

MINUTES OF REGULAR MEETING OF JANUARY 15, 2020

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, January 15, 2020 and as called to order at 7:30 p.m. by Mayor, Chris Stracco.

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: Committeeman David Boynton, Committeeman Frank Desiderio, Committeeman Todd McPeek, Committeeman Keith Ramos, Committeeman Chris Stracco, Attorney Rich Beilin, and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. Motion was made by Mr. Boynton to approve the regular meeting minutes of December 18, 2019, seconded by Mr. McPeek. All were in favor. Mr. Ramos abstained.
2. Motion was made by Mr. Boynton to approve the executive session meeting minutes of December 18, 2019, seconded by Mr. McPeek. All were in favor. Mr. Ramos abstained.
3. Motion was made by Mr. Boynton to approve the reorg meeting minutes of January 2, 2020, seconded by Mr. Ramos. All were in favor.

APPOINTMENTS:

2020 Committee Appointments - Schedule A

Dave Boynton was appointed Director of Public Works

Chris Stracco and Keith Ramos were appointed to the Finance Commission

Keith Ramos was appointed as Township Committee Liason for the Open Space Committee

Todd McPeek was appointed as Township Committee Liason for the Farmland Preservation Committee.

Dave Boynton was appointed as the Police Liason and Safety Comm Liason

Todd McPeek was appointed as the Municipal Alliance liason

The Township Committee liason for the Environmental Commission, the Township Committee liason for the Historic Committee and the Route 94 Township property site plan mgr were held

Motion to concur was made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor. Roll call votes were asked for the Director of Public Works and the Finance Commission. Roll call vote for David Boynton as the Director of Public Works: Mr. Boynton-yes; Mr. Desideiro-no; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes. Roll call vote for Mayor Stracco and Deputy Mayor Ramos as the finance commission members: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

2020 Miscellaneous Appointments – Schedule B

Nellie Claver was appointed as Deputy ACO.

Wendy Buttgerreit was appointed to Assistant Land Manager.

Motion was made by Mr. Boynton to concur, seconded by Mr. Desiderio. All were in favor.

2020 Land Use Board Appointments – Schedule C

Alternate #3 and #4 were held.

2020 Environmental Commission Appointments – Schedule D

The Township Committee liason was held.

Marty Connor was appointed as the LUB liason.

Christopher Kuhn was appointed as Alternate #1.

Alternate #2 was held.

Motion was made by Mr. Boynton to concur, seconded by Mr. Ramos. All were in favor.

2020 Farmland Preservation Committee Appointments – Schedule E

Todd McPeek was appointed as the Township Committee liason.

Marty Connor was appointed as the LUB liason.

Jim Simonetti was appointed as the Environmental liason.

Chris Kuhn was appointed as Alternate #1.

Motion was made by Mr. Desiderio to concur, seconded by Mr. Boynton. All were in favor.

2020 Municipal Alliance Appointments – Schedule F

Todd McPeek was appointed as the Township Committee liason.

Justin Stanley was appointed as the Recreation liason.

Motion was made by Mr. Boynton to concur, seconded by Mr. Ramos. All were in favor.

2020 Recreation Committee Appointments – Schedule G

Brian Sassaman was appointed as a member.

Amy Winfield was appointed as a member.

2020 Open Space Committee Appointments – Schedule H

Keith Ramos was appointed as the Township Committee Liason.

The environmental liason was Held.

All were in concurrence – motion is under committee appointments.

2020 Historical Committee Appointments - Schedule I

Jim Simonetti was appointed as the LUB and OS liason.

The Townshioip Committee liason and Alternate #2 were held.

Motion was made by Mr. Ramos to concur, seconded by Mr. Boynton. All were in favor.

ORDINANCES:

#2020-01 CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to **2.5%** unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and, **WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and, **WHEREAS**, the Township Committee of the Township of Frelinghuysen in the County of Warren finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and, **WHEREAS**, the Township Committee hereby determines that a **1.0%** increase in the budget for said year, amounting to **\$8,522.26** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and, **WHEREAS** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years. **NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Frelinghuysen, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Frelinghuysen shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to **\$ 29,827.91**, and that the CY 2020 municipal budget for the Township of Frelinghuysen be approved and adopted in accordance with this ordinance; and, **BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and, **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and, **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption. CERTIFICATION I, Donna Zilberfarb, Municipal Clerk of the Township of Frelinghuysen do hereby certify the above to be a true copy adopted by the Frelinghuysen Township Committee at a meeting held on January 2, 2020 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on February 19, 2020 at 7:30 pm at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Desiderio to enter into first reading, seconded by Mr. Boynton. **Roll Call Vote:** Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

#2020-02 ORDINANCE AMENDING THE FRELINGHUYSEN TOWNSHIP CODE TO ADD A NEW SECTION 2-14, ESTABLISHING THE POSITION OF TOWNSHIP ADMINISTRATOR
WHEREAS, throughout New Jersey, the responsibilities and operations of local government

have grown in complexity due not only to increasing development in the State but also due to the ever-increasing rules and regulations set forth by various state and federal agencies; and WHEREAS, in order to provide assistance to the Mayor and Township Committee in ensuring the proper administration of the affairs of the Township, as well as providing for the efficient and effective administration and management of the resources of the Township, it is necessary and appropriate to create the position of Township Administrator and to assign to this position those duties, responsibilities and authority that are necessary to accomplish the proper administration of the affairs of the Township. NOW, THEREFORE, BE IT ORDAINED by the Township of Frelinghuysen, County of Warren, State of New Jersey that the Code of the Township is hereby amended by adding thereto a new Section 2-14, to read as follows:

Section I The Frelinghuysen Township Code is amended by adding thereto a new Section 2-14, to read as follows: **SECTION 2-14 TOWNSHIP ADMINISTRATOR**

2-14.1 Township Administrator, Creation of Position; Term A. Pursuant to N.J.S.A. 40A:9-136 et seq., there is hereby created the Office of Township Administrator, to perform those duties as set forth in the statutes of the State of New Jersey and this Section 2-14. Compensation for the position of Township Administrator shall be as fixed in the Township Salary Ordinance. B. The Township Administrator shall serve at the pleasure of the Township Committee and may be removed or replaced at any time according to the methods and requirements of N.J.S.A. 40A:9-138.

2-14.2 Appointment; Vacancy A. The Township Administrator shall be appointed by a majority vote of the Township Committee. The said appointment shall be made within 120 days after this ordinance becomes effective. B. Any vacancy which may occur in the said position, whether the same occurs by death, resignation, or otherwise, shall be filled in the same manner. The 120-day period shall be computed from the day the vacancy occurs. A vacancy shall be deemed to commence upon the cessation of duties of the duly appointed Township Administrator.

2-14.3 Removal Pursuant to N.J.S.A. 40A:9-138, the Township Administrator may be removed by a 2/3 vote of the Mayor and Township Committee. The resolution of removal shall become effective 3 months after its adoption by the Mayor and Township Committee. However, the Mayor and Township Committee may provide that the resolution shall have immediate effect, in which case, the Administrator shall be paid forthwith any unpaid balance of his or her salary and benefits and his or her salary and benefits for the next 3 calendar months following adoption of the Resolution.

2-14.4 Political Activity The Township Administrator shall not engage in any political activity, nor make any financial or other contributions to any local political campaign, nor lobby the elected officials of the Township on behalf of a political party or campaign. Nothing contained herein shall be deemed to prohibit the Township Administrator from providing recommendations to the elected officials of the Township on issues of concern to the Township or from appearing before any other governmental body on behalf of the Township when authorized or directed to do so.

2-14.5 General Powers and Responsibilities The Administrator shall, under the supervision and control of the Mayor and Township Committee:

A. Serve as the principal administrative officer representing the Mayor and Township Committee;

B. Attend all meetings of the Township Committee;

C. Upon consultation with the Chief Financial Officer, keep the Township Committee informed of the financial condition of the Township, make such reports thereon as required, and annually prepare a comprehensive report on the condition of the Township;

D. Study the administrative and other operations of the Township and make recommendations for plans and programs to meet the needs of the Township;

E. Receive and reply to inquiries concerning Township business and provide information and assistance in respect thereto, and

F. Perform any other powers and duties as may from time to time be assigned by the Mayor and Township Committee.

2-14.6 Administrative Duties The Township Administrator, to the extent not prohibited by law, shall:

A. Supervise the business administration of all departments and offices, subject to supervision and direction of the respective Township Committee chairpersons;

B. Maintain close liaison with department heads and advise the Mayor and Township Committee of operations and projects in progress;

C. Establish and maintain sound personnel practices and maintain appropriate records of all employees;

D. Maintain a continuing review of all department and office operations and, with the assistance of the Chief Financial Officer, their expenditures, and report thereon to the Mayor and Township Committee;

E. Coordinate intradepartmental operations and manage the daily operation of the Township Municipal Building by coordinating and supervising the municipal staff on duty, and

F. Perform such other duties as may be assigned by the Mayor and Township Committee, in the Township Personnel Manual.

2-14.7 Budgeting. The Township Administrator shall:

A. Receive from each department, office or board its annual requests for appropriations and prepare in conjunction with the Chief Financial Officer the tentative budget, transmitting the appropriation request and tentative budget with recommendations and comments to the Township Committee not later than December 15 of each year;

B.

Consult with the Mayor and Township Committee and Chief Financial Officer with respect to the tentative budget, recording changes, additions and deletions thereto, and make all reasonable efforts to submit by February 15 the tentative budget in the form required by law, together with an analysis of the various items of expenditure and revenue and such explanatory comments as may be required; and C. In conjunction with the Chief Financial Officer, provide the Township Committee with a year-to-date summary of expenditures versus appropriations at each monthly Township Committee meeting. **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST: TOWNSHIP OF FRELINGHUYSEN
 DONNA ZILBERFARB, Clerk CHRISTOPHER STRACCO, Mayor

NOTICE Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on January 15, 2020 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on February 19, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Boynton to open to first reading and introduction, seconded by Mr. Ramos. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

RESOLUTIONS:

#2020-09 RESOLUTION TO APPOINT PERSONNEL OF THE PUBLIC WORKS

DEPARTMENT WHEREAS, the Department of Public Works for the Township of Frelinghuysen shall have charge of and supervision over the care, maintenance and construction of all streets, alleys and public ways; the construction, operation and maintenance of all storm-water and sanitary sewers, and all street gutters and drains and the appurtenances thereto; and WHEREAS, the Department of Public Works consist of the Director of Public Works and shall be under the immediate control and direction of a Township Committeeman in charge of public works, who shall be designated as "Director of Public Works" and who shall be subject and subordinate to the ultimate control and direction of the Township Committee. NOW, THEREFORE BE IT RESOLVED, that David Boynton shall be appointed as "Director of Public Works" for the year 2020.

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|---------------|--------|--------|-----|-----|---------|--------|
| Mr. Boynton | | | X | | | |
| Mr. Desiderio | x | | X | | | |
| Mr. McPeek | | | X | | | |
| Mr. Ramos | | x | X | | | |
| Mr. Stracco | | | X | | | |

#2020 - 15 FRELINGHUYSEN TOWNSHIP TAX COLLECTOR January 8, 2020 WHEREAS, US Bank Cust/Pro Cap8/Pro Capital MGT II acquired a lien against **Block 1301, Lot 18** at the Tax Sale held **December 11th, 2019 (Certificate #2019-002)**. **Stephen G. Stangl**, the owner of said property has paid an amount of **\$ 1,920.76** to redeem the lien. NOW, THEREFORE BE IT RESOLVED that the Township Treasurer is hereby authorized to issue a check in the amount of **\$ 1,920.76** to US Bank Cust/Pro Cap8/Pro Capital MGT II. I hereby certify the foregoing to be true and accurate copy of a resolution adopted by the Township Committee at its' meeting held January 15th, 2020.

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|---------------|--------|--------|-----|-----|---------|--------|
| Mr. Boynton | | x | x | | | |
| Mr. Desiderio | | | x | | | |
| Mr. McPeek | | | x | | | |
| Mr. Ramos | x | | x | | | |
| Mr. Stracco | | | x | | | |

#2020-16 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF JANUARY 2020 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 January 2020; 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 date are reasonable and proper and are to be paid from their appropriate account.

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|---------------|--------|--------|-----|-----|---------|--------|
| Mr. Boynton | x | | x | | | |
| Mr. Desiderio | | x | x | | | |
| Mr. McPeek | | | x | | | |
| Mr. Ramos | | | x | | | |
| Mr. Stracco | | | x | | | |

#2020 – 17 GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and WHEREAS, the Frelinghuysen Township Mayor and Committee have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto. NOW, THEREFORE BE IT RESOLVED, That the Mayor and Committee of the Township of Frelinghuysen, hereby states that they have complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance, and hereby direct the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance. **CERTIFICATION I**, Donna Zilberfarb, Clerk of the Township of Frelinghuysen, do hereby certify the above to be a true copy of a resolution adopted by the Frelinghuysen Township Committee at their meeting of January 15, 2020.

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|---------------|--------|--------|-----|-----|---------|--------|
| Mr. Boynton | | x | x | | | |
| Mr. Desiderio | x | | x | | | |
| Mr. McPeek | | | x | | | |
| Mr. Ramos | | | x | | | |
| Mr. Stracco | | | x | | | |

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964” GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES STATE OF NEW JERSEY COUNTY OF WARREN

We, members of the governing body of the Township of Frelinghuysen being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Mayor and Township Committee of Township of Frelinghuysen in the county of Warren;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);

3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance. CHRISTOPHER STRACCO, MAYOR; KEITH RAMOS, DEP. MAYOR; DAVID C. BOYNTON; TODD MCPEEK; FRANK D. DESIDERIO, JR.

Sworn to and subscribed before me this 15TH day of JANUARY, 2020. Notary Public of New Jersey Donna Zilberfarb Donna Zilberfarb, Clerk

#2020-18 RISK MANAGEMENT CONSULTANT'S AGREEMENT THIS AGREEMENT entered into this 1st day of January, 2020 between the Township of Frelinghuysen (hereinafter referred to as MUNICIPALITY) and SB1 Insurance Agency (hereinafter referred to as the CONSULTANT). WHEREAS, the CONSULTANT has offered to the MUNICIPALITY professional risk management consulting services as required in the bylaws of the Morris County Municipal Joint Insurance Fund, and; WHEREAS, the MUNICIPALITY desires these professional services pursuant to the resolution adopted by the governing body of the MUNICIPALITY at a meeting held on December 20, 2017 and; NOW THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

- a. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - a. Assist the MUNICIPALITY in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss. B. Assist the MUNICIPALITY in understanding the various coverages available from the Morris county Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance fund. C. Review with the MUNICIPALITY any additional coverages that the CONSULTANT feels should be carried but are not available from the FUND and subject to the MUNICIPALITY's authorization, place such coverages outside the FUND. D. Assist the MUNICIPALITY in the preparation of applications, statements of values, and similar documents requested by the FUND, it being understood that this Agreement does not include any appraisal work by the CONSULTANT. E. Review Certificates of Insurance from contractors, vendors and professionals when requested by the MUNICIPALITY. F. Review the MUNICIPALITY's assessment as prepared by the FUND and assist the MUNICIPALITY in the preparation of its annual insurance budget. G. Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Also, attend no less than one (1) municipal safety committee meeting per annum to promote the safety objectives and goals of the MUNICIPALITY and the FUND. H. Assist where needed in the settlement of claims, with the understanding that the scope of the CONSULTANT's involvement does not include the work normally done by a public adjuster. i. Perform and other risk management services required by the FUND's bylaws.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
 - a. The CONSULTANT shall be paid by the MUNICIPALITY a fee as compensation for services rendered, an amount equal to six percent (6%) of the MUNICIPALITY's annual assessment as promulgated by the FUNDS. Said fee shall be paid to the CONSULTANT within thirty (30) days of payment of the MUNICIPALITY's assessment.
 - b. For any insurance coverages authorized by the MUNICIPALITY to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee outlined in 2 (a).
 - c. If the MUNICIPALITY shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MUNICIPALITY a fee at the rate of \$0.00 per hour, in addition to actual expenses incurred.
3. The term of this Agreement shall be one (1) year. However, this Agreement may be terminated by either party at any time by mailing to the other written notice, certified mail return receipt, calling for termination at not less than thirty (3) days thereafter. In the event of termination of this Agreement, the CONSULTANT's fees outlined in 2 (a) above shall be prorated to date of termination.

ATTEST:
 Donna Zilberfarb, Municipal Clerk
ATTEST:

MUNICIPALITY:
 Chris Stracco, Mayor
CONSULTANT:
 Bob LaSalla, SB1 insurance Agency

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|---------------|--------|--------|-----|-----|---------|--------|
| Mr. Boynton | | x | x | | | |
| Mr. Desiderio | x | | x | | | |
| Mr. McPeek | | | x | | | |
| Mr. Ramos | | | x | | | |
| Mr. Stracco | | | x | | | |

#2020-19 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with regard to contract negotiations 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 January 15, 2020 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 | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|---------------|--------|--------|-----|-----|---------|--------|
| Mr. Boynton | x | | x | | | |
| Mr. Desiderio | | x | x | | | |
| Mr. McPeek | | | x | | | |
| Mr. Ramos | | | x | | | |
| Mr. Stracco | | | x | | | |

COMMITTEE REPORTS:

MAYOR STRACCO – Mr. Stracco discussed that he is arranging a meeting with service electric and asked legal counsel for a quote if legal action needs to be taken. Mr. Stracco also discussed that he spoke with Paul Sterbenz and asked for a cost benefit analysis for each site for the salt shed placement. Mr. Sterbenz will address at the work meeting in February. He also spoke with the Planner and counsel regarding the subdivision and COAH obligations for the Route 94 property. COAH numbers will need to be known prior to subdivision of that property.

DEPUTY MAYOR RAMOS – Nothing to report

COMMITTEEMAN BOYNTON – Mr. Boynton explained the issue with heat at the rec center and had Cliff Kimball come out and help fix the problem. Mr. Boynton also introduced Mr. Brennan, NW BOA representative who was in the audience.

COMMITTEEMAN DESIDERIO – Nothing to report

COMMITTEEMAN MC PEEK – Nothing to report

ATTORNEY RICH BEILIN – Nothing additional to report

MUNICIPAL CLERK ZILBERFARB – Ms. Zilberfarb asked about rollover for employee for his PTO time not used due to him being out on workers comp this summer. The days to be rolled over are 26 days. Motion was made by Mr. Desiderio to approve the rollover, seconded by Mr. Boynton. All were in favor.

Ms. Zilberfarb also asked if she could create a facebook page for advisory items only with no comments. She will contact Blairstown as they have a page to help her set up for no comments. Motion was made by Mr. Desiderio to make the facebook page for informational purposes only, seconded by Mr. Ramos. All were in favor.

Ms. Zilberfarb discussed the census meeting that she attended at the County and mentioned no one from Frelinghuysen Elementary School was in attendance but North Warren was. She is in contact with Ms. Bilotti and will speak with Frelinghuysen as well to get census information out to the students and residents.

AGREEMENTS:

- Motion was made by Mr. Boynton to approve the Farmland Preservation Update agreement with the Land Conservancy, seconded by Mr. Desiderio. All were in favor.
- Motion was made by Mr. Boynton to approve the Farmland Preservation Grant agreement with the SADC, seconded by Mr. Desiderio. All were in favor.
- Motion was made by Mr. Desiderio to authorize the Mayor and Clerk to sign the discharge of mortgage for 23 State Park Road, seconded by Mr. Boynton. All were in favor.
- Motion was made by Mr. Ramos to approve the Warren County mosquito aerial control agreement, seconded by Mr. Boynton. All were in favor.

OLD BUSINESS:

- Ms. Zilberfarb is working on quotes for the demolishing of the FFP Barn. She has been speaking with Mr. Connor on the specifics of the building and will have quotes soon.
- There has been no answer on the stand pipe on Ramsey Road.
- A Committee member from Knowlton Township will be in attendance at the February 6, 2020 budget meeting to discuss the court shared services.

NEW BUSINESS:

- Lisa Hibbs, Warren Sussex Energy Coop presented to the committee the new plan for the energy coop program. She explained that there are currently 441 residents' currently participating in the coop and the town residents have saved \$33,000.00, with an average of \$5.00 per month. Ms. Hibbs explained that they are extended the contract to 2021 with a lower savings of .0869% starting in June. She also explained that all the townships are extending with the exception of Knowlton township, who was getting back to her this month. Motion was made by Mr. Boynton to open to the public, seconded by Mr. McPeek. All were in favor. No public comment. Motion was made to close to the public by Mr. Boynton, seconded by Mr. Ramos. All were in favor. Motion was made by Mr. Desiderio to opt in with the lessor rate and extend the contract, seconded by Mr. Stracco. Roll call vote: Mr. Boynton-No; Mr. Desiderio-Yes; Mr. Mcpeek-No; Mr. Ramos-No; Mr. Stracco-Yes. Frelinghuysen has opted out of extension and lower rate. The rate of .0886 will remain to the end of the contract, December 31, 2020.
- Marty Connor discussed with the committee the Youth Corps volunteer program and felt it was a good volunteer program to utilize as they can help with clearing trails, weed wacking, possible mowing etc. All of their services are free to municipalities and this group likes working with the NJ Audobon Society, which we have the stewardship agreement with. Mr. Connor will look into the next steps.
- A letter of resignation from Sue Mattos, recreation committee member as accepted with regrets.
- A letter from Alex Cornella discussing NJ Clean Energy program was discussed and Mr. Stracco stated that the clerk reached out to Mr. Cornella to ask if he'd like to be an Environmental member and there has been no response back.

DEPARTMENT REPORTS:

Motion was made by Mr. Desideiro for consent agenda for items 1-10, seconded by Mr. McPeek. All were in favor.

DPW – Report in the book. Nothing further

Land Manager – Nothing further

Rec Center Coordinator – Nothing to report

Legal Report – Covered throughout the meeting.

Recreation Committee – Reorg was held and Mr. McPeek was voted the Chair and Mr. Stanley was voted the Vice Chair. Amy Winfield will be the secretary. Keys were asked to be returned by Mr. Desiderio for the recreation center. He will give to Ms. Zilberfab. Ms. Zilberfarb will have a set of keys for Amy Winfield.

Environmental Commission – Reorg meeting is scheduled for January 24, 2020.

Farmland Preservation/Open Space Committee – Reorg was held on January 7, 2020. There was no quorum for Open space.

Historic Committee – Reorg was held on January 20, 2020

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Boynton, seconded by Mr. Desiderio limiting it to 15 minutes to open meeting to the public. All were in favor. Spoke were:

- Marty Connor asked why the open space fund was charged for a water test and why it didn't come out of the Rec trust fund. Ms. Zilberfarb will get the answer for him.
- Mr. Connor also asked why the township voted against the lower rate for the energy coop and didn't understand because it was a lower rate the residents would be receiving. Mr. Connor was offended that the residents were saving money and the committee members cancelled it.
- Bennet Bean asked about the trees across the street from his property and said they'd impact the wires if they were to come down. He wanted to know when they would be taken care of. Ms. Zilberfarb will contact the township rep for JCP&L to ask to check and remove when they are working on main street with the tree cutting.
- Dan Kohuth questioned the credit of \$100,000 of the proceeds of the sale of property on Route 94 and also wanted to know why the \$35,000 extra was not put in as well and where did that money go. Mr. Stracco said that he would look into it.

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

EXECUTIVE SESSION:

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

No action was taken.

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

REGULAR SESSION CONTINUED:

Mr. Beilin explained the executive session was for potential acquisition of property.

CORRESPONDENCE:

- NJDOT commitment to communities Winter 2019 newsletter
- JCP&L tree trimming in Frelinghuysen Township
- MEL – 2020 cyber insurance renewal deductible increases
- Rutgers 2019 Annual report
- Ridge and Valley Conservancy 2019/2020 newsletter
- Blairstown Fire Hose company - December

ADJOURNMENT:

There being no further business, motion was made by Mr. Desiderio, seconded by Mr. Ramos to adjourn the meeting at 9:08 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC