

MINUTES OF MEETING OF FEBRUARY 16, 2011

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, February 16, 2011 and was called to order at 7:30 p.m. by Mayor Charles.

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 Thomas Charles, Deputy Mayor David Boynton, Committeeman Alan DeCarolis, Committeeman Frank Desiderio, Committeeman Dale Durling, Attorney Edward Wacks and Clerk Brenda Kleber.

ORDINANCES:

AN ORDINANCE (#2011-01) TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BAND (N.J.A.40a4-45.14) FOR THE CALENDAR YEAR 2011. Motion was made by Durling, seconded by Boynton to open the meeting to the public. All in favor. Spoke was Robin Randolph who asked if there would be an increase in the budget for which she was advised that the Committee is working on the budget. Motion was made by Boynton, seconded by Durling to close the public portion. All in favor. Motion was made by Desiderio, seconded by Boynton to adopt the ordinance. Roll call vote: DeCarolis-yes, Desiderio-yes, Durling-yes, Boynton-yes, Charles-yes.

AN ORDINANCE (#2011-02) AMENDING SECTION 7-11 OF THE FRELINGHUYSEN TOWNSHIP CODE TO ESTABLISH SPEED LIMITS ON CERTAIN ROADS WITHIN FRELINGHUYSEN TOWNSHIP was offered for introduction on motion made by Boynton, seconded by Durling. Roll call vote: DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes, Charles-yes.

AN ORDINANCE (#2011-03) TO AMEND ORDINANCE #2010-06 is on hold for 60 days. Meantime, a subcommittee will be formed to review the ordinance for possible changes on motion made by Durling, seconded by Desiderio. All in favor.

RESOLUTIONS:

#2011-10 (Relieve Tax Collection from collecting certain taxes)
WHEREAS, the Tax Assessor has discovered an error in the tax book of the Township of Frelinghuysen, County of Warren, State of New Jersey; and

WHEREAS, the Tax Assessor of the Township of Frelinghuysen during his course of work has discovered that the following error occurred in 2010:

Block 602, Lot 4.04: This line item was assessed incorrectly in the tax book for \$378,800 (Land \$99,000, Improvements \$279,800 totaling \$378,800). This assessment should be a total of \$99,000.00 which is for land only since there is no improvement on the lot as of January 1, 2010. The improvement will be picked up by an Added Assessment from September 1, 2010 for the balance of the year.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Frelinghuysen relieve the Tax Collector from collecting taxes other than the corrected assessment on this block and lot as stated above.

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

#2011-11 (Approval of vouchers)

WHEREAS, the Municipal Clerk has submitted a list along with copies of bills in the agenda for the Township Committee's review; and

WHEREAS, the Township Committee members have reviewed the list and copies.

NOW, THEREFORE BE IT RESOLVED, that all vouchers and purchase orders as submitted and reviewed by the Township Committee of the Township of Frelinghuysen are reasonable and proper claims against the Township and are to be paid from its appropriate fund accounts.

Motion was made by Durling, seconded by Boynton to adopt said resolution. Roll call vote: Durling-yes, DeCarolis-yes,

#2011-12 (Development easement)-on hold

OLD BUSINESS:

A letter was read from Emergency Management Coordinator James Drylie who wished to appoint Ralf Irizarry as Deputy Emergency Management Coordinator. Motion was made by Durling, seconded by DeCarolis concurring with the Mayor's appointment. All in favor.

The town wide Clean up for 2011 will be discussed at a later date.

NEW BUSINESS:

Christine Sharkey, Board of Education secretary appeared before the Township Committee and audience members to go over the 2011-12 school budget. Since the state aid figures are not available as yet, there is no way if an increase is known.

The Frelinghuysen Township School sent a letter requesting EECBG funding in the amount of \$40,000 for energy projects through the municipal block grant was approved on motion made by Durling, seconded by Boynton. All in favor.

A policy for communications with the Clerk and Committee was approved on motion made by Boynton, seconded by Durling. All in favor. This policy will be placed on the website.

A policy for the issuance and use of municipal building keys was discussed. Mr. Durling brought up the issue of a wall being built that would separate the office area from the bathroom area. Mr. Desiderio stated that SHPO approval would have to be given. It was decided on motion made by Durling, seconded by DeCarolis that this be confirmed and discussed further. All in favor.

The proposal to provide professional engineering, environmental science and land surveying services for the South Street Pond Drainage was discussed. Mr. Wacks stated that there are a series of items the residents need to sign off on. One is they need to sign off on the authorization to file the application along with giving Maser limited power-of-attorney so Maser can make adjustments and they don't have to keep going back to them for any changes. Temporary easement will also be needed to allow Maser and/or contractors to access the areas. A major issue is who is going to pay for the permit costs. There are permits the township is going to need as well as the property owners. It was suggested that a meeting be held with the eight property owners to explain what they will be agreeing to and sign off so that the next stage can begin. Motion was made by Durling, seconded by Desiderio to authorize Mr. Wacks to draft a memo to send to the eight property owners and request a meeting be held with the Mayor and Committee at a specific time. All in favor.

Freeholder Jason Sarnoski came to the meeting to introduce himself to the Committee and residents and offered his services.

Trooper Breiten from the Hope Barracks announced he will be attending the meetings.

MINUTES:

The minutes of the reorganization meeting of January 3, 2011 was approved on motion made by Boynton, seconded by Durling. All in favor. The minutes of the regular meeting of January 19, 2011 were approved on motion made by Boynton, seconded by Durling. All in favor. The minutes of the budget meeting of January 20, 2011 was approved on motion by Boynton, seconded by Durling. All in favor. The minutes of budget meeting of February 3, 2011 were approved on motion made by Boynton, seconded by Durling. All in favor. The minutes of the work meeting were approved on motion made by Boynton, seconded by Durling. All in favor.

DEPARTMENT REPORT:

Department reports received from the Tax Assessor, Tax Collector, Building Dept. (Frelinghuysen & Green), Warren County Health Dept., Municipal Court and Chief

Finance Officer were approved on a consent agenda for numbers 1-10 on motion made by Boynton, seconded by Desiderio. All in favor.

Recreation Committee report:

Chairman Kimball reported that the basketball program is coming to an end. Tournaments will be held in March in Lafayette. The signups for softball and baseball are going good. The next project is to finish the baseball field which will be started in April. The status of the walking path was explained by Mr. Desiderio who explained the procedure of installing a 2 inch overlay.

Mayor Thomas Charles report:

Mayor Charles reported that at the end of January a 2 car accident occurred at the intersection of Routes 519 & 612 with seven people injured. He would like to draft a resolution asking the Freeholders to take further action in making the intersection safer. He went on to advise that due to this accident, the helicopter had to use the land behind the school causing a shutdown of the school and Route 94. Due to the snow, it was unsafe to land behind the school and Route 94 was used. The Mayor suggested that the location be changed to the township field. These issues were approved on motion made by Durling, seconded by Desiderio. All in favor.

The Mayor reported on a shared services meeting he and Mr. DeCarolis attended with the surrounding Mayors. Discussed were a regional DPW, regional fire and ambulance, zoning and building department. There will be additional meetings.

Other reports were that the budget deadline is March 11th; he wished to compliment the road department along with Mr. Desiderio; he thought we should look into the salt shed issue so we can store larger amounts of salt and possibly offset the price. The last issue was a reminder that there is a policy that if mailboxes that are damaged by snow are in the right-of-way and damaged it is not the township's responsibility.

Deputy Mayor David Boynton's report:

Mr. Boynton also extended his thanks to the road department; announced that the township dinner held in January was a big success, reminder everyone that Casino Night will be held on March 26th and the basketball finals will be held at Lafayette. With regard to buildings and grounds he is getting bids for painting of the exterior of the building (not the siding) and will open them in a couple of months.

Committeeman Alan DeCarolis report:

Mr. DeCarolis asked for a resolution or ordinance that would set the fees for use of the meeting room as it can be written off by a match through the Municipal Alliance. Motion was made by Durling, seconded by DeCarolis authorizing Mr. Wacks to draft a resolution. All in favor. Mr. DeCarolis advised that a Municipal Alliance Coordinator was

needed and was told that he was the coordinator. Mr. DeCarolis stated that the Charter School was supposed to build their building within five years of opening the school. He will check out the resolution.

Committeeman Dale Durling's report:

Mr. Durling stated that in the correspondence is a notice from Service Electric that they are paying the Township \$2,237.00 for franchise fees. With regard to the Post Office, a meeting will be held on March 4th explaining the procedures. He attended a seminar on solar power and the rules do not allow residents to sell back. He presented a tri-party confidentiality and exclusivity agreement from Power Partners. Motion was made by Durling, seconded by Boynton authorizing the attorney to review the agreement. All in favor.

Committeeman Frank Desiderio's report:

Mr. Desiderio also complimented the road department on the great job they did during the recent snow storms. He advised that they had to borrow 100 tons of salt from the county of which were returned.

Attorney Edward Wacks report:

Mr. Wacks wished to compliment Robin Randolph for her help and input in putting together the Lee/Yang property for purchase; Mr. Wacks stated that there is another property that is being considered and more will be known at a later date. Lastly, he gave an update on the litigation.

BILLS-see schedule attached.

CORRESPONDENCE:

U.S. Census Field Division Re: 2010 population totals
Warren County Board of Chosen Freeholders Re: Ceremonial ribbon cutting
Warren County Planning Dept. Re: Complete streets workshop
Warren County Dept. of Public Safety Re: Federal declaration
Warren County Dept of Public Safety Re: Snow disposal
Ed Wacks Re: Senate bill S-1 to abolish COAH
New Jersey Community Forestry Program Re: Core training on April 2nd
New Jersey DOT Re: Notification of receipt of NJDOT municipal aid for Kerr's Corner Rd
New Jersey General Assembly Re: Congratulations on received municipal aid grant
New Jersey Election Enforcement Comm. Distribution of request forms for manuals
New Jersey DEP Re: Diesel retrofits law
New Jersey DEP Re: Oil tank program
New Jersey DEP Re: Shade tree program
New Jersey DEP Re: Snow removal notices

New Jersey Dept. of State Re: 2011 campaign contribution notice
 New Jersey Dept. of Health & Senior Services Re: Rabies cases
 New Jersey Board of Public Utilities Re: EECBG grants
 New Jersey DCA Re: Thresholds for contracting units w/o a qualified purchasing agent
 Hardwick Township Re: Ordinance No. 2011-02
 Harmony Township Re: Letter opposing S—reforming COAH
 ANJEC Re: Sustainable Land use planning grants for municipalities
 Freeholder Jason Sarnoski Re: Letter of introduction
 Municipal excess liability JIF Re: Annual report 2009-10
 Morris County Municipal JIF Re: 2011 meeting dates
 Morris County Municipal JIF Re: Public officials & employment practices
 Morris County Municipal JIF Re: 2011 MEL coverage bulletins
 Service Electric Cable TV Re: Franchise fee
 United Post Office Re: Closing of post office
 US Census Re: Release of local 2010 census date for LA, MI, NJ & VA
 New Jersey State League of Municipalities Re:

1. February news line
2. Market competition & consumer choice act eliminates municipal benefits
3. Nine Issues:
 - a. NLC sets federal legislative priorities
 - b. NLC calls for full funding for CDBG in FY 2012 budget
 - c. Transportation authorization remains front & center in new congress
 - d. NLC urges SEC to reject floating net asset value for money market funds
 - e. Additional resources address lingering street sign concerns
 - f. President focuses on the future in State of the Union address
 - g. Message to congress: Leave public pensions alone
 - h. Nationwide public safety board band network bill reintroduced
 - i. NLC calls on Federal agencies to implement storm water fee law
 - j. Proposed SEC financial advisor regulations
4. Mayor's Advisory
5. Mayor's Advisory-updated
6. League's website
7. NJ workplace blood donor coalition
8. Two Issues:
 - a. Local finance notice on 2011/2012 budget matters
 - b. 2010-11 selected provisions-municipal personnel policies
9. Mayor's advisory on health care contributions
10. Verizon business personal property tax update
11. Two urgent alerts:
 - a. Governor conditionally vetoes S-1
 - b. State Supreme Court stays March 8 deadline to develop new rules
12. S-1 reforming COAH, has passed both houses
13. DLGS issues guidance for CY 2011 budgets
14. Two Issues:
 - a. New local finance notices

- b. Preliminary damage assessment for recent snowstorms
- 15. Census bureau ships local 2010 census data to New Jersey
- 16. Four Issues:
 - a. A-3766 Market competition & consumer choice act amended
 - b. Conditional veto
 - c. Revisions to Open Public Meetings Act
 - d. US Census bureau info.
- 17. Two Issues:
 - a. A-2702/S-2082 Census bureau info
 - b. Federal update: president to propose CDBG cuts
- 18. Federal reimbursement approved for December 2010 snow storm

AUDIENCE PARTICIPATION:

Motion was made by Boynton, seconded by Durling to open the meeting to the public. All in favor.

Debra Natyzak stated that on December 16th the solar ordinance was passed with a motion to strike the asterisk. The attorney advised that when the ordinance was published it was without the asterisk but the intent was to delete the asterisk along with the wording after the asterisk.

Robin Randolph asked why the solar amendment is being held and the wording kept in the ordinance. She was advised that this will be revisited in April.

Nancy Predale asked if the South Street loan was 2% and not the 0% that was stated. She was advised she was correct it is at 2%.

Dan Kohuth thought that the procedure for amendments should be revised such as an editor or another person reviews them prior to printing.

Marty Connor talked about the cable TV franchise. The Mayor advised he will contact Mayor Tim McDonough for information and get back to him.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, RMC