

MINUTES OF MEETING OF DECEMBER 18, 2013

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, December 18, 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 (arriving at 7:47) and Clerk Brenda Kleber

MINUTES:

The minutes of the meeting of November 18, 2013 were approved as amended on motion made by Mr. DeCarolis, seconded by Mr. Stracco. All were in favor. The minutes of the executive session of November 18, 2013 were approved on motion made by Mr. Stracco, seconded by Mr. DeCarolis. All were in favor. The minutes of the work meeting of December 11, 2013 were approved as amended on motion made by Mr. Stracco, seconded by Mr. DeCarolis. All were in favor.

ORDINANCES:

AN ORDINANCE (#2013-15) AMENDING SECTION 7-11 OF THE FRELINGHUYSEN TOWNSHIP CODE TO ESTABLISH SPEED LIMITS ON CERTAIN ROADS WITHIN FRELINGHUYSEN TOWNSHIP (Pippen Hill Road and Homestead Drive) was opened to the public on motion made by Mr. DeCarolis, seconded by Mr. Stracco. All were in favor. There being no questions from the public, motion was made by Mr. Stracco, seconded by Mr. DeCarolis to close to the public. All were in favor. Motion was made by Mr. Kuhn, seconded by Mr. Stracco to adopt said ordinance. Roll call vote: Mr. Kuhn-yes, Mr. Stracco-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Boynton-yes.

RESOLUTIONS:

#2013-63 (Add Mr. Glynn to list of inspectors)

WHEREAS, Dale Glynn has completed his course as a Fire Protection Inspector; and

WHEREAS, Mr. Glynn wishes to be added to the list of inspectors; and

WHEREAS, Mr. Glynn received approval to attend these classes of which he will receive reimbursement; and

WHEREAS, Mr. Glynn has submitted a voucher in the amount of \$700.00 for reimbursement of license fee.

NOW, THEREFORE BE IT RESOLVED, that Mr. Dale Glynn be added to the list of inspectors and will be reimbursed in the amount of \$700.00 for the license fee.

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

#2013-67 (Honoring the North Warren Band)

WHEREAS, on November 9, 2013, the North Warren Regional High School Band completed its season with a perfect 7-0 record winning the US Bands Division III at the MetLife Stadium in Rutherford, New Jersey; and

WHEREAS, the competition included 18 other performances from bands traveling from within the State of New Jersey, as well as New York, Pennsylvania, Maryland, Virginia, Connecticut and Maine; and

WHEREAS, the North Warren Regional Marching Band achieved a season high score of 96,425 also taking home caption awards for best Effect and Best Visual Performance; and

WHEREAS, the 75 member band not only holds the title of National Champions, which has not been held by the North Warren Regional Marching Band since 2000, but they also earned the title of US Bands Division III, a 2013 NJ State Championship at Rutgers University on October 20, 2013; and

WHEREAS, the North Warren Regional Marching Band consists of the following members from Frelinghuysen Township: Adam Albanese, Stefanie Coffman, Lynnette Faure, Ian Hernandez, Sasha Hernandez, James Kordzikowski, Xavier Lopez, Bryce Manz, Bradley Peterson, Liam Saalfield and Claire Siebens.

NOW, THEREFORE BE IT RESOLVED, on this 18th day of December, 2013 that the Frelinghuysen Mayor and Township Committee hereby honor and commend the North Warren Regional Marching Band for its significant accomplishments, abilities, reputation, and positive influence to the reputation of North Warren Regional High School.

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

#2013-68 (PTO raffle)

WHEREAS, the Frelinghuysen Township School PTO has applied for a raffle license to conduct a Tricky Tray on February 7, 2014 at the Frelinghuysen Township School, Route 94, Johnsonburg, New Jersey consisting of application #RA2013-07; and

WHEREAS, the Findings and Determination by the 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 application #RA2013-07 is hereby approved.

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

#2013-69 (PTO raffle)

WHEREAS, the Frelinghuysen Township School PTO has applied for a raffle license to conduct an On Premises 50/50 on February 7, 2014 at the Frelinghuysen Township School, Route 94, Johnsonburg, New Jersey consisting of application #RA2013-08; and

WHEREAS, the Findings and Determination by the 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 application #RA2013-08 is hereby approved.

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

#2013-70 (Municipal Alliance)

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, Frelinghuysen Township was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to the Frelinghuysen Township Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirements for the extension funding.

NOW, THEREFORE, BE IT RESOLVED, that the Frelinghuysen Township Committee does hereby authorize the submission of the grant extension for the Frelinghuysen Township Municipal Alliance grant in the amount of:

DEDR	\$1,774.00
Cash Match	\$ 266.02
In-Kind	\$1,995.75

The Frelinghuysen Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

#2013-71 (Approval of bills)

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

WHEREAS, the Finance Committee find the bills 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 all bills submitted for the above named month are reasonable and proper and are to be paid from their appropriate account.

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

#2013-72 (Renew membership in Morris County JIF)

WHEREAS, the Morris County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA40A:10-36 et seq., and

WHEREAS, the Township of Frelinghuysen is currently a member of said Fund; and

WHEREAS, effective December 31, 2013, said membership will expire unless earlier renewed, and;

WHEREAS, the Mayor and Committee of the Township of Frelinghuysen has resolved to renew said membership;

NOW, THEREFORE it is agreed as follows:

1. Frelinghuysen Township hereby renews its membership in the Morris County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2014 and ending January 1, 2016 at 12:01 a.m.
2. The Township of Frelinghuysen hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Morris County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Banking and Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Township of Frelinghuysen agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Township of Frelinghuysen in the Morris County Municipal Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Insurance to accept the renewal application.
5. Executed the 18th day of December, 2013 as the lawful and binding act and deed of the Township of Frelinghuysen, which execution has been duly authorized by public vote of the governing body.

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

#2013-73 (Transfer resolution)

WHEREAS, there appears to be a surplus in the following accounts over and above the amount deemed necessary to fulfill the purpose of the appropriation for the balance of the year 2013;

From: Recreation OE	\$1,805.00
Tax Collector OE	400.00

WHEREAS, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the year 2013:

TO: General Admin OE	500.00
Tax Assessor OE	25.00
Solid Waste OE	25.00
Buildings & Grounds OE	805.00
Land Use Board OE	400.00
Land Use Board S&W	50.00
General Admin S&W	250.00
Finance OE	150.00

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of N.J.S.A.40A:4-59 the surplus in the accounts heretofore mentioned by and same is hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient to meet the current demands and therefore this resolution shall take effect.

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to make the above transfers.

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

#2013-74 (Setting executive session)

WHEREAS, it is necessary to discuss items dealing with personnel 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 18th day of December 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. DeCarolis, seconded by Mr. Desiderio to adopt said resolution. Roll call vote: Mr. Kuhn-yes, Mr. Boynton-yes, Mr. Desiderio-yes, Mr. Stracco-yes, Mr. DeCarolis-yes.

OLD BUSINESS:

Due to the lack of people wanting to serve on the Municipal Alliance Committee, motion was made by Mr. Kuhn, seconded by Mr. Desiderio to turn the Municipal Alliance over to shared services with Hope and White townships. All were in favor. This will take effect June 30, 2014.

NEW BUSINESS:

Engineer Paul Sterbenz gave the Committee an annual update brief on Stormwater management. He stated that all work that had been assigned to him on South Street has been completed and lastly he doesn't know at this time if Frelinghuysen is going to receive any DOT monies for Kerrs Corner Road. Lastly, it advised that North Warren Estates had made a commitment to finish the improvements on Lackawanna Drive which was too had been done by the fall of 2013. Most of the improvements have been done at this time. The only improvement that has not been done is the planting of the street trees. Since its now winter, Mr. Benbrook would like to hold off on the planting. The Committee decided that they would like the trees planted now, especially we are having a warm spell. A deed is being sent to Mr. Wacks and an as built survey plan will need to be submitted along with a 2 year maintenance bond.

John Cowell, President of the Sussex/Warren Soccer Club and Oscar Castillo presented Mr. Desiderio with a \$271.10 check from United Soccer Academy for use of the recreation field.

OPEN MEETING TO THE PUBLIC:

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

Mr. Connor asked if Mr. Glynn's expenses were divided between his other towns. He was advised that Mr. Glynn only does fire inspections for Frelinghuysen.

Mrs. Muller asked if the snow plows could turn away from the driveways and not plow snow in them. Mr. Desiderio will take care of this.

Motion was by Mr. DeCarolis, seconded by Mr. Desiderio 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-Mr. Desiderio reported that basketball is going good and that the baseball field has been done but another load of clay is needed.

Environmental Commission-no report

Farmland Preservation Committee-no report

Open Space Committee-no report

Mayor David Boynton-Mr. Boynton reported that he received a call from the Assistant of New Jersey State Parks and will meet with him and Mr. Desiderio tomorrow regarding the overlay of the road thru the park. Mayor Boynton wished everyone a Merry Christmas and Happy New Year.

Deputy Mayor Christopher Kuhn-Mr. Kuhn related that he was happy with the accomplishments of the Committee this year. He went over the paper work on the leasing of a new truck and likes the leasing agreement and thought that we should decide soon.

Committeeman Alan DeCarolis-Mr. DeCarolis wished everyone a Merry Christmas and Happy New Year.

Committeeman Frank Desiderio-Mr. Desiderio thought that we should look into getting a larger salt shed. There was an issue with people not shoveling the sidewalks in front of their homes along with people shoveling the snow into the roadway. Mr. Desiderio recommended that the Clerk send a letter to the homeowners along Main Street, Lackawanna Drive and Saddle Ridge reminding them that they need to clear the snow from the sidewalk and to put a reminder on the website that they can't shovel snow into the roadway. The Clerk was instructed to send the letters on motion made by Mr. Desiderio, seconded by Mr. Kuhn. All were in favor.

Committeeman Christopher Stracco-Mr. Stracco told the Committee that it was a pleasure to work with them this year and was happy with the accomplishments. He is working on the town owned tax liens and will have a report next year.

Attorney Edward Wacks-Mr. Wacks related that there was no litigation and will try to keep it that way. He announced that David Brady is now an associate in his law firm and lastly there will be no increase in his charges for 2014.

Municipal Clerk-Mrs. Kleber wished everyone a Merry Christmas and Happy New Year

CORRESPONDENCE:

NJDEP Re: Notice of availability of grant funding

Allamuchy Township Re: Ordinances #2013-16 & 2013-17

Hardwick Township Re: Ordinance #2013-17

Warren County College Re: FOCUS newsletter

Service Electric Re: Notice of increase for expanded basic

D. Lovenberg's Portable Toilets Re: Portable toilet services proposal

New Jersey State League of Municipalities Re:

1. Two Issues:
 - a. User fee bill before Assembly Committee
 - b. League's 2014 calendar
2. NJLM's 2014 State Legislative priorities
3. FCC cell tower rule could threaten local land use and construction controls
4. The League opposition to S-2/A-1171 Shared Services
5. Two Issues:
 - a. Affordable care act update
 - b. Division of pensions & benefits now on social media
6. December 2013 newsline
7. Important health insurance contribution decision

EXECUTIVE SESSION:

Motion was made by Mr. DeCarolis, seconded by Mr. Desiderio to enter into executive session with regard to personnel matters. All were in favor. Upon returning, the attorney announced that the Committee had talked about a certain personnel issue that arose as well as some potential litigation. No decisions were made and the matter is being taken under consideration

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:25 on motion made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC