

MINUTES OF MEETING OF JANUARY 21, 2015

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, January 21, 2015 and was called to order at 7:30 p.m. by Mayor Christopher Kuhn.

SUNSHINE LAW STATEMENT:

Under the provisions of the Open Public Meetings Act, adequate notice of this meeting was provided by posting notice on the Township bulletin board and by e mailing notice to the New Jersey Herald and The Express-Times.

ROLL CALL:

Those present were: Mayor Christopher Kuhn, Deputy Mayor Christopher Stracco, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman David Boynton, Attorney Edward Wacks and Clerk Brenda Kleber.

MINUTES:

The minutes of the meeting of December 17, 2014 were approved as amended on motion made by Mr. Stracco, seconded by Mr. Boynton. All were in favor. The minutes of the executive session of December 17, 2014 were approved on motion made by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. The minutes of the meeting of January 7, 2015 were approved as amended on motion made by Mr. Stracco, seconded by Mr. Boynton. All were in favor.

ORDINANCES:

AN ORDINANCE (#2015-01) AMENDING THE FRELINGHUYSEN TOWNSHIP CODE TO ESTABLISH THE POSITIONS OF MANAGER AND ASSISTANT MANAGER OF PUBLIC LANDS AND ROUTE 94 PROPERTY SITE PLAN MANAGER, AND TO AMEND CHAPTER 2-18 CONCERNING THE POSITION OF ROAD SUPERVISOR was opened to the public on motion made by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. Charles Marra asked if the recreation committee would have to report to the township committee. Debra Natyzak asked when the ordinance was first discussed. Wendy Goetz asked if the Nature Conservancy, Ridge & Valley and The Township going to be working together. Loren Greco asked what the time limit was. Motion was made by Mr. DeCarolis, seconded by Mr. Boynton to close the meeting to the public. Motion was made by Mr. DeCarolis, seconded by Mr. Boynton to adopt said ordinance. Roll call vote: Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes.

AN ORDINANCE (#2015-02) AMENDING CHAPTER XXII OF THE FRELINGHUYSEN TOWNSHIP CODE, TO PROVIDE FOR AND REGULATE DEER HUNTING ON MUNICIPALLY OWNED PROPERTY was opened to the public on motion made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor. Debra Natyzak asked what the application process was especially asking for liability insurance certificate. She also thought there should be no hunting on Sunday's. Charles Marra suggested that we post the ordinance on the website. Tammy Beckenthal asked if it was just the FFP property or all municipal public lands. Jean Smolha asked if there was going to be a ban on bear hunting on municipal property and Wendy Goetz asked for clarification as to whether there is no hunting on any municipal owned property. Motion was made by Mr. Desiderio, seconded by Mr. Boynton to close to the public. All were in favor. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to adopt said ordinance. Roll call vote: Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes.

AN ORDINANCE (#2015-03) AMENDING FRELINGHUYSEN TOWNSHIP SALARY ORDINANCE 2014-04 was opened to the public on motion made by Mr. DeCarolis, seconded by Mr. Desiderio. All were in favor. Tammy Beckenthal asked if we have a deputy clerk. Debra Natyzak asked how this differs. Loren Greco asked why the change from hourly to annually and was the road supervisor a position before this ordinance. Lowell Forbes asked if we were going to keep the roads plowed as before. Motion was made by MR. Boynton, seconded by Mr. DeCarolis to close to the public. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to adopt said ordinance. Roll call vote: Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes.

AN ORDINANCE (#2015-04) CREATING THE POSTION OF PURCHASING AGENT was opened to the public on motion made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor. There being no public input, motion was made by Mr. Boynton, seconded by Mr. Desiderio to close to the public. Motion was made by Mr. Boynton, seconded by Mr. Desiderio to adopt said ordinance. Roll call vote: Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes.

AN ORDINANCE (#2015-05) TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A 40a:4-45.14) was offered for introduction on motion made by Mr. Boynton, seconded by Mr. Desiderio. The public hearing will be held February 18, 2015. Roll call vote: Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Stracco-yes.

AN ORDINANCE (#2015-06) AMENDING SECTION 303 OF THE FRELINGHUYSEN TOWNSHIP LAND DEVELOPMENT ORDINANCE, CONCERNING CRITICAL AREAS MAP was offered for introduction on motion made by Mr. Boynton, seconded by Mr. Desiderio. The public hearing will be held February 18, 2015. Roll call vote: Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes.

RESOLUTION:

#2015-15 (Transfer resolution)

WHEREAS, certain bills have been presented for payment for year 2014 charges for which there are insufficient budget reserves to pay; and

WHEREAS, N.J.S.A40A:4-59 permits transfers of appropriation reserves within the first three months of the succeeding year to cover said charges.

NOW, THEREFORE BE IT RESOLVED, that the following 2014 Budget Appropriation Reserve transfers be authorized;

Transfer from:		Transfer to:	
Road Maintenance s/w	\$2,525.00	General Admin	\$3,092.00
Celebration Public Events	<u>1,350.00</u>	Engineering o/e	<u>783.00</u>
Total	\$3,875.00		\$3,875.00

Motion was made by Mr. Stracco, seconded by Mr. Desiderio to adopt said resolution. Roll call vote: Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes.

#2015-16 (Tax Matters)

WHEREAS, the Township Committee has been informed by the Tax Assessor of the Township of Frelinghuysen, that from time to time, the Assessor may be required to execute stipulations relative to assessment appeals, to make corrections in assessments on properties located in the Township of Frelinghuysen; and

WHEREAS, the Warren County Board of Taxation requires a resolution of the Township Committee to authorize actions by the Assessor; and

WHEREAS, the Township Committee desires to grant such authority to the Assessor, subject to the conditions set herein.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, in the County of Warren and State of New Jersey:

1. The Tax Assessor of the Township of Frelinghuysen be, and hereby is authorized in the name of the Township of Frelinghuysen aforesaid, to:
 - a. Execute stipulations relative to assessment appeals;
 - b. Make corrections in assessments on properties located in the Township of Frelinghuysen; and
 - c. File omitted assessment and roll-back tax complaints and appeals with the Warren County Board of Taxation
2. The authority herein granted shall expire on December 31, 2015 and is Conditioned upon the Tax Assessor advising the Township Attorney and Township Committee of all such actions taken by him and the reasons therefore.
3. A copy of this Resolution duly certified to be a true copy thereof shall be transmitted to the Tax Assessor and the Warren County Board of Taxation.

Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to adopt said resolution. Roll call vote: Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes.

#2015-17(Approval of vouchers)-on hold for January 18, 2015 meeting

#2015-18 (Setting Executive Session)

WHEREAS, it is necessary to discuss items dealing with personnel matters in private or executive session; and

WHEREAS, under the Open Public Meetings Act (number 4 of the permitted exceptions to the requirements that a public body hold its meetings in public) it is permissible that such matters be discussed in executive or private session.

NOW, THEREFORE BE IT RESOLVED, on this 21st day of January, 2015 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned and results or portions of that discussion will be made known in a reasonable length of time.

Motion was made by Mr. Stracco, seconded by Mr. DeCarolis to adopt said resolution. Roll call vote: Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes.

OLD BUSINESS:

Mr. Wacks obtained a quote for foreclosure searches. Liberty Abstract quoted \$110.00-\$115.00 for the search and copies. An upper court search would be \$10.00 a name with a service fee of \$25.00 per search ordered. Motion was made by Mr. Stracco, seconded by Mr. Boynton authorizing Liberty Abstract to begin the foreclosure procedure. All were in favor.

A summary of the field meeting with the town engineer and the Warren County Mosquito Commission was sent asking for assistance for detention problems on Meadow Oak Drive. Needed is assistance in removing any spoils from the site and repairs of any lawn areas disturbed. Motion was made by Mr. Desiderio, seconded by Mr. Boynton authorizing the attorney to send out the necessary letters to the two affected properties for permission to do the repairs. All were in favor.

Motion was made by Mr. Boynton, seconded by Mr. DeCarolis authorizing the Mayor and Clerk to sign and execute the professional services contract for Edward Wacks & Associates. All were in favor.

Mayor Kuhn appointed Nicholas Soranno as an alternate to the Land Use Board. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to concur with the Mayor's appointment. All were in favor.

NEW BUSINESS:

Mr. Desiderio asked to have the work and budget meetings taped as he has a problem with his hearing. The Mayor stated that these meetings will now be taped. Mr. Desiderio asked how and when the decision was made to cut down on the road salt and add extra grit. Mr. DeCarolis, the Road Supervisor will report back.

The model noise ordinance received from the NJDEP was withdrawn from consideration on motion made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor.

A letter received from the Warren County Department of Public Safety was read asking to commence the mitigation update process for the township and to continue the benefits that a local hazard mitigation plan can provide by sending a letter of intent to participate. Motion was made by Mr. Desiderio, seconded by Mr. Boynton authorizing the Mayor to execute the letter. All were in favor.

A snow plowing service agreement between the township and Greco Landscaping & Law Maintenance was approved. Motion was made by Mr. Desiderio, seconded by Mr. Boynton authorizing the Mayor and Clerk to sign the agreement. All were in favor.

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Boynton, seconded by Mr. Stracco to open the meeting to the public. All were in favor. Spoke were:

Wendy Goetz who asked for names, numbers and email address of each board member. This will be provided. She also informed the Committee that she is glad we are getting involved in Sustainable Jersey. Lastly she asked everyone to call their representative regarding the Trans Pacific trade agreement.

Jean Smolha asked if there were figures as to how much Open Space will cost to be maintained. The Mayor stated that the public lands managers will come up with costs.

Debra Natyzak-asked what happened with Bob Berry's work on the roads. She was told that some roads such as Kerr Road has been addressed and Mr. Berry is still working on the other roads.

Tammy Beckenthal asked about the pool at Kids Camp. She was told it would be demolished.

Steve Bonafanti asked if the pond could be used for fishing. He was told not at this time. Motion was made by Mr. Boynton, seconded by Mr. Stracco to close the public portion of the meeting. All were in favor.

DEPARTMENT REPORTS:

Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to approve the department reports 1-9 on a consent agenda motion. All were in favor.

Mayor Kuhn-no report
Deputy Mayor Stracco-no report
Committeeman Desiderio-no report
Committeeman Alan DeCarolis-

Attorney Edward Wacks-Mr. Wacks asked for authority to go ahead and prepare a subdivision deed on the Kids Camp property from Frelinghuysen Township to Frelinghuysen Township so that the subdivision can be recorded. He also needed authority for the Mayor and Clerk to sign the deed. Motion was made by Mr. Desiderio, seconded by Mr. Boynton authorizing the deed preparation and signing of the deed. All were in favor. Next was that Mr. Wacks corresponded with the Board of Public Utilities regarding Century Link and he has not heard from them. He will follow up. Lastly, on the property on Spring Valley Road, a letter was prepared telling them the cost for the preparation of a deed and description. Laura Brill was able to provide a description saving the purchaser money.

Recreation Committee-no report
Farmland Preservation Committee-no report
Open Space Committee-no report
Environmental Committee-no report
Mayor Christopher Kuhn-no report
Deputy Mayor Christopher Stracco-no report
Committeeman Frank Desiderio-no report
Municipal Clerk-no report

Committeeman Alan DeCarolis-Mr. DeCarolis wanted to report that he is a member of the County Animal Response Team (CART) of which three members are from Frelinghuysen. They are looking for members and if interested contact him. Mr. DeCarolis asked for approval to ask Robert Berry to give an approximate quote to survey the municipal garage property. Approval was given. Lastly, the Ford Tractor has been serviced and will be brought up the Kids Camp property.

Committeeman David Boynton asked the Committee members if they saw the email from Paul Sterbenz on micro paving for Saddle Ridge Road. Mr. Desiderio told the members that micro paving doesn't work and that they should look at Route 94 from Route 661 to Newton. Next was his concern that it isn't fair to Marty Connor who lives across the street from Kids Camp that he is being asked to open the gate for whomever wants to tour the property. Mr. Boynton has a meeting with Charlie Schaffer and would like Marty & Wendy to attend. Lastly, he met with Freehold Ed Smith and thanked him for his efforts in helping Frelinghuysen get funds from the county for Kids Camp.

EXECUTIVE SESSION:

Motion was made by Mr. Stracco, seconded by Mr. DeCarolis to enter into executive session with regard to personnel matters. All were in favor. Motion was made by Mr. Boynton, seconded by Mr. Desiderio to return to public session. All were in favor. At this time the attorney reported that there was discussion on establishing a policy for the use of funds. That policy will be ready for consideration and public comment at the next meeting.

CORRESPONDENCE:

New Jersey Dept of Health Re: 2014 Rabies cases by county & species
Warren County Planning Dept. Re:

1. Highlands Regional Master Plan Comments

2. Proposed amendment to WC Solid Waste management plan
3. Public Hearing on WC Development review regulations

Ed Wacks Re: Thank you for invitation to dinner

NJ DEP Re:

1. Compliance inspection
2. Proposed amendments to Clean water priority system
3. Governor's Environmental excellence awards

The Nature Conservancy Re: Workshop on January 28th

New Jersey State League of Municipalities Re:

1. NJM's 2015 State Legislative priorities
2. Two Issues:
 - a. Governor signs permit extension act
 - b. Upcoming league seminar
3. Two Issues:
 - a. 23rd annual Mayor's legislative day
 - b. Upcoming league seminar
4. COAH update
5. Weekly policy update
6. Four Issues:
 - a. Register for the 23rd Mayor's legislative day
 - b. League webinar-quick review of budget & audit updates
 - c. League seminar-budgeting for the elected officials
 - d. League seminar-budget, ethics & procurement updates
7. Mayor's advisory-celebrating the history of the league
8. Update-FCC rule published in federal register

ADJOURNMENT:

There being no further business, motion was made at 9:50 p.m. by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC