

MINUTES OF REGULAR MEETING OF MARCH 20, 2019

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, March 20, 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 McPeek, Attorney Rich Beilin, Auditor Anthony Ardito, CFO Danette Dyer, and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. Motion was made by Mr. Stracco to approve the February 20, 2019 regular session meeting minutes, seconded by Mr. McPeek. All were in favor.
2. Motion was made by Mr. Boynton to approve the March 13, 2019 work session meeting minutes, seconded by Mr. Stracco. All were in favor.

PROCLAMATIONS:

Proclamation Township of Frelinghuysen County of Warren State of New Jersey

American Red Cross Month 2019 WHEREAS, More than 137 years ago, the American Red Cross was established as a humanitarian organization, guided by seven fundamental principles- including humanity, impartiality and independence – to provide services to those in need regardless of race, religion, gender, sexual orientation or citizenship status. Today, the American Red Cross is one of the largest humanitarian organizations in the world, and delivers its mission every day to prevent and alleviate human suffering in the face of emergencies.

WHEREAS, Every year, the American Red Cross responds to an average of more than 62,000 disasters across the country, from small home fires to devastating massive disasters. Last year's large crises included mudslides in California, a volcano in Hawaii, wildfires in Colorado and California, destructive hurricanes in Florida and the Carolinas, and a devastating typhoon in US territories. Thousands of American Red Cross volunteers provided around-the-clock shelter for disaster victims, served millions of meals and snacks with partners, and distributed millions of relief items. **WHEREAS**, In New Jersey, the Red Cross has a long history of helping our neighbors in need. The Red Cross New Jersey Region assisted with 902 local disasters in the past alone and helped save lives through our Home Fire Campaign. Since the campaign launched in October 2014, the New Jersey Region has worked with community partners to install more than 31,761 smoke alarms. Meanwhile, in our area, the Red Cross handles an average of 5,100 emergency military calls every year and collects an average of 95,000 units of blood from our generous blood donors. **WHEREAS**, March is Red Cross Month, a special time to recognize and thank the Red Cross volunteers and donors who give of their time and resources to help members of the community. The Red Cross depends on these local heroes to deliver help and hope during a disaster. We applaud our heroes here in New Jersey who give of themselves to assist their neighbors when they need a helping hand.

WHEREAS, The American Red Cross shelters, feeds and provided emotional support to victims of disasters; supplies about 40 percent of the nation's blood; teaches skills that save lives; provides international humanitarian aid; and supports military members and their families. **WHEREAS**, We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission. **NOW, THEREFORE**, I Frank D. Desiderio, Jr. Mayor of the Township of Frelinghuysen, by the virtue of the authority vested in my by the Constitution and laws of the Township of Frelinghuysen and New Jersey, do hereby proclaim March 2019 as Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission. **IN WITNESS WHEREOF**, I have hereunto set my hand this 20th day of March, 2019 and of the Township of Frelinghuysen in the State of New Jersey. Motion was made by Mr. Stracco to accept, seconded by Mr. Boynton. All were in favor.

BUDGET:

TOWNSHIP OF FRELINGHUYSEN COUNTY OF WARREN STATE OF NEW JERSEY

RESOLUTION-#2019-21 WHEREAS, the Township of Frelinghuysen is holding a meeting on February 20, 2019, for the purpose of introducing the 2019 Municipal Budget and conducting

other matters; and, **NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Frelinghuysen, Warren County, New Jersey, that the Township of Frelinghuysen hereby petitions the Director of the Division of Local Government Services that the 2019 Local Municipal Budget be introduced and approved on February 20, 2019.

2019 FRELINGHUYSEN TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 396,819.00
Total Miscellaneous revenue	323,645.00
Receipts from Delinquent Taxes	130,000.00
Local Property Taxes	<u>823,976.00</u>
Total General Revenues	<u>\$1,674,440.00</u>
Salaries and Wages	\$ 411,405.00
Other Expenses	432,096.00
Capital Improvements	15,000.00
Debt Service	287,850.00
Statutory Expenses	75,568.00
Reserve for Delinquent Taxes	<u>452,521.00</u>
Total 2019 Municipal Budget	<u>\$1,674,440.00</u>
2019 Municipal Tax Rate	\$0.2839

Motion: Chris Stracco Second: David Boynton Committee Polled: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Frelinghuysen at a regular meeting held at the Municipal Building on February 20, 2019. Witness my hand and the SEAL of the Township of Frelinghuysen. Donna Zilberfarb, Municipal Clerk. Motion was made by Mr. Stracco to open for second reading for adoption, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Stracco to open to the public, seconded by Mr. Boynton. All were in favor. Public: Dale Durling, Sr. inquired about the debt of the town being 2 million dollars. Ms. Dyer explained that the debt is all from Capital ordinances and gave an explanation as to what the \$285,000 is in the capital ordinance for this year. She also explained that the FFP (Kids Camp) was \$340,000 municipal portion of the acquisition, which was a total of \$900,000, and that gets funded out of the open space trust fund. Mr. Durling asked specifically what monies were being borrowed for the FFP this year. Ms. Dyer explained and let them know that \$110,000 was for a salt shed. Mr. Stracco gave the history of the salt shed. Mr. Durling stated that a lot of spinning wheels and getting nothing accomplished. He also stated to the committee to do the right thing and spend the money like it was their own. Discussion on the salt shed moving to Route 94 continued with Mr. Boynton stating that the road opening is not valid and will need to get another permit and that there is nothing on Route 94 and all equipment is housed here. Mr. Stracco stated that engineering has been done and to re-modify anything at the townhall would need to go through SHIPO for approvals, and there is a cost for those approvals. Mr. Desiderio explained that it made sense for a future garage from a while ago and that the garage has no septic and has to meet today's code. Mr. Marra explained they are taking small steps and are trying to move forward. Dan Kohuth stated with 2.2 million in debt, he asked what the other big items are for purchase this year. Ms. Dyer stated she would get him that information and to see the Clerk tomorrow for it. Mr. Stracco explained that this debt is 10 years worth of bonds including open space purchases and explained the budget process to the public. He also explained that the fire departments and ambulances come to the township for capital purchases as well. Mr. Kohuth supports the fire and ambulance departments and stated that FFP is a money pit and asked if it was currently our shelter? Mr. Desiderio answered that it has the bathrooms and showers and capability. Mr. Stracco gave a brief history on the purchase of Kids Camp and ultimately it was a win win for the township. Keith Ramos asked what the total cost of purchase was of kids Camp and Ms. Dyer stated \$943,000.00. Mr. Ramos asked what amount currently owed for FFP (Kids Camp) was. Ms. Dyer replied with \$261,297.00. Mr. Ramos also asked if the salt shed was repairable. Mr. Desiderio stated that it was not large enough and would need to be rebuilt. Motion was made by Mr. Stracco to close to the public, seconded by Mr. Boynton. Motion was made by Mr. Stracco to approve and adopt the 2019 budget, seconded by Mr. Marra. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes.

ORDINANCES:

#2019-02 ORDINANCE AMENDING SECTION 1003 OF THE FRELINGHUYSEN TOWNSHIP CODE REQUIRING SUBMISSION OF FOUNDATION LOCATION SURVEY IN CERTAIN INSTANCES WHEREAS, the Frelinghuysen Township Mayor and Committee have determined that a foundation location survey is necessary and appropriate to assure that buildings are located within their approved envelopes before construction is completed, and good cause

having been shown. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows:

Section I Section 1003B of the Frelinghuysen Township Code is amended by adding thereto a new subsection 4 to read as follows:

4(a). A foundation location survey, signed and sealed by a licensed land surveyor, shall be submitted to the Township Engineer prior to the framing of any building. The Township Engineer shall report to the Department of Community Affairs within seven days of receipt of the foundation location survey if the foundation, as shown on the survey, was not constructed at the location and elevation approved by the Township Engineer.

(b). An as-built drawing shall be submitted to the Township Engineer for review, unless waived by the Township Engineer. The Township Engineer shall report to the Department of Community Affairs within fifteen days of the receipt of the as-built drawing that the work has been completed in accordance with the grading plan.

Section II

1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on February 20, 2019 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on March 20, 2019 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Boynton to open for introduction, seconded by Mr. Stracco. All were in favor. Roll Call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes. Ordinance will be sent to the Land Use Board for comments. Second reading for adoption will be held on March 20, 2019 at 7:30 p.m. Motion was made by Mr. Stracco to open for second reading for adoption, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Stracco to open to the public, seconded by Mr. Boynton. All were in favor. There was no public comment. Motion was made by Mr. Stracco to close to the public, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Stracco to approve for adoption, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes.

#2019-03 BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$285,650 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$271,350, BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS: SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$285,650, said sum being inclusive of a down payment in the amount of \$14,300 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$285,650 appropriation not provided for by the down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$271,350 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of

the Township in a principal amount not exceeding \$271,350 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is the 2019 Capital Improvement Program, which includes, but is not limited to: (i) the acquisition of a blacktop roller machine, a brush hog lawnmower and a new bed for a Ford pickup truck; (ii) the acquisition and installation of new carpeting and flooring in the Town Hall; (iii) the acquisition of a thermal imaging camera, rescue equipment, hose and turnout gear for use by the Green Township Fire Department; (iv) the acquisition of turnout gear and extrication equipment for use by the Blairstown Fire Department; (v) the acquisition of turnout gear and self-contained breathing apparatus (scba) bottles for use by the Hope Fire Department; (vi) the acquisition of a flammable storage cabinet for the Department of Public Works ("DPW") garage; (vii) the acquisition of various tools, including, but not limited to, an impact gun, wrenches and sockets for use by the DPW; (viii) the acquisition and installation of a salt shed; (ix) the installation of dugouts for the Recreational Field; (x) repairs and improvements to various roads within the Township, including, but not limited to, paving, cross drains, tarring and chipping; (xi) the design and development of the Township's website; and (xii) the demolition of an abandoned barn located on municipal property and considered a health hazard, including, as applicable, all work, materials, equipment, labor and appurtenances necessary for or incidental to all of the above described improvements and purposes, all in accordance with the plans therefor on file in the office of the Township Clerk and available for public inspection and hereby approved. (b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$271,350. (c) The estimated cost of said improvements or purposes is \$285,650, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of \$14,300, which is the down payment available for such improvements or purposes. SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser. SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will

be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. (b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.92 years. (c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$271,350 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. (d) An aggregate amount not exceeding \$3,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$271,350. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Township covenants to maintain the exclusion from

gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance. SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law. Motion was made by Mr. Boynton to open for introduction, seconded by Mr. Marra. Roll Call vote: Mr. Boynton-yes; Mr. Desideiro-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes. Second reading for adoption will be held on March 20, 2019 at 7:30 p.m. Motion was made by Mr. Stracco to open for second reading for adoption, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Stracco to open to the public, seconded by Mr. Boynton. All were in favor. Public: Mr. Kohuth asked what the final allotment for the salt shed was. Ms. Dyer stated \$110,000. Mr. Kohuth asked what has been looked into for that amount. Mr. Desiderio explained that they are looking for one that holds 1200 tons. Mr. Kohuth asked about a runoff system and Mr. Desiderio explained that the engineering has not been finalized at this time. Mr. Durling asked about electricity at the new location and Mr. Desiderio stated that yes there would need to be electric. Mr. Kohuth inquired about the roller for \$19,000.00 and asked how many days it is used per year. Mr. Desiderio explained that renting was not an option and use it 45-50 days all throughout the year to patch the roads. Mr. Kohuth stated renting a roller would be more frugal at \$300 to \$500 per day. Howard Solomon stated that in 2 years it will pay for itself and renting wasn't the way to look at it. Mr. Kohuth also mentioned the dugouts for \$6,000.00 and Mr. Desiderio explained the new rules for children and having dugouts. Mr. Ramos stated he could have gotten the dug outs donated and Marty Connor asked if the recreation committee considered asking the booster club to pay for them. Mr. Ramos explained that they did but it was the initiative of the recreation committee to put in the dugouts. Mr. Connor asked what was spent on road repair last year. Ms. Dyer stated none. Sarah Hergert stated that Greendell Road needed repairs and asked if anything would be done. Ms. Zilberfarb explained that the township is in the process of obtaining a grant to pave that road and haven't heard back as to whether we received the funding yet. She stated that it would be patched in the interim. Fran Muller asked if it would be just a salt shed or would trucks be parked at the site and also asked about the signs for the auction and if there are any substitutes for salt being used. Mr. Desiderio explained signs were posted in the wrong spot for the auction and that it would be just the salt shed. Mr. Kohuth asked about the \$15,000 for the demo at the FFP and asked what is being demolished. Mr. Desiderio explained the history of the boat house/barn and that is in the process of being looked at as being historic. Mr. Lance asked if it is savable, will that \$15,000 be rolled into repairs? Ms. Dyer stated that the ordinance would need to be amended. Motion was made by Mr. Stracco to close to the public, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Stracco to approve for adoption, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes.

#2019-04 ORDINANCE AMENDING SECTION 7-3.7 OF THE FRELINGHUYSEN TOWNSHIP CODE PROHIBITING PARKING ON SNOW-COVERED STREETS WHEREAS, the Frelinghuysen Township Code presently prohibits parking on certain Township streets when there are more than two inches of snow on the ground; and WHEREAS, the Frelinghuysen Township Mayor and Committee have determined that it serves the public health, safety and welfare to prohibit parking on all Township streets when there are more than two inches of snow on the ground, and good cause having been shown. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows:Section I Section 7-3.7 is deleted in its entirety and replaced with the following: **7-3.7 Parking Prohibited When Snow is on Ground.** No person shall park a vehicle upon any Township street or part of such street when there are more than two (2) inches of snow on the ground. Section II 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 20, 2019 and will be

considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 17, 2019 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Stracco to open for first reading/introduction, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes. Second reading for final adoption will be held on April 17, 2019.

#2019-05 ORDINANCE AMENDING SECTION 8-1.7(h) OF THE FRELINGHUYSEN TOWNSHIP CODE CONCERNING FEES FOR SMOKE AND CARBON MONOXIDE DETECTOR CERTIFICATES WHEREAS, the Frelinghuysen Township Mayor and Committee have determined that it is necessary and appropriate at this time to revise the fees for smoke detector certificates, and to explicitly provide that the said fees apply to carbon monoxide detectors, and good cause having been shown. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: Section I Section 8-1.7(h) of the Frelinghuysen Township Code is amended to read as follows: h. *Certificate of Smoke/Carbon Monoxide Detector*: \$90.00 five or more days before closing date; \$150.00 one to four days before closing date. Section II 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 20, 2019 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 17, 2019 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Stracco to open for first reading/introduction, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. Marra-No; Mr. McPeek-Yes; Mr. Stracco-yes. Second reading for adoption will be on April 17, 2019.

**RESOLUTIONS:
#2019-28**

WHEREAS, AN ORDINANCE OF THE TOWNSHIP OF FRELINGHUYSEN ESTABLISHING SALARY RANGES was adopted on March 15, 2017

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren and State of New Jersey, that the annual, monthly or hourly salaries of the elected officials, appointees and employees of the Township of Frelinghuysen, effective January 1, 2019 shall be as follows:

TITLE:	SALARY	
MAYOR	\$3,498.00	ANNUAL
TOWNSHIP COMMITTEE MEMBERS	\$3,497.00	ANNUAL
MUNICIPAL CLERK	\$68,838.00	ANNUAL
ASSESSMENT SEARCH OFFICER	\$2,739.00	ANNUAL
PART TIME CLERICAL HELP (GALANTE)	\$13.26	HOUR
TAX COLLECTOR	\$15,918.00	ANNUAL
TAX ASSESSOR	\$32,101.00	ANNUAL
CHIEF FINANCIAL OFFICER	\$16,977.00	ANNUAL
QUALIFIED PURCHASING AGENT	\$1,077.00	ANNUAL
BOARD OF HEALTH MEMBERS	\$27.98	ANNUAL
BOARD OF HEALTH SECRETARY	\$751.00	ANNUAL
ANIMAL CONTROL OFFICER	\$7,969.00	ANNUAL
OPEN SPACE SECRETARY	\$297.00	ANNUAL
FARMLAND PRESERVATION SECRETARY	\$297.00	ANNUAL
CLEAN COMMUNITIES COORDINATOR	\$566.00	ANNUAL
RECYCLING COORDINATOR	\$566.00	ANNUAL
FORESTRY MANAGEMENT SECRETARY	\$1,019.00	ANNUAL
ENVIRONMENTAL COMM SECRETARY	\$1,088.00	ANNUAL
HISTORIC PRESERVATION SECRETARY	\$530.00	ANNUAL
RECREATION SECRETARY	\$600.00	ANNUAL
EMERGENCY MANAGEMENT COORDINATOR	\$1,000.00	ANNUAL
DEPUTY EMERGENCY MGT COORDINATOR	\$1,000.00	ANNUAL
ASSISTANT EMERGENCY MGMT COORDINATORS (4)	\$250.00	ANNUAL
STATE OF EMERGENCY VARIABLE COMP	\$100.00	NOT TO EXCEED \$100 PER
CONSTRUCTION OFFICER	\$46,000.00	EMERGENCY ANNUAL

TEMP SUBCODE INSPECTOR	\$50.00	PER HOUR
FIRE INSPECTOR OFFICIAL	\$10,000.00	ANNUAL
ELECTRICAL INSPECTOR	\$11,500.00	ANNUAL
PLUMBING SUBCODE INSPECTOR	\$10,000.00	ANNUAL
TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICER	\$6,000.00	ANNUAL
ZONING OFFICER	\$5,881.00	ANNUAL
CODE ENFORCEMENT OFFICER	\$30.00	PER HOUR
LAND USE SECRETARY	\$1,592.00	ANNUAL
DPW SUPERVISOR	\$2,333.00	ANNUAL
DPW FOREMAN	\$30.24	PER HOUR
DPW OPERATOR/LABORER	\$18.36	PER HOUR
TEMPORARY DPW LABORER	range \$10-\$20	PER HOUR
TEMPORARY DPW EQUIPMENT OPERATOR WITH CDL	\$25.00	PER HOUR
TEMPORARY DPW EQUIPMENT OPERATOR WITHOUT CDL	\$20.00	PER HOUR
SAFETY DIRECTOR	\$1,995.00	ANNUAL
MANAGER OF PUBLIC LANDS	\$646.00	ANNUAL
ASSISTANT MANAGER OF PUBLIC LANDS	\$646.00	ANNUAL

BE IT FURTHER ORDAINED, that all salaries shall be retroactive to January 1, 2019 except as otherwise noted.

BE IT FURTHER ORDAINED, that this Resolution shall take effect upon adoption.

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of Frelinghuysen Township at a meeting held on March 20, 2019.

Donna Zilberfarb, Municipal Clerk

Roll Call Vote:

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

#2019-29 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF MARCH 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 MARCH 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			
Mr. McPeek			X			
Mr. Stracco	X		X			

#2019-30 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with attorney client privileges with potential litigation. 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 March 20, 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			

#2019-31 RESOLUTION APPROVING SETTLEMENT OF LITIGATION WHEREAS, on May 10, 2018, Janene Morgan-Cota and John Giresi filed a complaint in lieu of prerogative writs in the Superior Court of New Jersey, Warren County, Docket No. WRN-L-136-18 against the

Township of Frelinghuysen concerning property located at Block 1302, Lot 1 a/k/a 28 South Street, Frelinghuysen, New Jersey; and WHEREAS, the said litigation has been settled pursuant to the terms of a Stipulation of Settlement and Release Agreement (the "Stipulation"); and WHEREAS, taking into consideration the cost of the Township of continuing to litigate this matter and the risks associated with a trial, it is in the best interest of Frelinghuysen Township and its residents to approve the settlement. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey, as follows: 1. The Frelinghuysen Township Mayor and Committee hereby approve the Stipulation. 2. The Frelinghuysen Township Mayor, Clerk and Attorney are hereby authorized to sign the Stipulation any and all other documents reasonably necessary to effectuate the settlement. 3. A copy of the Stipulation shall be available for inspection in the offices of the Township Clerk. 4. This Resolution shall take effect immediately according to law. 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 March 20, 2019.

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

#2019-32 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 2019 budget year, so 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;
 - b. Items of appropriation are properly set forth;
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services. Motion: Chris Stracco Second: David Boynton Committee Polled: David Boynton-Yes; Charlie Marra-Yes; Todd McPeek-Yes; Chris Stracco-Yes; Frank Desiderio-Yes **CERTIFICATION** It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Frelinghuysen at a meeting held on March 20, 2019. Witness my hand and the SEAL of the Township of Frelinghuysen. Donna Zilberfarb, Municipal Clerk **Certification of Approved Budget** It is hereby certified that the Approved Budget complies with the requirements of the law and approval is given pursuant to N.J.S.A.40A:4-78(b) and NJAC 5:30-7. It is further

certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6. Dated: March 20, 2019 by Danette Dyer, Chief Financial Officer.

OLD BUSINESS:

- Mr. Beilin discussed that there has been no movement with the petition for Service Electric Cable in front of the state and is waiting to hear back from the rep, Mike Miletta.
- Rural Econnectivity grant was discussed by Mr. Stracco and he will be reaching out to Paul Sterbenz.
- Ms. Zilberfarb asked about the rental of the fields on the property on Route 94 that is going up for auction, as she received the payment. It was determined that the renters should pay the rent until the closing and it would be in the sale of contract.

- Shared services Animal control – hold to April Meeting.
- Barn at FFP – Mr. Desiderio explained they were waiting on Mr. McCabe to look at the building.
- Employee handbook updates – Hold to April Meeting
- Vacation of roads – table to work session.
- The salt shed was discussed during the budget and bond ordinance adoption.

NEW BUSINESS:

- Warren County Community College came to discuss what they do and have done for the community and how the school works. Craig Dana, Dr. Austin, President of the college, and Simar Abiasani all spoke on different aspects of the college. Mr. Boynton asked if there were any issues of children not being ready to start college. Dr. Austin explained that “you can’t” is turned into “you can” and that there are no issues that he sees. Mr. Solomon explained that his 19 year old nephew doesn’t drive and couldn’t get him to college because of rides. Dr. Austin explained that the school is working with Sussex County community college to have them charge Warren County residents Warren County pricing and that hopefully in the future that will help with ride and tuition issues. Everyone was very happy to hear of all the news that was presented to them.

- Abandoned/vacated roads will be held until the work session on April 10.

- Historical preservation attendance was discussed and was determined to have Scott Lance ask for Tammy Beckenthal’s resignation. She has not been in attendance to the last three consecutive meetings.

OPEN MEETING TO THE PUBLIC:

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

No public comment

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

EXECUTIVE SESSION:

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

No action was taken.

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

Mr. Beilin explained that the executive session was for discussion of pending matters of litigation.

DEPARTMENT REPORTS:

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

DPW – Report is in packet

Land Manager – No report.

Rec Center Coordinator – Report in packet

Legal Report – No report all items were discussed throughout the meeting.

Recreation Committee – Egg hunt will be at town hall on April 13. Mr. McPeek asked how to make Mr. Ramos a voting member. Mr. Desiderio will look into and get back to him.

Environmental Commission – No meeting

Farmland Preservation/Open Space Committee – No meeting

Historic Committee – No meeting

Mayor report – Nothing to report at this time.

Deputy Mayor report – Nothing to report at this time.

Committeeman Boynton – Thanked the recreation committee with working everything out with Cathy Bao Bean. Also discussed the letter from JCP&L and was annoyed that he received one. Also spoke with Mr. Brennan regarding the North Warren budget and stated there would be no increase other than the normal increase.

Committeeman Marra – Nothing to report.

Committeeman McPeek – Nothing to report.

Clerk report – Ms. Zilberfarb discussed denim day and asked for the \$5.00 from everyone to participate. She asked if anyone looked into the senior citizen award for Warren County and all committee stated the Mullers. Ms. Zilberfarb let the committee know that the township clean up was scheduled and the dates for this year will be June 10-15 and residents can start picking up vouchers after May 1. Ms. Zilberfarb also rescinded her resignation for the Road Supervisor position. Motion was made by Mr. Stracco to gladly accept the rescission, seconded by Mr. Boynton. All were in favor. She also let the committee know that the audit has been completed in one day and that couldn't have been done without the work from Danette Dyer, CFO and the Auditors and thanked them for their dedication and hard work.

CORRESPONDENCE:

- State of New Jersey – Highlands Council
- New Jersey Courts – Annual Visitation (April 12, 2019)
- Office of the County Engineer county of Warren – 5 year plans
- Warren County Mosquito Control Commission – information packet (posted on bulletin board)
- Allamuchy Township – Amendment Land Development Ordinance
- Township of Blairstown – Amend Chapter 19 Land Development fees
- Township of Blairstown – LUB Master Plan Open space
- National Fish and Wildlife Foundation – Delaware River Program
- MEL Safety Institute Bulletin – ADA Accessible Websites for Public Entities
- Applied Earth Solutions, Inc. – Response Action outcome (RAO) and Receptor Evaluation Form
- Emanuel Vasilescu, PE – Septic System Alteration – 73 Bear Creek Road (Map is in Clerk's office)
- Blairstown Hose Company – February 2019 Fire Report

ADJOURNMENT:

There being no further business, motion was made by Mr. Boynton, seconded by Mr. Mcpeek to adjourn the meeting at 9:43 p.m. All were in favor.

Respectfully Submitted,

