

MINUTES OF MEETING OF APRIL 18, 2007

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 faxing notice to the Star Gazette and New Jersey Herald on January 8, 2007.

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Route 661, Johnsonburg, New Jersey and was called to order at 7:30 p.m. by Deputy Mayor David Boynton.

Those present were: Deputy Mayor David Boynton, Committeeman Debra Natyzak-Osadca, Attorney Edward Wacks, Chief Finance Officer Gene Marie McCartney, Auditor Anthony Ardito and Clerk Brenda Kleber. Mayor Thomas Charles was absent.

ADOPTION OF 2007 BUDGET:

Motion was made by Natyzak-Osadca, seconded by Boynton to open the meeting to the public for the adoption of the 2007 budget. All in favor. Auditor Anthony Ardito explained that the 2007 budget appropriations will be \$1,325,611, however, the actual tax rate impact would be zero. Motion was made by Natyzak-Osadca, seconded by Boynton to adopt the budget. All in favor

ORDINANCES:

AN ORDINANCE (#2007-08) REQUIRING REMOVAL OF SNOW AND ICE FROM SIDEWALKS was offered on second reading and opened to the public on motion made by Natyzak-Osadca, seconded by Boynton. All in favor. Motion was made by Natyzak-Osadca, seconded by Boynton to close the meeting to the public. All in favor. Motion was made by Natyzak-Osadca, seconded by Boynton to adopt said Ordinance. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

BOND ORDINANCE (#2007-09) PROVIDING FOR VARIOUS 2007 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$89,700 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$82,215 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. The Clerk read the Ordinance by title after being posted and advised that a public hearing will be held on May 16, 2007. Motion was made by Natyzak-Osadca, seconded by Boynton to introduce said ordinance. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

RESOLUTIONS:

#2007-34:

WHEREAS, it is necessary to discuss items dealing with: Possible Litigation in private or executive session; and

WHEREAS, under the Open Public Meetings Act (number 3 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 April, 2007 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to

organization is qualified to conduct a raffle.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township Booster Club raffle application #2007-01 is hereby approved.

Motion was made by Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

#2007-36:

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License #2106-33-001-004, herein issued to Joseph C. McEvoy for premises located at 262 Route 661, Johnsonburg, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standard established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE BE IT RESOLVED, that the Frelinghuysen Township Committee does hereby approve, effective April 18, 2007, the transfer of the aforesaid Plenary Retail Consumption License to Joseph C. McEvoy and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Joseph C. McEvoy, effective April 18, 2007.

Motion was made by Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

#2007-37:

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

WHEREAS, the Township Committee members have reviewed the list.

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 Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

#2007-38:

WHEREAS, the Township of Frelinghuysen, County of Warren, desires to amend the 2007 temporary Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Lanning Rd Improv., Road Equip., Sidewalk, Computer, Imps to Munic. Bldg., Recorder, Cement Floor, Barricade, Fire Repeater.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen of the County of Warren, as follows:

Section 1. The 2007 Temporary Capital Budget of the Township of Frelinghuysen is hereby amended by adding thereto a schedule to read as follows:

Amendment No. 1

Capital Budget of the Township of Frelinghuysen, County of Warren

Motion was made by Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

#2007-39:

WHEREAS, a scholarship fund has been established to honor former Mayor Charles Rydell by providing funding to a needy person pursuing that person's education; and
WHEREAS, the Mayor and Township Committee desire to provide assistance and to make a contribution to said scholarship fund in fiscal year 2007.

NOW, THEREFORE BE IT RESOLVED, on this 18th day of April, 2007 that the sum of Five Hundred Dollars be and the same is hereby allocated and appropriated to the Mayor Charles Rydell Scholarship Fund.

BE IT FURTHER RESOLVED, that the Township Committee shall serve as the Selection Committee for the award of a scholarship to a certain needy individual pursuant to the intent and purposes of the scholarship established to honor former Mayor Charles Rydell and that the Township Committee upon selecting the individual, shall make the award of the scholarship accordingly.

Motion was made by Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

#2007-40:

WHEREAS, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Frelinghuysen has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Frelinghuysen meets the necessary conditions to participate in the program for the 2007 budget year,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen that in accordance with N.J.A.C.5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C. 5:30-4 AND 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated;

Motion was made by Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

#2007-41:

WHEREAS, the Frelinghuysen Township PTO has applied for a license to conduct a 50/50 raffle license at the Frelinghuysen Township School on May 24, 2007 consisting of application #2007-02; and

WHEREAS, the Findings and Determination by the Municipal Clerk have determined that the organization is qualified to conduct a raffle.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township PTO raffle application #2007-02 is hereby approved.

Motion was made by Natyzak-Osadca, seconded by Boynton to approve said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes.

PROCLAMATIONS:

A Mayor's proclamation proclaiming April 28-May 6, 2007 as National Safe Kids Week in New Jersey was concurred on motion made by Natyzak-Osadca, seconded by Boynton. All in favor.

A Mayor's proclamation proclaiming April 2007 as Child Abuse Prevention Month was concurred on motion made by Natyzak-Osadca, seconded by Boynton. All in favor.

A Mayor's proclamation proclaiming the month of May as Older Americans Month was concurred on motion made by Natyzak-Osadca, seconded by Boynton. All in favor.

A Mayor's proclamation proclaiming the month of June as Myasthenia Gravis Awareness Month in New Jersey was concurred on motion made by Natyzak-Osadca. All in favor.

OLD BUSINESS:

At last months meeting, Committeeman Natyzak-Osadca stated that she would follow up with the Tax Assessor as to why property consisting of approximately 15 acres and is landlocked, the owner is unknown, the property is not in farmland assessment and as the municipality is paying county taxes why couldn't this be under farmland assessment. David Gill, the tax assessor advised that unless there is farming activity on the property, the township cannot assess farmland values.

A proposal for professional services for the Phase II on State Park Road will be held until the Mayor is attendance. (Note: See April 25, 2007 meeting).

The Municipal Clerk inquired of the Committee that due to the death of Mayor Emeritus Charles Rydell, who would be responsible for the selection of the recipient of the Charles E. Rydell Scholarship. The Committee decided they would be responsible for the decision and would look over the selection at the meeting of April 25, 2007. (See resolution 2007-39)

The re-adoption of Bond Ordinance 2006-22 for State Park Road was opened to the public on motion made by Natyzak-Osadca, seconded by Boynton. All in favor. The Attorney explained that when the required supplemental debt statement was sent to the Dept. of Community Affairs...

Committeeman Boynton asked for approval for a one day extension to reach out to Mr. Kapitko. Motion was made by Natyzak-Osadca, seconded by Boynton authorizing Mr. Boynton to contact Mr. Kapitko. All in favor. (Note: Fees were paid two days later)

The Municipal Clerk inquired of the Committee as to whether they would like to have a dog canvass this year since there hasn't been one done in many years. It was decided that the Clerk would obtain proposals.

NEW BUSINESS:

A letter of proposal to do an in rem tax sale foreclosure for the four tax sale certificates we currently have was read. The attorney, Keith Bonchi, quoted a cost of \$750.00 per foreclosure, plus costs assuming the title is not overly complicated. It was decided to carry this over to next months meeting so that the township attorney would study the proposal.

A letter received from the Highlands Council was read inquiring whether Frelinghuysen Township may be interested in pursuing a grant opportunity being developed by the Highlands Council to provide both financial and technical assistance to those municipalities that wish to explore the possibility of designating a TDR (Transfer of Development Rights) receiving zone. After discussion, it was decided that the Committee is not interested.

A letter from the Green Acres program informing the township that the Green Acres funds awarded on July 28, 2006 has been appropriated and the agreement need to be reviewed for accuracy along with the required signatures. Motion was made by Natyzak-Osadca, seconded by Boynton authorizing the Attorney and Mayor to sign the agreement. All in favor.

QUOTATIONS:

Quotes were obtained by the Clerk for Spring Clean as follows:

Balbi Enterprises, Blairstown, NJ \$250.00 per pull plus weight for Debris container
Metal Container-No Charge. Compact Truck-\$375.00 per day plus \$78.00 per ton.

Gary Gray Trucking, Delaware, NJ; unable to provide services

Sanico, Inc., Delaware, NJ; did not respond

Motion was made by Natyzak-Osadca, seconded by Boynton to accept the quote received from Balbi Enterprises. All in favor.

Tree Service quote:

Aspen Heights Tree Service, Hardwick, NJ. Day rate is \$2100.00 for an eight hour day. It was decided that the Clerk would obtain additional quotes.

DEPARTMENT REPORTS:

Department reports received from the Tax Assessor, Tax Collector, Building Dept., Warren County Health Dept., Dog Licensing Official were approved on a consent agenda motion made by Natyzak-Osadca, seconded by Boynton. All in favor.

Paul Sterbenz's report:

The status of South Street is that the first increment which was that the topo maps will be completed in a couple of weeks, the next increment is that the wetlands need to be delineated and after that design plans will be started.

Attorney Edward Wacks report:

Mr. Wacks advised that he has delivered to the Township the title and deeds to the newly purchased 5 acres.

Mr. Wacks turned over to the Clerk correspondence expressing the firm of Connell Folley of Roseland, New Jersey interest in serving as Special Labor Counsel for the Township. This will be taken under consideration and discussed at the next meeting.

Mayor Thomas Charles report:

The Clerk read into the record the following Mayors report:

The Mayor asked that everyone's hearts and prayers go out to Governor Corzine after his automobile accident and the families of those massacred at Virginia Tech. The Mayor will ask EMC Nancy Predale, to contact the schools to review plans for emergencies in light of the tragedy at Virginia Tech.

With regard to the Mayor Conference he attended, a waiver for the 3rd round for COAH is needed by May 24th along with directing Planner John Madden to meet with the Commerce dept. To talk about the creamery as an enterprise zone for grant money. The Clerk was instructed to contact Mr. Madden.

With regard to the Conference on April 14th he challenged the boards and commissions to move Frelinghuysen from good to great. Introduced at the conference was the new web site with new e mail address.

Mayor Charles recommended that Sister Miriam McGillis be appointed to the Environmental Commission. The Clerk will contact Sister McGillis.

Mayor Charles wished to thank the public works for their dedicated work they provided during the large rainstorm. He also thought we should reach out to Blairstown to see if they need any help with the flooding.

Committeeman Boynton's report:

Committeeman Boynton reported on the March 14th meeting held at the Presbyterian Camp and gave an overview of the meeting.

With regard to Recreation, Casino Night was a success, Founders Day picnic will be held on June 2nd, and the pavilion should have the concrete floor poured in the next couple of weeks.

Committeeman Natyzak-Osdaca's report:

The update for Emergency Management plan has been completed. A flood mitigation meeting will be needed. Nancy Predale will get dates.

With regard to the newsletter, Shennon Drylic will be doing it this year and should be done in a

Warren Regional High School project.

CORRESPONDENCE:

Township of Fredon Re: Master Plan

Township of White Re: Copy of letter sent to Governor Corzine

NJDEP Re:

1. One year extension for Forest Manor Health Care Center
2. Weidner Family Administrative order
3. At risk authorization for Block 103, Lot 3
4. New Jersey's black bears

Morris Land Conservancy Re: Reisburg Property

Notice of hearing to Zoning Board of Adjustment on Block 1401, Lot 3.05

NJDOT Re: Traffic regulation for Ridge & Valley Charter School

Beardslee Engineering Re: LOI on Block 104, Lot 11

New Jersey General Assembly Re: Thank you for copies of resolutions.

MCR Re: Playground equipment compliance

Shannon Drylie Re: Letter of resignation

Warren County Health Dept. Re: Community Health Improvement plan

Warren County Dept. of Public Safety Re: Countywide communications system

New Jersey Senate Re: return of signed petitions

Maser Consulting Re:

1. Driveway request
2. Lyle & Emily Smith Subdivision
3. Mailing of NJDEP Educational Brochure
4. Deeds on minor subdivision

L.J. Brill & Assoc. Re: Statewide general permit for Block 1803, Lot 9

Highlands Council Re: 2006 annual report

New Jersey State League of Municipalities Re:

1. Pension funding crisis
2. Historic property reinvestment act
3. COPS funding battle
4. Partnership with the New Jersey Child Care Economic Impact Council
5. FCC report and order will impact cable television franchises
6. Immigration survey
7. 2007 Federal directory
8. SCS for S-2269 & 2289 (sales tax exemptions)
9. Fiber optic phone lines
10. Mayors against illegal guns
11. New Information from the Division of Local Government Services
12. League's analysis of valuation reports
13. Pension reporting
14. Quarterly report
15. Governor signs:
 - a. A-1 (Caps & Credits)
 - b. A-4 (CORE reforms)
16. League Seminars:
 - a. The benefits of historic preservation
 - b. Labor relations for Administrators, counsel & counsel members
 - c. Everything local officials need to know about ethics
 - d. Open Public Records Act

Payroll Account:

EFT	NJ Division of Pensions	885.30
EFT	NJ GIT	382.66
EFT	NJ GIT	480.43
EFT	NJ Division of Pensions	1,248.90
EFT	PA GIT	36.48
EFT	NJ 927	1,025.07
EFT	NJ Division of Pensions	895.55
EFT	NJ GIT	348.11

Direct Deposits:

	William Crone, Jr.	1,390.24
	Sharon Drylie	1,460.68
	Gene Marie McCartney	1,000.81
	Richard O'Connor	1,565.53
	William Crone, Jr.	1,416.56
1092	George Boesze	328.25
1093	Greg Chontow	327.52
1094	Donna Clouse	1,183.07
1095	David Gill	1,617.55
1096	Brenda Kleber	2,752.11
1097	Richard Smith	1,061.90
1098	Donna Zilberfarb	91.42
1099	Richard Smith	1,240.06

Capital Account:

165	Maser Consulting	125.00
166	L.J. Brill	3,000.00

Clean Communities Account:

339	Debra Natyzak-Osadca	43.87
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Municipal Alliance Account:

326	6 th Grade Booster	500.00
327	NWRHS Project Graduation	566.67
328	Frelinghuysen Seniors	573.00

General Account:

	NJSHBP	1,465.32
6372	Adams Fire Protection	109.25
6373	Atlantic Salt, Inc.	2,309.92
6374	Balbi Enterprises	60.00
6375	Brenda Kleber	190.76
6376	County of Warren	392,031.37
6377	County of Warren	41,117.40
6378	Culligan	23.85
6379	David M. Gill	205.00
6380	Debra Natyzak	160.49
6381	Elvia Valderrama	120.00
6382	Ford Motor Credit	1,441.41

6392	Maser Consulting	1,053.75
6393	Maser Consulting	120.00
6394	Maser Consulting	460.50
6395	Maser Consulting	750.00
6396	Maser Consulting	97.50
6397	Morris Land Conservancy	2,750.00
6398	Morris County Mun. Joint Ins. Fund	15,588.51
6399	NJ Division of Fire Safety	199.00
6400	NJN Publishing Co.	170.00
6401	New Jersey Herald	42.10
6402	Nextel Communications	215.58
6403	North Jersey Portable Toilets	180.00
6404	North Warren Farm & Home	34.13
6405	North Warren Regional Board of Educ.	135,940.00
6406	Rick Smith	400.00
6407	Ricoh Corp.	36.06
6408	Smith Tractor & Equip.	206.26
6409	Warren County Subcode Services	445.00
6410	Treasurer-State of New Jersey	244.00
6411	Tri-State Insurance Agency	250.00
6412	Verizon	345.88
6413	Vital Services Group	80.00
6414	Wacks & Hartmann	1,021.25
6415	Wacks & Hartmann	1,500.00

EXECUTIVE SESSION:

Motion was made by Natyzak-Osadca, seconded by Boynton to enter into Executive Session with regard to possible litigation. All in favor. Upon returning to public session, the attorney reported that in Executive Session, Balbi was discussed along with Forest Manor. The attorney was authorized to write a letter to Balbi asking them to finish with the project and write a letter to Forest Manor requesting funds for the road repairs on motion made by Natyzak-Osadca, seconded by Boynton. All in favor.

AUDIENCE PARTICIPATION:

Gabe DeCarolis asked if the property on State Park Road and located across the street from his house had been transferred to the State. He was advised that New Jersey Green Acres had purchased the property in March.

Loren Greco inquired of the unsafe hedges exiting the Town Hall driveway. He was advised that it is being worked on and should be resolved shortly.

ADJOURNMENT:

There being no further business, motion was made by Natyzak-Osadca, seconded by Boynton. All in favor.