelan, minutes of the February 11, 2020 regular meeting and the February 22, 2020 budget workshop meeting were unanimously approved.

EXECUTIVE (CLOSED) SESSION.
On a motion by Mrs. Florance-Lynch, seconded by Mrs. Russell. Resolution R2020-83, authorizing an Executive Session to discuss Contract Negotiations of the PV Park Concession and Litigation of Village Area Sewer Assessment Appeals and the Plaza 23 Tax Appeal was unanimously adopted.
The public portion of the meeting was recessed at 7:34 p.m. followed by the Executive Session during which the following took place:
- The Council discussed three items:
  - Contract negotiations pertaining to concession contracts at PV Park.
  - The Township’s Sewer Assessment appeals: Two appeals have proposed settlements, 363 Route 23 LLC and 512 Turnpike Associates LLC. We have proposed settlements which will be on the Council’s next agenda for approval
  - Appeal of the Plaza 23 Shopping Center Tax Appeal: The Council was provided an update regarding settlement negotiations in that matter.

The closed session was completed at 8:01 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 Mrs. Russell, the meeting was adjourned at 8:02 p.m. without objection.

Carol J. Marsh, Township Clerk

Ryan Herd, Mayor