

MINUTES OF REGULAR MEETING OF DECEMBER 20, 2017

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, December 20, 2017 and was called to order at 7:30 p.m. by Mayor, Frank Desiderio.

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 Frank Desiderio, Deputy Mayor Chris Stracco, Committeeman Christopher Kuhn, Committeeman David Boynton, Attorney Rich Beilin, and Municipal Clerk Donna Zilberfarb.

PROCLAMATION:

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 a home repair; and WHEREAS, the New Jersey Department of Environmental Protection and the United State Environmental Protection Agency are collaborating during the month of January to promote the need for radon testing in an effort to protect lives of our State's residents; and WHEREAS, if all New Jersey homes with radon concentrations at or above 4 pCi/L were mitigated, about 78 lives could be saved this year. NOW, THEREFORE, I, Frank D. Desiderio, Jr., Mayor of the Township of Frelinghuysen, on behalf of the Township of Frelinghuysen Town Council and residents of the Township of Frelinghuysen, do hereby proclaim the month of January 2018, as RADON ACTION MONTH In the Township of Frelinghuysen 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 20th day of December, 2017. Motion was made by Mr. Kuhn, seconded by Mr. Boynton. All were in favor. A copy will be posted on the website.

MINUTES:

1. November 8, 2017 regular session meeting minutes - held to January meeting
2. November 8, 2017 executive session meeting minutes - held to January meeting
3. November 20, 2017 bill payment/work session meeting minutes - held to January meeting.

RESOLUTIONS:

#2017-73 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF DECEMBER 2017 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 2017; 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. Boynton. All were in favor. Mr. Marra was absent.

#2017-74 WHEREAS, due to various reasons there are unexpended balances remaining in several 2017 budget line items, and WHEREAS, it is in the best interest of the Township to cancel these balances to surplus in the current budget year, to have use of such surplus in the upcoming 2018 budget year, NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Frelinghuysen that the Chief Financial Officer is hereby authorized to cancel, from various line items to be determined at year end, an amount not to exceed \$50,000, and that said balances be credited to surplus. I hereby certify that the above is a true and accurate copy of a

Resolution adopted by the governing body of the Township of Frelinghuysen, at a meeting held December 20, 2017.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton	X		X			
Mr. Desiderio			X			
Mr. Kuhn		X	X			
Mr. Marra						X
Mr. Stracco			X			

#2017-75 WHEREAS, certain bills have been presented for payment for which there are insufficient funds in the 2017 budget to pay, and WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of funds from accounts with a surplus to cover such demands, NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that the Chief Financial Officer is hereby authorized to make the following transfers:

<u>TRANSFER FROM:</u>		<u>TRANSFER TO:</u>	
Road Department S/W	\$410.00	Mayor and Council S/W	\$205.00
		Tax Collector O/E	\$205.00

CERTIFICATION I hereby certify that the above is a true and accurate copy of a Resolution adopted by the governing body of the Township of Frelinghuysen, at a meeting held December 20, 2017.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton	X		X			
Mr. Desiderio			X			
Mr. Kuhn		X	X			
Mr. Marra						X
Mr. Stracco			X			

#2017-76 APPOINTMENT OF DONNA ZILBERFARB AS MUNICIPAL CLERK FOR THE TOWNSHIP OF FRELINGHUYSEN WHEREAS, there exists a need for the appoint of a Municipal Clerk in the Township of Frelinghuysen in the County of Warren, State of New Jersey; and **WHEREAS**, N.J.S.A. 40A:9-133 states that the term of office of the Municipal Clerk shall be three years, and that the term shall be deemed to have begun as of the actual date upon which a person serving as municipal clerk is appointed; and **WHEREAS**, Donna Zilberfarb has served with distinction as the Frelinghuysen Township Acting Municipal Clerk; and **WHEREAS**, Donna Zilberfarb has successfully completed the required courses offered through Rutgers, The State University, and passed the required State examination administered by the Division of Local Government Services, Department of Community Affairs, and has been certified as a Registered Municipal Clerk in accordance with the requirements of Chapter 174, Law of 1985 as of October 11, 2017. **NOW THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that Donna Zilberfarb be appointed Municipal Clerk for a term of three (3) years in accordance with N.J.S.A. 40A:9-133, effective October 11, 2017; and **BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Division of Local Government Services, Department of Community Affairs.

CERTIFICATION I, Donna Zilberfarb, Municipal Clerk of Frelinghuysen Township, Warren County do hereby certify the above to be a true copy of a resolution adopted by the Frelinghuysen Township Committee at their meeting of December 20, 2017.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton	X		X			
Mr. Desiderio			X			
Mr. Kuhn		X	X			
Mr. Marra						X
Mr. Stracco			X			

#2017-77 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with the discussion of personnel matters and; WHEREAS, under the Open Public Meetings Act (number 8 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 20 , 2017 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. Boynton, seconded by Mr. Kuhn. All were in favor. Mr. Marra was absent.

OLD BUSINESS:

Verizon enhancing network – Mr. Kuhn discussed that century link is at 25 mega bytes per second and Pennsylvania has set a deadline for earlier than NJ and they are set in 2025 for having Century Link providers. This is through the state legislature.

Service Electric Cable – Mr. Beilin spoke with Mr. Melitti at service electric cable and they are thinking of going to the BPU and breaking up towns and to go separately with service electric. He asked what Frelinghuysen would like and the committee is good with that.

Mr. Stracco and Mr. Desiderio went door to door through Saddle Ridge and met with everyone (excluding about 4). Mr. Stracco will reach out to Service Electric on the response rate they collected. The committee members thanked Mr. Desiderio and Mr. Stracco for going out and doing this.

Pedestrian walkway – held

Shared services for animal control – Held

Pond Maintenance FFP – Held

Rec Center AC quotes – Held

Cats and the pound update – Mr. Kuhn will have an agreement for the January 17, 2018 meeting.

Geneology report – Motion was made by Mr. Kuhn to move forward with the foreclosed properties, seconded by Mr. Boynton. All were in favor.

NEW BUSINESS:

Insurance quotes – Jim Gilmore from Statewide Insurance and Robert LaSalla from Tri State Insurance were in attendance and both gave proposals for the 3 year contract starting January 1, 2018. Statewide’s quote was \$34,619/year and TriState’s quote was \$33,410/year. After discussion, a motion was made to award TriState Insurance of the Morris County JIF for insurance for a 3 year term, seconded by Mr. Desiderio. Roll call vote: Mr. Boynton-Yes; Mr. Kuhn-Yes; Mr. Desiderio-Yes; Mr. Stracco-Yes; Mr. Marra-Absent. Mr. Kuhn stated that Jim Gilmore has done a good job being our agent and was reluctant to change but had to go with the lower priced.

Vacancies on various boards – Mr. DeCarolis did not attend the meeting, nothing was discussed.

Zoning Amendment to permit additional uses was discussed by Mr. Stracco. He explained that there are very few rateables within the township and would like to discuss further the permitting of farming cannabis if it becomes legalized and feels we should be ahead of the curve for this matter. He would like to look into amending the Zoning Ordinance and would like to discuss further at the work session.

Bear Creek Road Driveway Agreement – Mr. Desiderio explained that this has been re-done and work is complete. The homeowner will sign the agreement.

Open Space, Farmland, Environmental and Historic Committees – Mr. Desiderio discussed reducing the number of members for each of these boards. He would like to have the Ordinance ready for first reading for the January 2nd Reorg meeting. Motion was made by Mr. Kuhn for legal to draft ordinances for the open space, farmland, environmental and historic committees changing the members to 5 with 2 alternates, seconded by Mr. Boynton. All were in favor.

Pamela Brady submitted a resignation letter for the board secretary of the Open Space and Farmland Boards effective December 31, 2017. Motion was made by Mr. Kuhn to accept with regrets, seconded by Mr. Boynton. All were in favor. Ms. Zilberfarb will send her a letter and advertise the position after the Ordinance has been amended.

OPEN MEETING TO THE PUBLIC:

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

Marty Connor asked about changing the members of those boards discussed even if they meet their quorum, he wanted to know how that would work. Mr. Desiderio explained that they are looking for dedication and commitment and he will be looking at those members who've been in attendance and who hasn't and that will determine the new membership.

Michael Tudor thanked the Committee and Mayor for all their service and is impressed with the last years.

Mr. Desiderio let the committee know that the furnace at the rec center was fixed by Cliff Kimball, who was in the audience.

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

DEPARTMENT REPORTS:

Motion made by Mr. Stracco for consent agenda items 1-12 seconded by Mr. Kuhn. All were in favor.

DPW – No report

Land Manager – no report

Legal Report – was discussed throughout the meeting

Recreation Committee – Nothing to report.

Environmental Commission – No meeting

Farmland Preservation/Open Space Committee – No meeting

Historic Committee – A proposal for \$1,820.00 for a tarp for the boat house roof at the FFP was presented to the Committee.

Mayor report – Nothing to report

Deputy Mayor report – Nothing to report

Committeeman Boynton – Discussed the Lackawanna extension and inquired if anyone knew about the new wooden sign at the old camp on Camp Wasigan.

Committeeman Kuhn – Thanked Mayor Desiderio for a great job he's done for Frelinghuysen this past year.

Committeeman Marra – Nothing to report

Clerk report – Ms. Zilberfarb handed a new agreement for Grecco lawn services for plowing services for 2018. Mr. Kuhn made a motion for the Mayor to executive the agreement, seconded by Mr. Boynton. All were in favor.

Ms. Zilberfarb also inquired about the checks for Maser Consulting for the projects on Bear Creek Road. Mr. Desiderio will sit down with Mr. Sterbenz and discuss these checks. The Clerk was told to hold those checks.

EXECUTIVE SESSION:

Mr. Beilin explained to the public that the executive session would be for personal reasons and that no further business would be conducted after executive session.

Motion was made by Mr. Boynton, seconded by Mr. Kuhn to enter into executive session.

No action was taken

Motion was made by Mr. Kuhn, seconded by Mr. Stracco to exit executive session.

CORRESPONDENCE:

New Jersey State League of Municipalities – 20th Annual elected officials' hall of fame.

Township of Blairstown – copy of resolution support of Assembly and Senate Bills Nos. 4532 and 3049

Blairstown Township School District – Resolution in opposition to a Warren County Consolidated School System

Applied Earth Solutions, Inc – Public notification for site 1045 Route 94

First Energy Corp – Build advanced energy center in Akron

Food shed Alliance – Thank you note

New Jersey Herald – Mayors, Gottheimer push service electric on broadband access

ADJOURNMENT:

There being no further business, motion was made by Mr. Kuhn, seconded by Mr. Boynton to adjourn the meeting at 9:22 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, Township Clerk