

Minutes of Meeting of September 17, 2014

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, September 17, 2014 and was called to order at 7:30 p.m. by Deputy 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, by posting on the web page and by e mailing notice to the New Jersey Herald and The Express-Times.

Roll Call:

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

Minutes:

Motion was made by Mr. Stracco, seconded by Mr. Desiderio to table the minutes until the October meeting. All were in favor.

Ordinances:

AN ORDINANCE (#2014-11) TO AMEND ORDINANCE #2014-04 OF THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN AND STATE OF NEW JERSEY FIXING THE SALARIES FOR THE YEAR 2014 was opened to the public on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor. Since there was no public comments, motion was made by Mr. Stracco, seconded by Mr. Desiderio to close the public portion. All were in favor. Motion was made by Mr. DeCarolis, seconded by Mr. Desiderio to adopt the ordinance. Roll call vote: Mr. DeCarolis-yes, Mr. Kuhn-yes, Mr. Desiderio-yes, Mr. Stracco-yes.

Resolutions:

#2014-72 (Professional services-property surveyor)

WHEREAS, there exists a need for professional surveying services in the Township of Frelinghuysen, in connection with the contemplated purchase of real property located at Block 104, Lot 10, Frelinghuysen Township, which property is owned by Kids Corporation II, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for professional services without competitive bids, and the contract itself, must be available for public inspection.

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

1. Dykstra Walker, a licensed surveyor in the State of New Jersey with offices At Lake Hopatcong, New Jersey, shall be retained for nine (9) weeks to provide surveying and related services for a lump sum fee of \$16,400.00 to Frelinghuysen Township, and the Mayor is hereby authorized to execute, and the Township Clerk to attest, an Agreement to carry out the foregoing, in a form approved by the Township Attorney, a copy of which shall be kept on file in the Office of the Township Clerk and made available for public inspection.

2 The aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., as the contract is for services performed by a person authorized by law to practice a recognized profession that is regulated by law.

3. A notice setting forth the nature, duration service and amount of the subject

Contract shall be printed once in the official newspaper of the Frelinghuysen Township

4. This Resolution shall take effect according to law.

Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to retain Dykstra Walker and authorize the Mayor and Clerk to sign the contract. Roll call vote: Mr. Kuhn-yes, Mr. DeCarolis-yes, Mr. Stracco-yes, Mr. Desiderio-yes.

#2014-77 (Membership in Morris County JIF)-to be carried.

#2014-78 (NJ DOT grant for Kerrs Corner Road-Phase 3)

WHEREAS, the New Jersey Department of Transportation makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund;

WHEREAS, the Township Engineer has recommended that the Township Committee apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2015 Municipal Aid Program for the purpose of constructing the Kerrs Corner Road Improvement Project (Phase 3);

WHEREAS, the Township Committee has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Frelinghuysen, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit electronic grant application identified as MA-2015-Frelinghuysen Township-00116 to the New Jersey Department of Transportation on behalf of the Township of Frelinghuysen.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Frelinghuysen and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

#2014-79 (Professional Services-appraisal)

WHEREAS, there exists a need for appraisal services to be rendered to the Township of Frelinghuysen in the possible acquisition of certain real property located within the Township of Frelinghuysen; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the appraisals must be completed in accordance with the specifications of Green Acres; and

WHEREAS, The Township wishes to retain the services of Norman J. Goldberg, Inc. in accordance with its proposal letter dated August 11, 2014, and Joshua D. Mackoff, LLC., in accordance with its proposal letter dated August 8, 2014, and;

WHEREAS, the Committee wishes to award a contract in an amount not to exceed \$1,965 for Norman J. Goldberg, Inc. and a second contract in an amount not to exceed \$1,750 for Joshua D. Mackoff, LLC., and the Chief Financial Officer has certified that funds are available for this purpose;

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

1. The Township of Frelinghuysen hereby awards and authorizes Norman J. Goldberg, Inc., to perform the appraisal report on the above-referenced property in accordance with SADC standards, for an amount not to exceed \$1,965.
2. The Township of Frelinghuysen hereby awards and authorizes Josh Mackoff, a certified Green Acres appraiser, to perform the appraisal report on the above-referenced property in accordance with Green Acres standards, for an amount not to exceed \$1,750.

1. The Township Clerk is hereby authorized and directed to publish a copy of this resolution in the Township's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and The Land Conservancy of New Jersey. Motion was made by Mr. Desiderio, seconded by Mr. Stracco to adopt said resolution. Roll call vote: Mr. Desiderio-yes, Mr. DeCarolis-no, Mr. Kuhn-yes, Mr. Stracco-yes.

#2014-80 (Approval of vouchers)

WHEREAS, the Finance Committee of the Township of Frelinghuysen have reviewed the vouchers submitted by the Municipal Clerk to the Frelinghuysen Township Committee for the month of September; and

WHEREAS, the Finance Committee find the vouchers to be in order and recommend to the Township Committee that they be paid by the Chief Finance Officer.

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that vouchers submitted for the above named month are reasonable and proper and are to be paid from their appropriate accounts.

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

OLD BUSINESS:

The purchase of a truck for the DPW was discussed. It was decided to go out for bid with no plow as we have several that would fit. The 1998 Sterling and the 2002 550 would be sold at a later date. Motion was made by Mr. Stracco, seconded by Mr. Desiderio to send out for a bid to be opened on October 8, 2014. Roll call vote: Mr. Kuhn-yes, Mr. Desiderio-yes, Mr. DeCarolis-no, Mr. Stracco-yes.

An agreement to extend the Construction Department Interlocal Service agreement through December 31, 2014 was approved with the authorization to have the Mayor and Clerk sign the extension contract was made on motion made by Mr. Stracco, seconded by Mr. Desiderio. All were in favor.

An e mail from Sandy Urgo of The Land Conservancy of New Jersey was read where Ms. Urgo was asking how to proceed on the following: 1) does the Land Use Board need to be involved in the subdivision of the Municipal farm. The Committee decided they do not need to be involved. 2) A copy of the FA-1 (farmland assessment form) is needed. The Clerk is to advise Sandy that the property is not in farmland as they town owns it.

New Business:

A letter from the Warren County Dept. of Land Preservation was read asking for the township to provide any changes or updates to the 2016 Municipal PIG plan application. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis authorizing the Clerk to contact them that there are no changes and they approve of the submissions. All were in favor.

A letter of resignation received from Bill Crone from the Recreation Committee was accepted with regard on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor. The Clerk was instructed to send a letter of thanks to Mr. Crone.

Amy Winfield was appointed to Mr. Crone's unexpired term to December 31, 2014 on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor.

Open Meeting to the public:

Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to open the meeting to the public for a 15 minutes time frame. Spoke were:

Rich Lurz who asked when the South Street project was going to be completed. Mr. Desiderio stated that it was finished off earlier in the day.

Jackie Espinoza who wanted to alert the residents of a scam involving a caller posing as an electric company employee threatening to shut off power unless immediate payment is made using a pre-paid debit card such as a Green Dot card.

Doreen Rutherford who missed last month's meeting and asked if Muller Road was going to be used for the salt shed entrance. She was told it would be Route 94. She commented that since it was stated the budget is tight why is the salt shed being put up. She was told that money has been put aside for this.

Wendy Goetz asked if we are switching salt type. Mr. Desiderio told her that we mix beet juice with the salt to make it go further.

Sara Temme asked where the salt shed was going. She was told the location.

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

Department Reports:

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

Recreation Committee-basketball signups are going good.

Environmental Commission-needs help with the Forestry grant

Farmland Preservation Committee-nothing

Open Space Committee-nothing

Deputy Mayor Christopher Kuhn-he went with Sandy Urgo to the Warren County Municipal Trust Fund Committee and presented the Kids Camp application.

Committeeman Alan DeCarolis-thanked Mr. Kuhn for going to the meeting. On the purchase of a truck his opinion is that we should stay with the same make and same colors of the trucks we now have.

Committeeman Frank Desiderio-he is collecting on the Route 94 property gravel to use on Kerr Road.

Committeeman Christopher Stracco-asked when Saddle Ridge Road is going to be cracked filled.

Attorney Edward Wacks-Mr. Wacks asked if the Committee would like to consider adopting an ordinance that Allamuchy adopted on the maintenance of foreclosed houses and unsafe houses. He will bring to the meeting next month.

Approval was received on the Gerson preservation easement

A letter was sent to Mrs. Barba on the site line distance that her trees are blocking and the filling of the pipes with rocks. Mrs. Barba denied that she is filling the pipes and stated that she had the tree professionally trimmed when she was asked to do so.

We will need to amend the bond ordinance that was just adopted last month to reflect that there will be a 2 acre exception exclusion from the recreation and open space portion of the bond. He will speak to Sandy Urgo on this.

Correspondence:

New York-New Jersey Trail Conference Re: Planning Incentive grant
JCP&L Re: Notice of filing & public hearing for basic generation service charges
Summit Risk Services Re: Notice of no coverage for attorney fees
Morris County Municipal JIF Re: Notice of no coverage for attorney fees
Verizon Re: Verizon no longer requiring form PT-10 form
Attorney Richard Beilin Re: Response from Mrs. Barba on Lanning Road
Morris County Cooperative Re: Rock salt contract
Warren County Engineer Re: 2013 crash data & road safety assessment
Township of Green Re: Ordinances 2014-05 & 2014-09
Warren County Community College Re: FOCUS Newsletter
Warren County Purchasing Dept. Re: Award of contract for rock salt
New Jersey State League of Municipalities Re:

1. Two Issues:
 - a. Post retirement restrictions for PERS employees
 - b. Upcoming League Seminar-Personnel manuals & policies
2. Three Issues:
 - a. Weekly policy updated
 - b. Office suites available for lease
 - c. Upcoming league seminar-Personnel manuals & policies
3. Two Issues:
 - a. Red Cross resources on new school mandates
 - b. Upcoming Seminar-Prepping for labor negotiations
4. NJLM September 2014 Mayor's Newsline
5. Two Issues:
 - a. League provides a library of sample ordinances & shared Service agreements
 - b. Upcoming seminar-labor negotiations
6. Two Issues:
 - a. Ask Legislators to support A-366/S-1713
 - b. Grant seminar series
7. Three Issues:
 - a. Governor signs police camera mandate
 - b. Governor conditionally vetoes suspension of 2.5% non-residential development
 - c. Governor vetoes land banking bill
8. COAH update

Adjournment:

There being no further business, the meeting was adjourn on motion made by Mr. DeCarolis, seconded by Mr. Stracco. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC