

MINUTES OF MEETING OF JUNE 16, 2010

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, June 156, 2010 and was called to order at 7:30 p.m. by Mayor Durling.

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 Dale Durling, Deputy Mayor Thomas Charles, Committeeman Alan DeCarolis, Committeeman Frank Desiderio, Committeeman David Boynton, Chief Finance Officer Gene Marie McCartney, Attorney Edward Wacks and Clerk Brenda Kleber.

ORDINANCES:

AN ORDINANCE (#2010-05) OF THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY, ESTABLISHING REGULATIONS REGARDING THE ERECTION AND LOCATION OF SMALL WIND ENERGY SYSTEMS AND SOLAR ENERGY SYSTEMS AS ACCESSORY USES. Motion was made by DeCarolis, seconded by Boynton to hold for further review. All in favor.

RESOLUTIONS:

#2010-48 (Liquor License renewals)

WHEREAS, applications have been received from the following licensees for renewal of their respective Plenary Retail Consumption Liquor Licenses for the year 2010-2011:

<u>Number</u>	<u>Licensee</u>	<u>Address</u>
2106-33-003-008	Sweet Jane's Café and Bar	Main St., Johnsonburg, NJ

WHEREAS, an application has been received from the following licensee for renewal of their respective Plenary Distribution Liquor License for the year 2010-2011:

<u>Number</u>	<u>Licensee</u>	<u>Address</u>
2106-44-002-002	Gerald Chrusz	Main St., Johnsonburg, NJ

WHEREAS, the above licensee's applications were accompanied with the proper municipal fee and the proper fee for the Division of Alcohol Beverage Control; and WHEREAS, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of New Jersey by the above applicants.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 16th day of June, 2010 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2010-2011.

Motion was made by Charles, seconded by Boynton to open the resolution to the public. All in favor. Motion was made by Boynton, seconded by Charles to close to the public. Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: DeCarolis-yes, Desiderio-yes, Boynton-yes, Charles-yes, Durling-yes.

#2010-49:

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 Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: DeCarolis-yes, Desiderio-yes, Boynton-yes, Charles-yes with abstaining on his expense bill, Durling-yes.

#2010-50

WHEREAS, it has been determined that there is a need to purchase a truck for the Department of Public Works; and

WHEREAS, the Foreman has obtained a quote in the amount of \$134,296.00 for a 2011 model year vehicle through the Morris County Cooperative Council.

NOW, THEREFORE BE IT RESOLVED, that the Foreman of the Frelinghuysen Township Department of Public Works be authorized to purchase the above mentioned vehicle.

Motion was made by Desiderio, seconded by Charles to adopt said resolution. Roll call vote: DeCarolis-no, Desiderio-yes, Boynton-yes, Charles-yes, Durling-yes.

OLD BUSINESS:

Recreation Committee Chairman Cliff Kimball approached the Committee with regard to the ball field. At last month's meeting he addressED the need for a basketball court, little league baseball field and a walking trail and asked the Committee to start the proceedings. Discussion ensued on the importance of which one should be built first. Motion was made by Charles seconded by Boynton to start the site work for the three projects. The motion was withdrawn. Motion was made by Charles, seconded by Boynton that quotes be gotten based on Committeeman Desiderio's preliminary numbers which will include excavation, sub based quarry process and asphalt to complete the basketball court and the third little league field. Roll call vote: DeCarolis-no, Desiderio-yes, Boynton-yes, Charles-yes, Durling-no.

A letter received from Charles Marra was read asking to return to his position on the Recreation Committee. At last month's meeting, Mr. Marra resigned and now feels it is imperative that he stay on. Motion was made by Charles, seconded by Boynton to re-install Mr. Marra as if he did not resign. All in favor.

The replacement of the four members who did resign last month is to be filled as follows: Jed Carter, Clare Saalfield, Sue Mattos, Todd McPeek and Alan Eitner. Committeeman Boynton will recommend the persons to fill the remaining terms and advise the Committee at the next meeting. Motion was made by Charles, seconded by DeCarolis concurring with the submitted names. All in favor.

The healthcare reimbursement policy for Frelinghuysen Township providing healthcare benefits for the employees and not covering family members was memorialized. Motion was made by Charles, seconded by Boynton to adopt the policy. Roll call vote: DeCarolis-no, Desiderio-yes, Boynton-yes, Charles-yes, Durling-no.

NEW BUSINESS:

Mark Quick felt that the three people who are on the ballot in November should debate and wanted the Committee to endorse it. Deputy Mayor Charles felt that it wasn't the township's responsibility to endorse it but have the candidates put it together.

Maser Consulting submitted a proposal for professional services to provide engineering, geotechnical engineering and land surveying services for the Kerrs Corner Road Improvement project. The survey work will cost \$5,400.00, the geotechnical services will cost \$7,500.00, the construction plans/technical specifications will cost \$13,500.00 and the construction cost services will cost \$2,500.00 for a total of \$28,900.00. Motion was made by Charles, seconded by Boynton approving the engineering services. All in favor.

The Clerk advised that a MEL Employment practices risk control update checklist included the adoption of a civil rights resolution. It was decided to hold for the July meeting.

A letter of resignation received from Joseph Devenney from the Municipal Alliance Committee was accepted with regret on motion made by Boynton, seconded by Desiderio. The Clerk was instructed to send a letter of thanks. All in favor.

The Road Foreman approached the Committee with the figures to purchase a 2011 truck. The figure of \$134,296.00 was received from the coop. See resolution above. The foreman asked for approval to go out for bids to purchase a tractor. Motion was made by Boynton, seconded by Charles authorizing Mr. Crone to obtain figures. Roll call vote: DeCarolis-no, Desiderio-yes, Boynton-yes, Charles-yes, Durling-no

MINUTES:

The minutes of the regular meeting of May 19, 2010 were approved as amended on motion made by Charles, seconded by Boynton. All in favor. The minutes of the executive session of May 19, 2010 were approved on motion made by Charles, seconded by Boynton. All in favor. The minutes of the special meeting of June 1, 2010 were approved on motion made by Boynton, seconded by Charles. All in favor. The

minutes of the executive session of June 1, 2010 were approved on motion made by Charles, seconded by Boynton. All in favor.

DEPARTMENT REPORTS:

Department reports received from the Tax Assessor, Tax Collector, Dog Licensing Official and Chief Finance Officer was approved on a consent agenda motion made by Boynton, seconded by DeCarolus. All in favor.

Mayor Dale Durling's report:

Mayor Durling reported that he received a letter from Service Electric Cable TV advising that they are waiting to hear from their attorney before a meeting could be scheduled.

Deputy Mayor Thomas Charles report:

Deputy Mayor Charles reported that the Greene property closed yesterday after 5 years after applying for Farmland Preservation; with regard to the Department of Public Works, the pad for the GEO tank has been finished, the road department will fill with water and check for any leaks; at the Open Space meeting they looked at and revised the priorities list and discussed the targeted properties.

Committeeman Alan DeCarolus report-none

Committeeman David Boynton's report:

Committeeman Boynton suggested that the Committee consider paving the parking lot and line it for car parking; Founders Day was a success; the 4th grade class was acknowledged at Founders Day for the logo, with regard to Municipal Alliance, there was a meeting with the remaining members, however, additional members are needed; the insurance representative has asked if the township would like to increase their public liability by \$5 million at a cost of approximately \$1,000. Mr. Boynton will check out.

Committeeman Frank Desiderio's report:

Committeeman Desiderio reported that the information sign has been installed and thanked Aspen Tree Services for removing the tree stump under the sign for no charge.

Attorney Edward Wacks report-none

Municipal Clerk's report:

The Municipal Clerk presented the Committee with a list of four people who have not complied with filing of the financial disclosure statement. Committeeman Boynton will handle; a risk control update checklist for the insurance company needed to know if the municipality had adopted a model civil rights resolution. The Attorney will present one at the next meeting.

CORRESPONDENCE:

Warren County Planning Dept. Re: Multiple family recycling
Municipal Excess Liability JIF Re: Seasonal employee orientation DVD
Morris County Municipal Joint Ins. Fund Re: Audit report as of Dec. 31, 2009
Legal notice for BOA- Block 1201, Lot 5.02
Legal notice for BOA- Block 602, Lot 3
Independence Township Re: Notice of public hearing
NJ DEP Re: Final ground water renewal permit for Forest Manor
NJ Highlands Re: Module 3
Reiseman Roseenberg & Pfund Re: copy of letter to attorney regarding R. Smith Florio, Perrucci, Steinhardt & Fader Re: Municipal law update
Frelinghuysen Township Zoning Officer Re: Copy of letter to Mr. & Mrs. Predale
Dorsey & Semrau Re: Costs for copies-Open Public Records act
New Jersey State League of Municipalities: Re:

1. Article submission guidelines for magazine
2. Invitation to submit an article to the magazine
3. Legislative bulletin No. 3
4. PBA et. al.v. New Jersey
5. Mayors Info.
6. State revenue updates

7. Special needs registry for disasters
8. Three Issues:
 - a. Constitutional cap proposals
 - b. Federal update
 - c. Impact of recent pensions & benefits
9. Ethics & Conflicts of Interest session
10. Affordable Housing update, S-1
11. Three Issues
 - a. Pension & State health benefits training
 - b. League seminar
 - c. Ethics & Conflicts of interest session
12. Investment forum on food waste recycling
13. Census, Grants & Mayor's survey
14. Mayor's Information
15. S-1 posted for Senate vote, Thursday, June 10, 2010
16. Customized and literacy training grant program
17. Legislative announcement-NJ eliminates "Time of Decision" rule
18. Two Issues:
 - a. FY 2011 hazard Mitigation Assistance Program
 - b. Make sure your management team reads the league magazine

BILLS-see schedule attached

AUDIENCE PARTICIPATION:

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

Debra Natyzak-Osadca asked if Committeemen Boynton and Desiderio have single or family health coverage. She was advised they have coverage but pay for spouse and/or family.

Dan Kohuth asked the status of the South Street drainage. He was advised that the engineers are waiting for all signatures required and meanwhile it is stalled. He asked who pays for the maintenance on the ball field and where the records are kept. He was told he needs to fill out an OPRA form.

Jack Bigos felt that the Recreation Committee is getting the run around and nothing seems to be getting done.

Ken Allen asked for clarification of the lighting ordinance as a light from his neighbor is shining in his bedroom causing him to not sleep. The attorney advised him that this was a civil matter and he needs to file a complaint with the Municipal court.

Marty Conner asked about the Kids Camp litigation. Mr. Wacks advised him that a pre-conference has been schedule for next week.

Nancy Predale asked about the Richard Smith letter in the correspondence. Mr. Wacks advised her that the insurance company had originally said they were not going to defend the case and now want information. Mr. Wack's office has filed an answer.

ADJOURNMENT:

There being no further business, the meeting was adjourned on motion made by Boynton, seconded by Charles. All in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC

