

## MINUTES OF MEETING OF DECEMBER 14, 2016

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, December 14, 2016 and was called to order at 7:00 p.m. the 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 David Boynton, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, and Acting Clerk Donna Zilberfarb.

### **EXECUTIVE SESSION:**

Motion was made by Mr. Desiderio, seconded by Mr. Boynton to enter into executive session. All were in favor.

No action was taken.

Motion was made by Mr. Desiderio , seconded by Mr. Stracco to exit executive session. All were in favor.

### **REGULAR MEETING CONTINUED:**

Mr. Kuhn explained to the public that potential and ongoing litigation was discussed and explained that the committee interviewed 2 candidates for the dpw laborer (full time) position.

### **MINUTES:**

- Minutes of Regular Meeting of November 9, 2016 were approved with a motion by Mr. Boynton, seconded by Mr. Stracco. All were in favor.
- Minutes of Executive Session Meeting of November 9, 2016 were approved with a motion by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor.
- Minutes of Work Session Meeting of November 21, 2016 were approved with a motion by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. Mr. Kuhn abstained.
- Minutes of Executive Session Meeting of November 28, 2016 were approved with a motion by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. Mr. Stracco abstained.

### **PRESENTATIONS:**

Mr. Sterbenz presented to the Township Committee members and the public, that was present, the storm water management report for 2016. Mr. Sterbenz explained that Frelinghuysen is in the Tier B level and will need to continue doing public education and combating pollution with any new developments. This permit is for 5 years and Frelinghuysen has met all obligations. He explained a few minor changes for the new year, one being, instead of 10 points we now will need 12 points in public education. The other change deals with ownership of water utilities and retention basins with maintenance being on the owner. All maintenance plans will be on file.

### **PROCLAMATIONS:**

Radon Action Month January 2017 WHEREAS, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer; and WHEREAS, prolonged exposure to radon can kill as many as 500 people in New Jersey each year; and WHEREAS, families who reside in homes with elevated radon levels are at risk of developing serious health problems; and WHEREAS, any home could have high levels, even when neighboring homes do not; and WHEREAS, radon testing can be done with great ease at a relatively low expense to the homeowner, with the cost of reducing

radon concentrations being comparable to that of any home repair; and WHEREAS, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency are collaborating during the month of January to promote the need for radon testing in an effort to protect the lives of our State's residents; and WHEREAS, if all New Jersey homes with radon concentrations at or above 4pCi/L were mitigated, about 83 lives could be saved this year. NOW, THEREFORE, I, Christopher Kuhn, Mayor of the Township of Frelinghuysen, County of Frelinghuysen on behalf the Township of Frelinghuysen Township Committee and residents of the Township of Frelinghuysen, do hereby proclaim the month of January, 2017, as RADON ACTION MONTH, in the Township of Frelinghuysen, County of Warren, and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon. Signed this 14<sup>th</sup> day of December, 2016.

**RESOLUTIONS:**

**#2016-119 RESOLUTION APPROVING THE ISSUANCE OF RAFFLE LICENSE FOR FRELINGHUYSEN TOWNSHIP SCHOOL PTO** WHEREAS, the Frelinghuysen Township School PTO has applied for a raffle license to conduct an on-premise tricky tray raffle for February 11, 2017 consisting of application #2016-06; and WHEREAS, the Findings and Determination by the Acting Municipal Clerk has determined that the organization is qualified to conduct such raffle. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township School PTO raffle application #2016-06 are hereby approved. Motion was made on a consent agenda by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor.

**#2016-120 RESOLUTION APPROVING THE ISSUANCE OF RAFFLE LICENSE FOR FRELINGHUYSEN TOWNSHIP SCHOOL PTO** WHEREAS, the Frelinghuysen Township School PTO has applied for a raffle license to conduct an On-premises 50/50 raffle for February 11, 2017 consisting of application #2016-07; and WHEREAS, the Findings and Determination by the Acting Municipal Clerk has determined that the organization is qualified to conduct such raffle. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township School PTO raffle application #2016-07 are hereby approved. Motion was made on a consent agenda by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor.

**#2016-121 A Resolution of the Township of Frelinghuysen, County of Warren, State of New Jersey, supporting Senate Bill S981, sponsored by Senator Bob Smith, District 17, (Middlesex and Somerset), Senator Christopher "Kip" Bateman, District 16 (Hunterdon, Mercer, Middlesex and Somerset), and Assembly Bill A2375, sponsored by Assemblyman John F. McKeon, District 27, (Essex and Morris County), Amending The New Jersey "Electronic Waste Management Act".** WHEREAS, counties and municipalities are burdened with the expense and environmental impact of the existing New Jersey "Electronic Waste Management Act"; and WHEREAS, manufacturers of Covered Electronic Devices (CED) are not meeting their legal obligation to provide a free and convenient collection opportunity in each county; and WHEREAS, CED manufacturers are not fully supporting successful government programs by covering the full cost to collect and dispose of CEDs generated by consumers in accordance with the New Jersey "Electronic Waste Management Act"; and WHEREAS, the lack of support by CED manufacturers, has resulted in negative economic impacts to local government budgets and the elimination of longstanding successful collection programs; and WHEREAS, existing manufacturer supported private collection opportunities are insufficient and incapable of handling the overwhelming volume of material should government collection processes cease to operate; and WHEREAS, the elimination of government collection programs has serious potential to cause an increase in illegal dumping activities and the release of environmentally harmful materials contained in CEDs, due to the lack of drop off opportunities provided by CED manufacturers; now, therefore, THEREFORE BE IT RESOLVED, that the Township of Frelinghuysen, County of Warren, State of New Jersey, on this 14 day of December 2016, calls upon the members of the Senate, General Assembly and specifically the Governor of New Jersey, to support Senate Bill

**S981** and Assembly Bill **A2375** that would enable the continuation of government sponsored collection programs, free of charge to consumers and taxpayers, therefore, fulfilling the intent of the original law. Motion was made by Mr. Desiderio, seconded by Mr. Decarolis. All were in favor.

**#2016-122** SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with the discussion of pending and ongoing litigation and personnel matters; 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 December 14, 2016 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 reasonable length of time. Motion was made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor.

**#2016-123** RESOLUTION TO APPOINT DPW Laborer – Full Time WHEREAS, a vacancy exists in the position of DPW Laborer; and WHEREAS, Trevor Burd has the qualifications to service as the DPW Laborer, full time (40 hours per week). NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey, that Trevor Burd is hereby appointed as the DPW Laborer with an anticipated start date of December 22, 2016; and BE IT FURTHER RESOLVED, that subject to proper and valid appropriation of the funds for same, Trevor Burd shall be paid the rate of \$18.50 per hour. This Resolution shall take effect according to law. ATTEST: TOWNSHIP OF FRELINGHUYSEN Donna Zilberfarb, Acting Municipal Clerk Christopher Kuhn, Mayor CERTIFICATION I, Donna Zilberfarb, Acting Municipal Clerk of Frelinghuysen Township, Warren County do hereby certify that the foregoing resolution was duly adopted by the Mayor and Committee at the December 14, 2016 meeting. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis. Roll call vote: Mr. Boynton – Yes; Mr. DeCarolis – Yes; Mr. Desiderio – yes; Mr. Kuhn – Yes; Mr. Stracco – Yes.

#### **OLD BUSINESS:**

Recreation booster club policy - Mr. Kuhn discussed and wanted to be clear that this is an organization friendly policy, which the township will ask for a copy of the bylaws each year.

Service Electric Cable Update - A survey went out to Saddle Ridge Road and Homestead Drive residents and Ms. Zilberfarb has not received all surveys back yet. She will update at the meeting on the 21st of December.

Cash for Crash - After a discussion regarding a fee schedule, Mr. Stracco will reach out to Mr. Wacks and ask him for a resolution regarding rates to be prepared for next year. At that time the Committee will also determine who will administer this. This will be revisited in January.

LUB Secretary - Discussion was made whether fees for the secretary could come out of the escrow accounts and if the Ordinance would need to be changed. Mr. Stracco will reach out to Mr. Wacks to see if this is something that can be done. The board is looking to fill the position with a January/February time frame. Ms. Kleber will remain the secretary until a new one is found.

League of Municipalities - Reimbursement for not attending the League conference this year is \$55.00. Mr. Desiderio and Mr. Stracco gave checks to Ms. Zilberfarb for their reimbursement. Mr. DeCarolis and Ms. Buttgerreit need to give a check in the amount of \$55.00 each to Ms. Zilberfarb for their reimbursement. Next year each attendee will pay at the conference and be reimbursed when they get back.

Cleaning the Community Center/FFP - Mr. Kuhn deferred to the Recreation Chair and asked for his input. Mr. Desiderio feels floors can be done by volunteers and that bathrooms and sweeping floors should be done for now in order to get it open to the public. There was a question with the quote and Ms. Zilberfarb will contact the company to verify and have information for meeting next week. Mr. Desiderio also

spoke regarding fees for rental. Recreation came up with fees of \$300 to rent the building but if a non-profit organization rents the building then recreation can set a lower price at their discretion. All sponsored clubs and organizations will be charged \$65.00 per person per year, this includes the exercisers and karate group. Mr. Kuhn will write something up for the meeting next week and after approval, he will send it out to all groups.

**NEW BUSINESS:**

The reorganization meeting is scheduled for January 3, 2017 at 7 pm on a motion by Mr. Boynton, seconded by Mr. Desiderio. All were in favor. Ms. Zilberfarb will advertise the meeting.

PTO time rollover - Ms. Zilberfarb informed the committee that Dan Harman will be rolling over 10 PTO days and Ms. Zilberfarb will be rolling over 1/2 PTO day.

Quotes for professional services - A fair share resolution will be ready for the meeting next week and will be posted on the webpage for 10 days allowing any professionals to submit proposals for the 2017 year.

Bill for a stray cat - Mr. DeCarolis, the animal control officer, explained the invoice and let Ms. Zilberfarb know that the bill did not need to be paid by the township and for her to rip the invoice up. The invoice was paid by the owner of the cat.

**OPEN MEETING TO THE PUBLIC:**

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

Mr. Connor inquired about the fire inspection report and if anything had been returned. Ms. Zilberfarb showed that certificates were sent from the State that we are in compliance. Ms. Zilberfarb will laminate or frame the certificates and get them to Mr. Connor so he can hang them in the appropriate buildings at FFP.

He also explained that they needed to order propane for the lodge. Motion was made by Mr. Stracco authorizing filling the propane tank not to exceed \$1,000.00, seconded by Mr. Desiderio. All were in favor. Mr. Connor will order the propane.

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

**ADJOURNMENT:**

There being no further business, motion was made by Mr. Stracco, seconded by Mr. Desiderio to adjourn the meeting at 8:50 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, Acting Township Clerk