

## **MINUTES OF MEETING OF JUNE 19, 2013**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, June 19, 2013 and was called to order at 7:30 p.m. by Mayor David Boynton.

### **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 David Boynton, Deputy Mayor Christopher Kuhn, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman Christopher Stracco, Attorney Edward Wacks and Clerk Brenda Kleber.

### **MINUTES:**

The minutes of the meeting of May 15, 2013 were approved on motion made by Mr. Kuhn, seconded by Mr. Stracco. All were in favor. The minutes of the special meeting of June 3, 2013 were approved as amended on motion made by Mr. Kuhn, seconded by Mr. DeCarolis. All were in favor.

### **ORDINANCES:**

AN ORDINANCE (#2013-08) TO AMEND CHAPTER V OF THE FRELINGHUYSEN TOWNSHIP CODE, TO PROHIBIT DOGS ON RECREATIONAL FIELDS AND PLAYGROUNDS WITHIN THE TOWNSHIP was opened to the public on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor. Jean Smolha asked if dogs were allowed on the walking path. Fran Muller asked whether they were or not. The Attorney brought up a letter that Mr. DeCarolis had received from a resident that had information that dogs are to be allowed on Green Acres property. Mr. Wacks stated that the township has the right to control dogs on property even though it is Green Acres property. The Clerk was instructed to put on the website that the FFP property welcomes dogs. The public portion was closed on motion made by Mr. Desiderio, seconded by Mr. Stracco. All were in favor. Motion was made by Mr. Desiderio, seconded by Mr. Stracco to adopt said ordinance. Roll call vote: Boynton-yes, Kuhn-yes, Stracco-yes, DeCarolis-abstain.

AN ORDINANCE (#2013-09) OF THE TOWNSHIP OF FRELINGHUYSEN AMENDING THE ZONING MAP AND SECTION 400 OF THE LAND DEVELOPMENT ORDINANCE OF THE CODE OF THE TOWNSHIP OF FRELINGHUYSEN was opened to the public on motion made by Mr. Kuhn, seconded by Mr. Desiderio. All were in favor. Loren Greco asked if there could be a solar farm in this area, Fran Muller asked if porn shops are restricted, Loren asked if there are going to be any other sections on Route 94 that is being considered to change. Mark Quick asked if any section of town allows gas stations. The public portion was closed on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor. Motion was made by Mr. Kuhn, 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.

**RESOLUTIONS:**

#2013-37 (Liquor license renewal)

WHEREAS, an application has been received from the following licenses for renewal of their respective Plenary Retail Consumption Liquor License for the year 2013-2014:

<u>Number</u>	<u>Licensee</u>	<u>Address</u>
2106-33-003-008	Sweet Jane's Café and Bar	Main Street, Johnsonburg, NJ

WHEREAS, an application has been received from the following licensee for renewal of their respective Plenary Retail Consumption Liquor License for the year 2013-2-014 and is considered to be a pocket license:

<u>Number</u>	<u>Licensee</u>	<u>Address</u>
2106-33-001-005	Joseph McEvoy	Main Street, Johnsonburg, NJ

WHEREAS, an application has been received from the following licensee for renewal of their respective Plenary Distribution Liquor License for the year 2013-2014:

<u>Number</u>	<u>Licensee</u>	<u>Address</u>
2106-44-002-002	Gerald Chrusz	Main Street, Johnsonburg, NJ

WHEREAS, the above licensee's applications were accompanied with the proper municipal fee and the proper fee for the Division of Alcohol Beverage Control; and WHEREAS, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of New Jersey by the above applicants.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 19<sup>th</sup> day of June, 2013 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2013-2014.

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

#2013-38 (Appoint CFO)

WHEREAS, due to the retirement of the current Chief Finance Officer Gene Marie McCartney, the position will be open as of July 1, 2013; and

WHEREAS, four applicants have applied for the position and have been interviewed by Deputy Mayor Christopher Kuhn and Committeeman Alan DeCarolis; and

WHEREAS, Deputy Mayor Kuhn and Committeeman DeCarolis have selected Amy B. Maronpot for this position.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that Amy B. Maronpot is hereby appointed Chief Finance Officer for the Township of Frelinghuysen for a term to expire December 31, 2013.

BE IT FURTHER RESOLVED, that Amy B. Maronpot be compensated as recorded in the salary ordinance of the Township.

Motion was made by Mr. Desiderio, seconded by Mr. Stracco to adopt said resolution. Roll call vote: Mr. Kuhn-yes, Mr. Desiderio-yes, Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Stracco-yes. (Note: Mr. Kuhn announced that we may have an opportunity to do shared services with the CFO with Hardwick which will begin in January 2014).

#2013-39 (Approval of payments)

WHEREAS, the Finance Committee of the Township of Frelinghuysen has reviewed the bills submitted to the Township of Frelinghuysen for the above named month; and WHEREAS, they find the bills to be in order and approve them to be paid by the Chief Finance Officer.

NOW, THEREFORE BE IT RESOLVED, that all bills submitted for the month are reasonable and proper claims against the township and are to be paid from its appropriate account.

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

#2013-40 (Setting executive session)

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

WHEREAS, under the open Public Meeting Act, 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 session or private session.

NOW, THEREFORE BE IT RESOLVED, on this 19<sup>th</sup> day of June, 2013 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned. Results or portions of that discussion will be made known in a reasonable length of time.

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

#### **OLD BUSINESS:**

The liquor license change of hours will be on hold until July; meantime, the attorney will prepare a draft ordinance.

The issues of the "No Parking" signs on Main Street were brought up as to the number of signs needed and the location. Since there is no grass for the signs to be erected, it was decided to put a sign at the municipal building and a sign at the other end of the street with the signs stating "no parking within 100' of sign"

Martin Connor was appointed to replace Robin Randolph as a regular member on the Land Use Board. Motion was made by Mr. Desiderio, seconded by Mr. Kuhn concurring with the Mayor's appointment. All were in favor.

The road department projects were discussed. Motion was made by Mr. Kuhn, seconded by Mr. Desiderio authorizing \$10,000.00 to be used for crack filling on Lackawanna Drive, a portion of State Park Road, Meadow Oak Drive and Homestead Drive. All were in favor. Motion was made by Mr. Kuhn, seconded by Mr. Desiderio to spend \$16,200 of the allocated \$32,000.00 for tar and chip on State Park Road from Shiloh Road to when the money is spent. All were in favor. Motion was made by Mr. Kuhn, seconded by Mr. DeCarolis to spend a total of \$8,000.00 to be allocated as follows: \$5,000.00 for the collapsed pipe on Lanning Road by the Murphy's property; \$2,000.00 on Mott Road to raise the surface by Radabaugh's and \$1,000 for the

driveway repairs on Bear Creek Road by Peterson's and Wilcock's driveway. All were in favor. On motion made by Mr. Desiderio, seconded by Mr. DeCarolis, the Deputy Mayor and Mr. Desiderio are to sit down and decide what needs to be paved with the \$70,000.00 that has been allocated. All were in favor with Mr. Stracco abstaining.

**NEW BUSINESS:**

Trooper Rodriguez of the Hope Barracks advised the Committee and public that things are quiet and they are keeping an eye on the intersection of Routes 519 and 612.

Bob Brant of the North Warren Lions Club asked for feedback as to whether they are helping residents as they should. A questionnaire was given out to the audience members to help determine needs and concerns.

Emergency Management Coordinator Nick Pachnos explained the Swift 911 notification system. The cost would be \$1800.00 a year with a onetime set up charge of \$260.00. If other towns join this figure could be less. There is 24 alert allowed annually. A policy for who puts the information out is needed. Mr. Stracco and the attorney were authorized to prepare.

Mr. Desiderio informed the Committee that Ms. Towey decided not to come to the meeting as he met with her on the dumping of debris from the drain pipe on her property. Should there be another need for the dumping of debris Mr. Desiderio will contact Ms. Towey. Mr. Desiderio mentioned that this drain pipe is in need of being jet vac. The cost would be \$250.00 an hour with a four hour minimum portal to portal and \$245.00 disposal fee with a three ton minimum. Total cost would be approximately \$2,000.00. Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn authorizing Mr. Desiderio to order the machine and take from operating expenses. All were in favor.

The resignation of Brenda Kleber from the Recreation Committee was accepted with regret on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor.

The resignation of Gene Marie McCartney as Chief Finance Officer, effective July 1, 2013 was accepted with regret on motion made by Mr. Kuhn, seconded by Mr. Desiderio. All were in favor.

A letter from the State Agriculture Development Committee asking whether there is intent or need by the township to widen Stonebridge Road now or in the future in a manner that would impact the Kleindienst property. The SADC is in process of acquiring the development easements. It was decided that there is no intent or need to do so. Motion was made by Mr. Desiderio, seconded by Mr. Kuhn to advise the SADC of this. All were in favor.

The Clerk advised that she was approached by the Green Township Volunteer Fire Department asking for a fire department liaison. The Mayor appointed Mr. DeCarolis.

**OPEN MEETING TO THE PUBLIC:**

Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn. All were in favor. Spoke were:

Loren Greco who asked what the Road Department manager was on the agenda. He was told it was part of the road improvements.

Motion was made by Mr. Desiderio, seconded by Mr. Kuhn to close the meeting to the public. All were in favor.

**DEPARTMENT REPORTS:**

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

Recreation Committee: Chairman Frank Desiderio advised that the Founders Day picnic was a success.

Mayor David Boynton's report:

Mayor Boynton reported that he spoke with owner Tom Finn about the condition of the historic mill on Main Street and Mr. Finn is checking it out. Mr. Boynton stated that he attended the Mayor's meeting with Mayor Perry of Hardwick and conversation at this meeting included revamping the county's municipal league. There was also a presentation on energy savings which will be held until August.

Deputy Mayor Christopher Kuhn-no report

Committeeman Alan DeCarolis-no report

Committeeman Frank Desiderio:

Mr. Desiderio reported that the Forestry Management Services offered Frelinghuysen a 2013 Green Communities grant in the amount of \$3,000.00. A letter is needed from the engineer informing the NJDEP that debris and railroad ties are falling from the railroad property onto Mill Road. He will be meeting with the people about the well this week.

Committeeman Christopher Stracco's report:

Mr. Stracco informed the Committee that the representatives from SHPO will be at the August meeting.

Municipal Clerk's report:

Mrs. Kleber stated that she received a request earlier in the day from Sweet Jane's asking to stop the traffic from the corner of Mill Road to the house next door in order for them to have their first pig roast. Their second request would be to use the municipal parking lot for the overflow. Approval was given for the parking at the municipal building but not to stop the traffic as this could be a safety factor.

**CORRESPONDENCE:**

Hardwick Township Re: Ordinances No. 2013-02, 2013-03, 2013-04

Wacks & Hartman Re:

1. 145 State Park Road
2. North Warren Properties

Frelinghuysen Zoning Officer Re:

1. Facts, findings and conclusions of soil removal on South Street
2. Zoning permit denial

NDEP Re: Office of Local Government Assistance

Warren County Planning Dept. Re: Amendment to Solid Waste Management Plan  
Warren County Soil Conservation District Re: Soil conservation prior approvals  
Warren County Freeholders Re: Resolution opposing Delaware River Joint Toll Bridge  
Commission's plans for replacing the Scudder Falls Bridge  
NJ State Agriculture Development Comm. Re: Application to preserve farmland  
NJDOT Re: Denial for municipal aid grant for State Park Road  
New Jersey State League of Municipalities Re:

1. Legislative bulletin No. 2
2. Mayor's Advisory's
  - a. CDC releases final West Nile virus data
  - b. COAH, Affordable Housing Trusts appellate division injunction in place
  - c. Property tax in New Jersey: A short and simple glimpse updated
  - d. New Jersey Digital Government summit
  - e. Change in Workers Compensation "burden of Proof"
  - f. Mini one day conference
  - g. National clean diesel funding assistance program funding available
  - h. Deadline for 2012 senior freeze program extended
  - i. Update on Affordable Housing Trust Funds
  - j. New content on DLGS web site
  - k. Sustainable Jersey:
  - l. Affordable Care Act update
  - m. Appellate division order, Affordable Housing trust funds
  - n. S-2114/A-3317 prohibits municipal registration of Multi-family dwellings
  - o. LGS issues guidance on the use of Procurement Cards

**EXECUTIVE SESSION:**

Motion was made by Mr. Desiderio, seconded by Mr. Stracco to enter into executive session with regard to land acquisition. All were in favor. Motion was made by Mr. DeCarolis, seconded by Mr. Stracco to return to public session. All were in favor. The attorney advised that the committee members spoke about the possibility of acquiring two properties. One property we are going to contact the owner and give that person a deadline to get back to us and the other the committee decided to seek some other recourse with regard to an offer to sell property to the township. No action was taken.

**ADJOURNMENT:**

There being no further business, motion was made at 11:10 p.m. by Mr. DeCarolis, seconded by Mr. Stracco to adjourn the meeting. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC