

**MINUTES OF REGULAR MEETING OF JANUARY 17, 2018**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, January 17, 2018 and was 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 Christopher Kuhn, Committeeman David Boynton, Committeeman Charles Marra, Attorney Rich Beilin, and Municipal Clerk Donna Zilberfarb.

**MINUTES:**

- 1. November 8, 2017 regular session meeting minutes were approved on a motion by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.
- 2. November 8, 2017 executive session meeting minutes were approved on a motion by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.
- 3. November 20, 2017 bill payment/work session meeting minutes - Held to February 14, 2018 work session.
- 4. December 20, 2017 regular session meeting minutes were approved on a motion by Mr. Kuhn, seconded by Mr. Marra. All were in favor. Mr. Marra abstained.
- 5. December 20, 2017 executive session meeting minutes were approved on a motion by Mr. Kuhn, seconded by Mr. Boynton. All were in favor. Mr. Marra abstained.
- 1. January 2, 2018 reorg meeting minutes were approved on a motion by Mr. Stracco, seconded by Mr. Boynton. All were in favor.
- 2. January 2, 2018 reorg executive session meeting minutes were approved on a motion by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.

**ORDINANCES:**

Motion was made by Mr. Kuhn to table Ordinances 2018-01 to 2018-05 for adoption on February 14, 2018, seconded by Mr. Boynton. All were in favor.

- 1. 2018-01 Exceed the Municipal Budget Appropriation Limits and to establish a cap bank.
- 2. 2018-02 Amend Environmental Commission Ordinance 2018-03
- 3. Amend Historical Committee Ordinance
- 4. 2018-04 Amend Open Space Committee Ordinance
- 5. 2018-05 Amend Farmland Preservation Committee Ordinance

**RESOLUTIONS:**

**#2018-14** A RESOLUTION TO APPOINT THE EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY EMERGENCY MANAGEMENT CORR DINATOR FOR THE TOWNSHIP OF FRELINGHUYSEN WHEREAS, the Township of Frelinghuysen, in order to comply with New Jersey Emergency Management Directive #102, directing a minimum three year appointment for the Emergency Management Coordinator and Deputy Emergency Management Coordinator hereby makes the following appointments; and WHEREAS, the Mayor has with the advice and consent of the Township Committee of the Township of Frelinghuysen appoint Nicholas Pachnos to the position of Emergency Management Coordinator for a period of three years from January 1, 2018 and ending December 31, 2021; and WHEREAS, the Mayor has confirmed the appointment of Colin Kellaher to the position of Deputy Emergency Management Coordinator for a term concurrent with the term of the Emergency Management Coordinator; and WHEREAS, the Mayor has confirmed the appointment of Ralf Irizarry to the position of Deputy Emergency Management Coordinator for a term concurrent with the term of the Emergency Management Coordinator. NOW, THEREFORE BE IT RESOLVED, that the appointment of Nicholas Pachnos as Emergency Management Coordinator for the Township of Frelinghuysen and Colin Kellaher and Ralf Irizarry as Deputy Emergency Coordinators for the Township of Frelinghuysen is hereby confirmed by the Township Committee of the Township of Frelinghuysen. CERTIFICATION I, Donna Zilberfarb, Municipal Clerk of the Township

of Frelinghuysen do hereby certify the above to be a true copy adopted by the Mayor and Township Committee on January 17, 2018. Donna Zilberfarb, RMC

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton		x	x			
Mr. Desiderio			x			
Mr. Kuhn	x		x			
Mr. Marra			x			
Mr. Stracco			x			

**#2018-16** WHEREAS, there remains a balance in the 2017 Department of Public Works Operating budget for snow removal expenses, and WHEREAS, N.J.S.A. 40A:62.1 permits the transfer of these remaining funds into the Snow Removal/Storm Recovery Reserve Fund for future use, NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to transfer \$5,400.00 from the 2017 DPW operating expense budget line item to the Snow Removal/Storm Recovery Trust fund. CERTIFICATION I hereby certify that the above is true and accurate copy of a Resolution adopted by the governing body of the Township of Frelinghuysen, at a meeting held January 17, 2018.

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

**#2018-17** RESOLUTION APPROVING THE ISSUANCE OF RAFFLE LICENSES FOR FRELINGHUYSEN TOWNSHIP SCHOOL PTO WHEREAS, the Frelinghuysen Township Booster Club has applied for a raffle license to conduct an on premises tricky tray consisting of application #2018-01; and WHEREAS, the Findings and Determination by the Municipal Clerk has determined that the organization is qualified to conduct such raffle. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township School PTO raffle application #2018-01 is hereby approved.

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

**#2018-18** RESOLUTION APPROVING THE ISSUANCE OF RAFFLE LICENSES FOR FRELINGHUYSEN TOWNSHIP SCHOOL PTO WHEREAS, the Frelinghuysen Township Booster Club has applied for a raffle license to conduct an on premises 50/50 consisting of application #2018-02; and WHEREAS, the Findings and Determination by the Municipal Clerk has determined that the organization is qualified to conduct such raffle. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township School PTO raffle application #2018-02 is hereby approved.

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

**#2018-19** RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF JANUARY 2018 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 2018; 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			
Mr. Desiderio	X		X			
Mr. Kuhn		X	X			
Mr. Marra			X			
Mr. Stracco			X			

**#2018-20 SETTING BUDGET MEETING DATES FOR FRELINGHUYSEN TOWNSHIP COMMITTEE** WHEREAS, section 12 of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that at least once a year, not later than January 10<sup>th</sup> of such year, every public body shall post and mail to newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year. BE IT FURTHER RESOLVED, that the following dates during the calendar year of 2018 are hereby designated as the budget meetings of the Mayor and Committee of the Township of Frelinghuysen on an as needed basis.

January 30, 2018

February 6, 2018

February 8, 2018

February 14, 2018 (work session)

BE IT FURTHER RESOLVED, that all budget meetings will begin at 7:00 p.m. at 210 Main Street, Johnsonburg, New Jersey unless otherwise specified. Budget meetings may be subject to cancellation. Formal action may be taken at budget meetings.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Boynton	x		x			
Mr. Desiderio			x			
Mr. Kuhn			x			
Mr. Marra			x			
Mr. Stracco		x	x			

**#2018-21 FORM 1B WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. **WHEREAS**, The Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and, **WHEREAS**, the Frelinghuysen Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and, **WHEREAS**, the Frelinghuysen Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren; **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey hereby recognizes the following:

1. The Frelinghuysen Township Committee does hereby authorize submission of a strategic plan for the Frelinghuysen Township Municipal Alliance grant for fiscal year 2019 in the amount of:
 

DEDR	\$ 3,536.00
Cash Match	\$ 1,061.00
In-Kind	\$ 2,652.00
2. The Frelinghuysen Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: *Frank D. Desiderio, Jr., Mayor* **CERTIFICATION** I, Donna Zilberfarb, Municipal Clerk of the Township of Frelinghuysen, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 17th day of January, 2018. *Donna Zilberfarb, Municipal Clerk* Motion was made by Mr. Stracco, seconded by Mr. Boynton. All were in favor.

**#2018-22 SETTING EXECUTIVE SESSION** WHEREAS, it is necessary to discuss items dealing with the discussion of possible inquisition of purchase of property. WHEREAS, under the Open Public Meetings Act (number 8 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 17, 2018 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. Kuhn			x			
Mr. Marra			x			
Mr. Stracco	x		x			

**APPOINTMENTS:**

All appointments were held until the February 14, 2018 work session after the Ordinances have been adopted.

**OLD BUSINESS:**

- Year end reports (clerk, construction and land manager) were asked to be reviewed by the Mayor and discuss at the February work session.
- Verizon enhancing network – Nothing to update. This will be removed from the agenda.
- Service Electric Cable – There will be a meeting with service electric and Mr. Stracco, Mayor Desiderio and Rich Beilin in Sparta on March 6, 2018 at 1:30 pm to discuss what can be done for the town.
- Pedestrian walkway – The Clerk will reach out to Mr. Gleba at the county for an update.
- Shared services for animal control – Mayor Desiderio asked for help from the Committeeman to move forward looking into shared services. Discussion was made in regards to the deputy animal control officer. Motion was made by Mr. Kuhn to put the deputy animal control officer appointment on hold, seconded by Mr. Marra. After discussion, Mr. Kuhn rescinded the motion. Mr. Beilin will send a letter to the deputy ACO and both positions will be Rice Noticed for the next meeting. Mr. Kuhn made a motion to authorize legal to send a letter to the ACO and the Deputy ACO, seconded by Mr. Boynton. All were in favor.
- Pond Maintenance FFP – Held
- Rec Center AC quotes – Held
- Cats and the pound update – Mr. Kuhn will address during budget meetings the contract with the vet.

**NEW BUSINESS:**

- Mr. Desiderio discussed with the committee the selling of the township property on Route 94. Ms. Zilberfarb will let Ms. Dyer know so she can start the process.
- Mr. Beilin will work with Mr. Stracco on the abandoned properties ordinance and have for the regular meeting in February.
- Mr. Stracco discussed with the committee an issue on coal ash that was brought to his attention by a constituent and asked the committee what they think should be done and asked counsel of their opinion and what could be done. Mr. Beilin did some research for towns that restrict fly ash. Mr. Beilin advised the coal ash is preempted by the DEP.
- Mr. Desiderio discussed extra liability insurance for the committmen and asked to have Bob LaSalla come to the next finance meeting to discuss further for additional costs. Mr. Kuhn will let the finance committee know when a date for that meeting will be.
- Ms. Zilberfarb asked the committee to roll over 10 days of PTO time for Dan Harman to be used by May 31, 2018. Motion was made by Mr. Kuhn, seconded by Mr. Marra to allow the 10 day PTO carry over. All were in favor.

**OPEN MEETING TO THE PUBLIC:**

Motion was made by Mr. Kuhn, seconded by Mr. Boynton to open meeting to the public. All were in favor. Spoke were:

Mr. Connor asked if there was any intention on creating a budget on maintenance for the FFP. Mr. Desiderio explained that the open space fund is very small for the next 4 years but will work to figure out what is needed. Ms. Zilberfarb asked Mr. Connor to submit something to her as soon as possible so it could be ready for the budget meetings.

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

**DEPARTMENT REPORTS:**

Motion made by Mr. Stracco for consent agenda items 1-12 seconded by Mr. Boynton. All were in favor.

**DPW** – Report is in book

**Land Manager** – Report given to committee for year end.

**Legal Report** – Mr. Beilin updated the committee that the truck would be going back to Hoover on Wednesday, January 24<sup>th</sup> and will take 3 days to complete the changes/fixes.

**Recreation Committee** – Mr. Desiderio explained to the committee that there have been issues with the heat at the Rec Center and would like to purchase lockable thermostats that are \$69.00 each and 2 are needed. Mr. Kuhn made a motion to authorize \$140.00 to spend on 2 lockable thermostats for the rec center, seconded by Mr. Boynton. All were in favor. Mr. Desiderio will purchase and install.

Mr. Desiderio also explained that the costs for exercisers, karate and tia chi were changed to \$40.00 per quarter or \$120.00 annually.

He explained that a recreation member found a 2 year old hood to replace the old one.

**Environmental Commission** – No meeting.

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

**Historic Committee** – No meeting

**Mayor report** – Mr. Desiderio will reach out to the secretary regarding the reorganization after the work session on February 14<sup>th</sup>.

Mr. Desiderio would like to set the annual dinner for April 14<sup>th</sup> at the FFP rec center.

He also discussed that he would like to start the process on the salt shed being moved to Route 94 and would like to request another copy of the design.

**Deputy Mayor report** – Nothing to report but asked for a brief executive session.

**Committeeman Boynton** – Mr. Boynton let the committee know that Municipal Alliance is all set for 2018.

**Committeeman Kuhn** – Mr. Kuhn explained the rules for overtime vs. comp time for the road department and after discussion he will follow up with Ms. Dyer.

**Committeeman Marra** – Mr. Marra phoned the state police regarding the issues on the tunnel on Ramsey Road/Route 661 and they will drive by more often. Mr. Marra also let the committee know that his son would be shooting a film for the rec center and asked Mr. Connor for his help getting his son around the site.

**Clerk report** – Ms. Zilberfarb let the committee and attorney know that a resident had fallen in the parking lot due to ice. Ms. Zilberfarb put up signs and spread some salt.

Ms. Zilberfarb asked the committee for authorization to sign the WC mosquito control applications form for them to complete aerial applications within the township. Motion was made by Mr. Kuhn to authorize the Mayor and Clerk to sign, seconded by Mr. Marra. All were in favor.

Ms. Zilberfarb explained to the committee that the MSI contract amounts were good and asked them to approve the contract. Motion was made by Mr. Stracco to authorize the contract for MSI, seconded by Mr. Boynton. All were in favor.

#### **EXECUTIVE SESSION:**

Motion was made by Mr. Boynton, seconded by Mr. Kuhn to enter into executive session.

No action was taken

Motion was made by Mr. Kuhn, seconded by Mr. Stracco to exit executive session.

Mr. Beilin explained the executive session was for inquisition of purchase of property and that the minutes will be made available when the issue has been completed.

**CORRESPONDENCE:**

**Warren County Mosquito control Commission** – permission to do aerial applications within Frelinghuysen Township. **State of New Jersey Division of Alcohol Beverage Control** – Letter for Police regarding special permists. **NJ League of Municipalities** – Scholarship information **BEM Systems** – Response action outcome notice letter – NJDOT state maintenance yard. **Morris County Municipal Joint Insurance Fund** – Coverage confirmations **Wacks, DeBona, Beilin & Weber** – December 21, 2017 letter to Hoover Trucks **Wacks, DeBona, Beilin & Weber** – January 10, 2018 letter to Hoover Trucks **Blairstown Hose Company #1** – October, November and December 2017 call reports

**ADJOURNMENT:**

There being no further business, motion was made by Mr. Kuhn, seconded by Mr. Stracco to adjourn the meeting at 9:03 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, Township Clerk