

MINUTES OF WORK MEETING OF APRIL 7, 2021

The work meeting of the Frelinghuysen Township Committee was held virtual via zoom virtual meeting service and in person, Township Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, April 7, 2021 and as called to order at 7:00 p.m. by Mayor, Chris Stracco.

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, Township website and by e mailing notice to the New Jersey Herald and The Express-Times.

FLAG SALUTE

ROLL CALL:

Those present were: Mayor Chris Stracco, Deputy Mayor Keith Ramos, Committeeman David Boynton, Committeeman Frank Desiderio, Committeeman Todd McPeek, and Municipal Clerk Donna Zilberfarb.

RESOLUTIONS:

2021 - 35 April 2021 WHEREAS, a resolution is required by the Tax Collector to refund 2 payments of 2021 taxes. The following property owner's filed for and received a 100% disabled veteran exemption granted by the Tax Assessor effective for the 2020 tax year.. The servicing agency paid the 1st quarter taxes in error and are now entitled to a refund. (The file was sent to them in December, prior to the update of the property class effective January 1st, 2021)

Block	Lot	Pay To	Amount
1401	1.38	Calamusa, William & Angela	\$ 3,064.95
1601	24	Stewart, David H.	1,978.51
CoreLogic			\$ 5,043.46

NOW, THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer is hereby authorized to refund the above property taxes to **CoreLogic**. I hereby certify the foregoing to be a true and accurate copy of a resolution adopted by the Township Committee at its' meeting held on April 7th 2021.

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

#2021-36 RESOLUTION OF THE TOWNSHIP OF FRELINGHUYSEN OPPOSING NEW JERSEY STATE ASSEMBLY AND SENATE FOREST MANAGEMENT BILLS A-4843/S-3549, A-4844/S-3550 and A-4845/S-3548 WHEREAS, Forest Stewardship Plans (FSPs) approved pursuant to section 3 of P.L.2009, c. 256 (C.13:1L-31), are exempt from all regulations of the Highlands Regional Master Plan including logging and water body rules; and **WHEREAS**, the New Jersey State Senate and Assembly have introduced bill A-4843/S-3549, which would require local governments to develop FSPs for all public forest land of 25 acres or more owned by the municipality that had been acquired for conservation and recreation under the Green Acres Program; and **WHEREAS**, the FSPs would need to be researched, developed and submitted by a trained Forester and the Municipality, at the Municipality's cost; and **WHEREAS**, bill A-4843/S-3549 does not provide any funds for compliance and, therefore, amounts to an unfunded mandate; and **WHEREAS**, the financial pressure caused by this unfunded mandate would force the Municipality to consider and institute one or more actions, each of which would have one or more negative impacts on the fiscal, environmental and social health of the community. Among those potential actions are, increasing taxes, reducing services, reducing Municipal employees and engaging heavily in the logging of our public land which would also expose our forest ecosystems to invasive plant and insect species, while risking degradation of our soil and water quality, which would force the Municipality to incur additional costs to provide clean water to residents and commercial entities within the Municipality; and **WHEREAS**, non-profit land trusts that also manage land in the Township of Frelinghuysen for public enjoyment, that struggle to secure adequate funding for land stewardship would be at a loss to pay for the preparation and implementation of required FSPs which could result in bankruptcy and/or loss of their land; and **WHEREAS**, the FSPs required under A-4843/S-3549 are not the appropriate approach for protecting New Jersey's forests, nor enhancing the

ecosystem services; clean water, clean air, flood mitigation, carbon sequestration they afford us. When written and reviewed by foresters these stewardship plans typically emphasize logging and the extraction of wood products, which is a drastic measure and is not appropriate management for most if not all public forests; and **WHEREAS**, FSPs would allow all the Township of Frelinghuysen public land of 25 acres or more, to be logged and otherwise managed, with no public or other municipal recourse; and **WHEREAS**, logging will reduce New Jersey's ability to sequester carbon and make it more difficult to achieve the greenhouse gas emissions reductions target in the NJ Global Warming Response Act; and **WHEREAS**, logging will result in more stormwater runoff and more silt and pollution in our waterways while also causing environmental damage to wetlands, waterways, and forest habitats. Logging will limit access to public forested land; and **WHEREAS**, logging will contribute to long-term degradation of local hiking trail networks by introducing new avenues for illegal off-road vehicles and ATVs to access public land, exacerbating a severe problem, which NJDEP and Park Police are already struggling to control; and **WHEREAS**, logging would diminish the recreational experiences of both residents and tourists, the former could lose property values while the latter are important to the economic health of the Municipality; and **WHEREAS**, tourists of the Township of Frelinghuysen can easily opt to visit neighboring parks across the NY State line, where aggressive logging is not practiced. **WHEREAS**, should the State of NJ or any other public or private entity provide funds for FSPs and eliminate the unfunded mandate issue, the Township of Frelinghuysen still opposes A-4843/S-3549 for all the other reasons stated herein; and **WHEREAS**, the New Jersey State Senate and Assembly have introduced bill A-4844/S-3550, which provides that municipal approval is not required for FSPs. The bill would also prohibit a local government unit from enacting any ordinance, rule, or resolution that requires local government approval of an FSP or that conflicts with, prevents, or impedes the implementation of an FSP approved by the DEP. The bill would also provide that the DEP's rules would supersede any municipal ordinance adopted prior to the effective date of this bill; and **WHEREAS**, Current law (Section 6 of P.L.2009, c.256 (C.13:1L-34) states: No local government unit may enact, on or after the date of enactment of P.L.2009, c.256 (C.13:1L-29 et al.), any ordinance, rule, or resolution, as appropriate, that conflicts with, prevents, or impedes the implementation of a forest stewardship plan approved pursuant to section 3 of P.L.2009, c.256 (C.13:1L-31). A-4844/S-3550 extends these restrictions to any ordinance, rule, or resolution that requires local government approval of a forest stewardship plan. Therefore, this bill ensures that all forest stewardship plans required under companion bill A-4843/S-3549 are included in this set of already highly restrictive limits on municipalities and prevents them from having any control over NJDEP FSPs; and **WHEREAS**, current law already restricts municipal oversight of NJDEP approved FSPs but has not impacted many municipalities as FSPs are not required and municipalities manage open space land through local ordinances. The enactment of A-4843/S-3549 will replace many ordinances with FSPs and many municipalities will lose total control over their forested lands and be unable to stop them from being logged; and **WHEREAS**, there are no penalties associated with damages caused by FSPs. Replacing ordinances with FSPs would take away the authority of local governments to ensure private companies or individuals are not impacting environmentally sensitive areas or threatened or endangered species or creating disturbances close to stream corridors; and **WHEREAS**, bill A-4844/S-3550 is a violation of home rule principles and the principles behind municipal land use laws throughout New Jersey's legislative and judicial history; and **WHEREAS**, bill A-4845/S-3548 sets a Statewide goal of conducting prescribed burns on a minimum of 50,000 acres in the Pinelands area, and an additional 10,000 acres elsewhere in the State, every year; and **WHEREAS**, bill A-4845/S-3548 requires burning about 6% of New Jersey's entire public forested land every year (In 17 years an area equivalent to all of New Jersey's public forests will have been burned); and **WHEREAS**, there is no supporting scientific justification offered for burns of the magnitude required by bill A-4845/S-3548. Requiring a burn of 10,000 acres anywhere in the state outside the Pinelands is irresponsible, dangerous, costly, and wholly without merit; and **WHEREAS**, decisions to conduct controlled forest burns of specific sizes should be based on scientific analysis of specific situations in specific areas each year and not predetermined for all time by law; and **WHEREAS**, burning forests increases greenhouse gas emissions and air pollution, both of which are already significant problems throughout New Jersey; and **WHEREAS**, the Prescribed Burns Act does not properly address air pollution and it limits liability if these fires get out of control; and **WHEREAS**, controlled burns are expensive to execute and bill A-4845/S-3548 also causes additional expenditures by requiring all relevant State agencies involved in environmental planning and land use management to incorporate the yearly minimum

burns into all plans, programs, and surveys. **NOW, THEREFORE, BE IT RESOLVED** that the municipality and town council of the Township of Frelinghuysen, in the interest of protecting its residents, businesses and institutions, and controlling its public open spaces to optimize its value as a source of recreation and public enjoyment, as of April 7, 2021, strongly opposes New Jersey State Assembly and Senate Forest Management Bills A-4843/S-3549, A-4844/S-3550 and A-4845/S-3548. **BE IT FURTHER RESOLVED**, that the Township of Frelinghuysen Municipal Clerk shall forward this Resolution to New Jersey Governor Phil Murphy, Commissioner of the NJ Department of Environmental Protection, State Senator Bob Smith, State Assembly Speaker Craig Coughlin, State Senator Steven V. Oroho, State Assemblypersons Parker Space and Harold J. Wirths, New Jersey Forest Watch (newjerseyforestwatch@gmail.com), Warren County Commissioners and Administration, League of New Jersey Municipalities, and NJ Advance Media **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 April 7, 2021.

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

#2021-37 A RESOLUTION TO APPOINT THE EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY EMERGENCY MANAGEMENT COORDINATOR 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 Ralf Irizarry to the position of Emergency Management Coordinator for a period of three years from April 7, 2021 and ending December 31, 2023; and WHEREAS, the Mayor has confirmed the appointment of Waclaw Hein to the position of Deputy Emergency Management Coordinator for a term concurrent with the term of the Emergency Management Coordinator; and NOW, THEREFORE BE IT RESOLVED, that the appointment of Ralf Irizarry as Emergency Management Coordinator for the Township of Frelinghuysen and Waclaw Hein as Deputy Emergency Coordinator 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 April 7, 2021.

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

#2021-38 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE APRIL 7, 2021 MEETING 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 meeting of APRIL 7, 2021; 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 date 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. McPeek			x			
Mr. Ramos	x		x			
Mr. Stracco			x			

#2021-39 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with contract negotiations. WHEREAS, under the Open Public Meetings Act (number 7 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 April 7, 2021 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. McPeek			x			
Mr. Ramos		x	x			
Mr. Stracco			x			

COMMITTEE REPORTS:

- Mayor Chris Stracco discussed the meetings that he and Mr. Ramos were in regarding potential funding and grants with Congressman Gottheimer. He also discussed covid and rising numbers in Warren County and that the townhall will remain closed with the exception of by appointment and all meetings for the township will revert back to full virtual.
- Deputy Mayor Ramos – nothing to report
- Committeeman David Boynton let the committee know that he was at the rec center and propane is low and everything is set to 45 degrees.
- Committeeman Frank Desiderio let the committee know that he was in the process of obtaining the survey for the stand pipe and that homeowner is locating it. He will drop off to Ms. Zilberfarb once he receives it.
- Committeeman Todd McPeek - nothing to report
- Municipal Clerk Donna Zilberfarb – Reminded the committee about the mandatory MEL insurance class and let the committee know that Financial Disclosure statements should be going out soon. Ms. Zilberfarb will also look for replacement speakers for the recording machine as one is not working properly.

OLD BUSINESS:

- The Eagle Scout project was discussed and there were concerns and questions from Marty Connor and Mr. Ramos. After discussion, it was determined that Marty Connor will reach out to Carter Smith and discuss a possible new project that he could work on. Mr. Stracco will contact him and let him know that at this time his ideas for his project won't work out as it will be too costly for the township. Ms. Zilberfarb will send contact information for Carter to Mr. Stracco and Mr. Connor.
- Mr. Ramos updated the committee on the salt shed and recommends Mr. Sterbenz moving forward with the project. If ok with township committee for Paul Sterbenz moving forward, Mr. Sterbenz will put out new bid documents soon. Mr. Ramos is hopeful that the relief funds can help to pay some of the rising costs. All were in agreement to move forward and have Mr. Sterbenz put out bid.
- Remote meeting protocols – hold to April 21st meeting
- Stand Pipe – was discussed during Mr. Desiderio committee report.

NEW BUSINESS:

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Ramos, seconded by Mr. McPeek to open meeting to the public limited to 20 minutes with 3 minutes per member of the public. All were in favor. Spoke were:

- Marty Connor asked if the greenhouse could be put back on munibid with \$1,000 minimum. Ms. Zilberfarb will put on the site. He also let the committee know that he contacted Warren County Mosquito commission and they will be treating the beaver pond on the FFP South.

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

EXECUTIVE SESSION:

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

No action was taken.

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

RETURN TO REGULAR SESSION:

Mr. Stracco explained that the executive session was to discuss ongoing contract negotiations.

REOPEN MEETING TO THE PUBLIC:

Motion was made by Mr. McPeek, seconded by Mr. Ramos to open meeting to the public limited to 20 minutes with 3 minutes per member of the public. All were in favor. Spoke were:

No public comment

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

CORRESPONDENCE:

- Ken Dolsky – Forest Management Bills A-4843/S-3549, A4844/S-3550 and A4845/S-3548

ADJOURNMENT:

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Boynton to adjourn the meeting at 8:25 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC