

## **MINUTES OF REGULAR MEETING OF OCTOBER 16, 2019**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, October 16, 2019 and as 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 David Boynton, Committeeman Charles Marra, Committeeman Todd McPeck, Attorney Richard Beilin and Municipal Clerk Donna Zilberfarb.

### **MINUTES:**

1. Motion was made by Mr. Boynton to approve the September 18, 2019 regular session meeting minutes, seconded by Mr. Marra. All were in favor.
2. Motion was made by Mr. Boynton to approve the September 18, 2019 executive session minutes, seconded by Mr. Marra. All were in favor.

### **ORDINANCES:**

2019-07 Zone change Route 94

The Land use board unanimously agreed and recommended for adoption. Final reading for adoption will be held on November 13, 2019.

### **RESOLUTIONS:**

**#2019-66 RESOLUTION TO URGE VOTERS TO SUPPORT THE REFERENDUM ON THE ELECTION BALLOT IN NOVEMBER, SO THAT VETERANS OR WIDOWED SPOUSES OF VETERANS WHO RESIDE IN CONTINUING CARE RETIREMENT COMMUNITIES (CCRC) WILL BE ELIGIBLE FOR PROPERTY TAX DEDUCTION** WHEREAS, the State Constitution of New Jersey authorizes veterans and widowed spouses of veterans who served in active duty during war and other times of emergency to receive a property tax deduction, in the amount of \$250 per year, in well-deserved recognition of their service to our country; and WHEREAS, veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (CCRC) have been unfairly denied eligibility for the \$250 property tax deduction because they do not own their units, even though they instead contribute to property taxes through a monthly payment, and even though they have made the same sacrifices as all veterans in our great country; and WHEREAS, there are twenty-five CCRCs in the State which collectively house approximately 2,500 veterans or widowed spouses who are being denied the property tax deduction; and WHEREAS, Senator Vin Gopal has sponsored legislation (S1331), that has been approved by the Senate and General Assembly, to extend the deduction to veterans and their widowed spouses in CCRCs; and WHEREAS, the extension of the deduction, because it requires an amendment to the State Constitution, must be approved by the voters at the ballot in November before it will become valid and effective; and WHEREAS, the Mayor and Township Committee now desire to memorialize their support of the referendum on the ballot in November, and to urge the voters of this State to vote in favor of the property tax deduction for veterans and widowed spouses of veterans who reside in CCRCs. NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey, urges voters to support the referendum on the ballot in November 2019, so that veterans and widowed spouses who reside in Continuing Care Retirement Communities (“CCRC”) will be eligible for the \$250 property tax deduction. AND BE IT FURTHER RESOLVED, that the Township Committee believes that his small benefit to our veterans and widowed spouses of veterans who reside in CCRCs is a proper and warranted acknowledgment of the tremendous sacrifices that veterans have given to protect and save our great nation. CERTIFICATION I, Donna Zilberfarb, hereby certify that the foregoing Resolution is a true, complete and accurate copy of a Resolution adopted by the Township Committee of the Township of Frelinghuysen at a meeting held on October 16, 2019.

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

**#2019-67 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF OCTOBER 2019** 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 OCTOBER 2019; 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	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton	X		X			
Mr. Desiderio			X			
Mr. Marra		X	X			
Mr. McPeek			X			
Mr. Stracco			X			

**#2019-68 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 October 16, 2019 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			
Mr. Marra			X			
Mr. McPeek			X			
Mr. Stracco	X		X			

#2019-69 CAPITAL ACCOUNT RESOLUTION WHEREAS, it is the desire of the Committee of the Township of Frelinghuysen to review and update the line items within each open Capital Ordinance, and WHEREAS, after review it has been decided to transfer budgeted amounts within each ordinance to better serve the purposes of the allotted capital expenditures and to move dollars to alleviate line items that have small or overspent balances within each ordinance, NOW, THEREFORE BE IT RESOLVED by the Committee of the Township of Frelinghuysen that the following capital budget transfers be recorded by the CFO:

	CURRENT BUDGET	ADJUSTED ADJUSTMENT	BUDGET
Ordinance 2019 Various Improvements			
Purchase Bed for Pickup	3000.00	-3000.00	0
Purchase Blacktop Roller	552.00	-552.00	0
Purchase Flammable Storage Cabinet	823.86	-823.86	0
Install Recreation Dugouts	6000.00	-3000.00	3000.00
Purchase Brush hog lawnmower	158.08	-158.08	0
Town Hall Renovations, carpet, flooring	136.60	+7533.94	7670.54

I hereby certify the above to be a true copy of a Resolution adopted by the Committee of the Township of Frelinghuysen at a meeting held on October 16, 2019.

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

**OLD BUSINESS:**

- Mr. Stracco explained that Knowlton Township sent a letter to Century Link identifying areas that needed internet services. Those areas included Hardwick, Frelinghuysen and Knowlton.
- Mr. Desiderio explained that he has been in touch with SHIPO regarding the FFP barn. Pictures have been sent and Mr. Desiderio is waiting on a decision as to whether the building is historic or not. SHIPO was meeting today to discuss.
- Mr. McPeek discussed the salt shed plans and handed some estimates to the committee showing salt shed estimates. He explained there is approximately \$167,600. Allocated for the salt shed installation.
- Mr. Desiderio explained that a letter has been sent to the property owner on Ramsey Road in regards to the standpipe and has not heard anything from them.
- Knowlton Municipal Court will be discussed in executive session.

**NEW BUSINESS:**

- After discussion of Resolution 2019-69, a motion was made by Mr. Boynton to approve the carpeting in the meeting room, seconded by Mr. Marra. All were in favor. Ms. Zilberfarb will contact the carpet company and add to the installation for the town hall.
- There will be a meeting on October 21<sup>st</sup> @ 7pm in Green Township for the Green Township Fire Department to discuss the purchase of a new fire truck. Ms. Zilberfarb asked for 2 committee members to attend. Mr. Desiderio and Mr. McPeek will attend and report at the next meeting in November.
- Ms. Zilberfarb asked the committee if the purchase of a township pickup truck could happen now instead of waiting until the spring. She explained that the township is without a truck and the mason dump has been in the shop being repaired and hard to handle everyday work. Ms. Zilberfarb explained there is a 150 day waiting period once monies are set and although wouldn't have the winter months, they would have it in the spring. She estimated the cost to be \$40,000 to \$45,000 range. Mr. Stracco asked what the impact on debt services would be and Ms. Zilberfarb will have Ms. Dyer attend the next meeting and also have her reach out to him prior. After discussion a motion was made by Mr. Stracco to go to bond counsel for a capital ordinance, seconded by Mr. Marra. All were in favor.
- Ms. Zilberfarb discussed the extended warranty for the backhoe and asked if the committee would like to renew for another year, the cost was \$1,515.00 for total machine and Ms. Zilberfarb confirmed there was monies to cover this. Motion was made by Mr. Stracco to extend the warranty for one year, seconded by Mr. Boynton. All were in favor. Ms. Zilberfarb will contact Jesco and have the warranty executed.
- Mr. Stracco asked about having a sign for Frelinghuysen Township and clean communities at the township line on Route 612. Ms. Zilberfarb will order some and speak with the County about putting them up when they come in.
- Ms. Zilberfarb explained that there was a need for a deputy registrar and asked to appoint Lori Neinstadt to that position. There is no stipend and she is already licensed. Motion was made by Mr. Stracco, seconded by Mr. Desiderio to appoint Lori Neinstadt as the Deputy Registrar for Frelinghuysen Township effective October 16, 2019. All were in favor.

#### **OPEN MEETING TO THE PUBLIC:**

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

- Ms. Natyzak stated the sign cost could come from clean communities.
- Olga Cramer, 2129 Stillwater Road, spoke regarding the neighbor's yard, both next door and across the street, being a parking lot for commercial and abandoned vehicles and asked what could be done. She explained that horses have also been in her yard roaming free from the barn on Hess Road. Mr. Desiderio explained that he has had discussions with the zoning officer regarding this. She thanked the committee.
- Mr. Kohuth asked Ms. Zilberfarb about her mileage for the month and felt it was excessive. Ms. Zilberfarb explained that it had class mileage and for her purchasing class that she is taking on Saturdays in Bordentown. Mr. Stracco explained that it was all budgeted for and that unfortunately she had class in Bordentown.
- Mr. Kohuth also brought up the meeting minutes from the April meeting again and feels that it clouds everything that business continues in the future and its non transparency.
- Mr. Kohuth also asked about the budget and purchasing tables and chairs and that the committee is questioning other purchases. Ms. Zilberfarb tried to explain how the budget worked to him and the public.

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

Mayor Desiderio allowed Doreen Rutherford to speak after public session was closed. Ms. Rutherford asked about the salt shed and asked the total cost, if there'd be a bathroom and what the future plans were, ie. More buildings put up. She also asked if the site distance was approved by the NJDOT as there were a lot of accidents in that

area. Mr. Desiderio explained that yes the site distance was approved. He also explained there would be a porta potty.

**DEPARTMENT REPORTS:**

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

**DPW** – Report is in the book.

**Land Manager** – Mr. Connor let the committee know that the fields have all been mowed with the bush hog mower.

**Rec Center Coordinator** – Nothing to report

**Legal Report** – Covered throughout the meeting.

**Recreation Committee** – Mr. Desiderio let everyone know that the Halloween hayride will take place on the 31<sup>st</sup> from 4-7 and trick or treat times are 4-8 pm.

**Environmental Commission** – No meeting

**Farmland Preservation/Open Space Committee** – No meeting

**Historic Committee** –

**Mayor report** – Nothing to report

**Deputy Mayor report** – Nothing to report

**Committeeman Boynton** – Nothing to report

**Committeeman Marra** – Nothing to report

**Committeeman McPeck** – Nothing to report

**Clerk report** – Ms. Zilberfarb explained that there was an open poll worker position for democrat if anyone knew anyone to please direct them to her. She also shared that the Abundant Life, the church next to townhall, would be having a special Veteran’s Day celebration and luncheon and Pastor Marc has invited anyone to attend. They will also be serving Thanksgiving dinner to anyone who needs a place to go and asked us to spread the word.

Ms. Zilberfarb also asked for a committeeman to be on the task force for a stigma free township. She explained that they passed a Resolution and felt that something should be done in the future to comply. Mr. Stracco offered to help. The task force will have the clerk, Mr. Stracco and Ms. Neinstadt, Municipal Alliance Coordinator on it.

Ms. Zilberfarb also let the committee know that NJ Legislature, Senator Steven Oroho, Assemblyman Parker Space, and Assemblyman Harold Wirths were holding their meeting in Blairstown on the 22<sup>nd</sup> of October and asked if anyone would be in attendance.

**EXECUTIVE SESSION**

Motion was made by Mr. Boynton, seconded by Mr. Stracco. All were in favor.

No Action was taken

Motion was made by Mr. Stracco, seconded by Mr. Marra. All were in favor.

**REGULAR MEETING SESSION:**

Mr. Beilin explained that the executive session was dealing with matters of potential litigation and attorney client priviledge and when business is resolved those minutes will be made available to the public.

**CORRESPONDENCE:**

- NJLM – 2019 League Conference Resolutions
- NJLM – Legislative Bulletin August 2019
- Warren County Office of the Engineer – year 2018 Warren County Traffic Crash Data and Road Safety Assessment (Assessment book in Clerk’s office)
- JCP&L – BPU Docket No. ER19040428
- The Land Conservancy of new Jersey – Outdoor issues summer 2019
- Blairstown Hose Company – August 2019 report

**ADJOURNMENT:**

There being no further business, motion was made by Mr. Stracco, seconded by Mr. Marra to adjourn the meeting at 9:01 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC