

MINUTES OF REGULAR MEETING OF AUGUST 26, 2019

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, August 26, 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 Charles Marra, Committeeman Todd McPeek, Attorney Rich Beilin and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. Motion was made by Mr. Stracco to approve the July 17, 2019 regular session meeting minutes, seconded by Mr. Marra. All were in favor. Ms. Zilberfarb corrected the attendance. Motion was made by Mr. Stracco to amend the meeting minutes of July 17, 2019 to show that Mr. Stracco was in attendance and Mr. Boynton was not, seconded by Mr. Marra. All were in favor.
2. Motion was made by Mr. Stracco to approve the July 17, 2019 executive session meeting minutes, seconded by Mr. Marra. All were in favor.

ORDINANCES:

#2019-06 ORDINANCE AMENDING SECTION 13-1.4(1)(c) OF THE FRELINGHUYSEN TOWNSHIP CODE CONCERNING ENGINEERING AND INSPECTION FEES ASSOCIATED WITH DRIVEWAY PERMITS WHEREAS, the Frelinghuysen Township Mayor and Committee have determined that it is necessary and appropriate at this time to revise Section 13-1.4(1)(c) of the Frelinghuysen Township Code, which sets establishes the amount of the engineering and inspection fee escrow associated with applications for roadway openings sought by parties constructing, reconstructing, repairing or resurfacing a driveway which enters onto a Township road. 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 13-1.4(1)(c) of the Frelinghuysen Township Code is amended to read as follows:

(c) A check in the amount of eight hundred (\$800.00) ~~four hundred (\$400.00)~~ dollars to cover the cost of engineering and inspection fees ("engineering and inspection fee escrow"). 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 All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.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.

DONNA ZILBERFARB, Clerk

FRANK DESIDERIO, Mayor

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 August 26, 2019 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on September 18, 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 to first reading for introduction, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-absent; Mr. Desiderio-yes; Mr. Marra-yes; Mr. McPeek-yes; Mr. Stracco-yes. Second reading for adoption will be held on September 18, 2019.

RESOLUTIONS:

#2019-57 WHEREAS, a resolution is required by the Tax Collector to refund an overpayment of 2019 taxes. The property owner filed for and received farmland assessment for 2019 on the lot listed below. He paid the 1st quarter taxes as billed and

is now entitled to a refund,.

Block Lot Pay To Amount
1201 5.03 Q0059 Rodney P. Frelinghuysen \$ 709.44

NOW, THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer is hereby authorized to refund the above property taxes. 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 August 26th, 2019.

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

#2019-58 WHEREAS, a resolution is required by the Tax Collector to refund an overpayment of 2019 taxes. The property owner's filed for and received a county tax appeal reduction of their assessment for 2019 on the lot listed below. They paid the 1st and 2nd quarter taxes as billed and are now entitled to a refund,

Block Lot Pay To Amount
801 14 Michael Staufenberger/William Fitzell \$ 1,253.42

NOW, THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer is hereby authorized to refund the above property taxes. 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 August 26th, 2019.

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

#2019-59 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF AUGUST 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 AUGUST 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
Mr. Desiderio			X			
Mr. Marra		X	X			
Mr. McPeek			X			
Mr. Stracco	X		X			

OLD BUSINESS:

- Mr. Desiderio wanted the committee and public to be aware that Frelinghuysen Township was not notified of the meeting with Service Electric with Hope, Knowlton, Blainstown and Hardwick and that Hope had stated that we were. Mr. Stracco said he spoke with Mr. Pachnos and asked him to be the lead for service electric. He also inquired about filing a formal complaint with the BPU and asked if the residents can sue. Mr. Beilin will provide information on this at the September meeting. Mr. Stracco also said he spoke with Congressman Gottheimers office and they were very apologetic.
- Rural Econnectivity pilot program will be removed from the agenda moving forward.

- The barn at the FFP received an appraisal for repairs. Mr. Desiderio would like to reach out to SHIPO to determine if this building is historic and if it is then they will determine the plans moving forward. Mr. Desiderio explained Ms. Urgo, the Land Conservancy, determinations and conversations at the farmland and open space meeting. He will reach out to Ms. Urgo again as well. Ms. Natyzak disagreed.
- Ms. Zilberfarb explained that the insurance company did not meet in August and would like to hold the employee handbook to the October meeting.
- The salt shed is being worked on.
- Mr. Desiderio explained that he is still trying to get in touch with the owner for the standpipe on Ramsey Road.
- Mr. Stracco asked for the list of herbicides used on the fields to be sent to him. Mr. Desiderio will give to the clerk.

NEW BUSINESS:

- John Parke from the NJ Audubon Society discussed with the committee entering into a land use agreement with them for the FFP. He handed out the minimum guidelines for the NJ State Forest Stewardship Plan. The agreement/plan would be for 10 years and then renewable. This plan would help aid in obtaining funding. Motion was made by Mayor Desiderio to authorize the attorney to draw up an agreement and to for Mr. Parke to set up the application, seconded by Mr. Stracco. All were in favor. Mr. Beilin will have an agreement for the September meeting.
- John Hauck purchased the Lakeland bank building on Route 94 and is looking to change the zoning to commercial. Mr. Stracco suggested while changing the zoning of that building to also change the charter school and the jcp&l substation. After discussion a motion was made by Mr. Stracco to have the attorney draft an Ordinance to change the zoning to highway commercial for the Bank building, JCP&L substation and the Charter School, seconded by Mayor Desiderio. All were in favor. Mr. Stracco asked Ms. Zilberfarb to get block and lot numbers to Mr. Beilin.
- Ms. Zilberfarb explained that the minutes from the April 17, 2019 minutes needed to be amended for the sale of the property and explained it was in regards to the payment of fees. A motion was made by Mr. McPeek to amend the minutes of April 17, 2019 to show that the property sold for \$135,000 and that the 148,500 included broker fees paid by the buyer, seconded by Mr. Stracco. All were in favor.
- Knowlton Mayor Starrs sent a letter regarding the Knowlton court showing costs of the municipal shared court. After discussion Mr. Marra will reach out and discuss with Knowlton and it was requested that Ms. Dyer find out numbers for joining the Belvidere court.
- Driveways and aprons washing out into the township roads etc is ongoing with all the rain storms occurring. Mr. Desiderio explained that if they driveway is not up to code then it is not the townships issue.
- A Resolution from Hope Township was discussed with the committee regarding supporting them and not wanting the warehouses coming to White Township. After discussion a motion to have counsel draft a resolution in support of Hope Township and surrounding townships in regards to the warehouses was made by Mr. Desiderio, seconded by Mr. Stracco. Roll call vote: Mr. Boynton-absent; Mr. Desiderio-yes; Mr. Marra-No; Mr. Stracco-yes; Mr. McPeek-No. Tie break vote: Mayor Desiderio-yes. Mr. Beilin will prepare a resolution for the September meeting.
- Solar projects on township properties were discussed. Mr. Desiderio felt that there already is an Ordinance allowing solar on municipal properties. Mr. Stracco asked to reach out to Darlene Jay, Maser Consulting, and George Boesze to make sure that solar is allowed on Municipal Properties.
- Carpet for the townhall will be held until September when Danette Dyer, QPA, has questions answered by the vendor.
- Mr. Desiderio mentioned that residents spoke to him about feeding deer on their property and if this was allowed. It was determined that it was not a committee matter.
- Mr. Desiderio told the committee that he would like to advertise for the ACO position and would like the clerk to advertise for it now for the 2020 year. Motion was made by Mr. Stracco to advertise for the ACO officer for 2020, seconded by

Mr. McPeek. All were in favor. Ms. Zilberfarb asked when the advertisement should be run. She was told next week.

OPEN MEETING TO THE PUBLIC:

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

- Scott Lance made an observation on the warehouses and that the truck traffic can be painful and will increase if the warehouses go in.
- Dan Kohuth stated he has seen the proposal for the warehouses and knows them to be very good land stewards and good people to do business with. Mr. Kohuth also asked if we have a current contract with Service Electric and asked what are we suing for? Mr. Stracco explained what he discussed regarding suing Service Electric.
- Dan Kohuth also asked who Sandy Urgo was and Mr. Desiderio explained she is from the Land Conservancy.
- Dan Kohuth asked who is responsible for the trees in Homestead Farms. Mr. Desiderio explained the homeowners are and in the past a letter was sent out and if the homeowner didn't trim them the DPW does it. Ms. Zilberfarb will send out a letter to the homeowners.
- Mr. Kohuth inquired about the salt shed and asked if there was a plan to fix the one we have. Mr. Desiderio said there are no issues. He also asked about the nonbinding referendum for November and if there will be amounts for the residents. Mr. Desiderio will have rough estimates prior to the election.
- Scott Lance talked of the SHIPO determination of the FFP barn being historic and he stated that tearing down part of the building is not the same as demolishing it. Dan Kohuth stated that the committee wanted that building when they purchased it and discussed the pool that was on the property. Mr. Stracco stated that the town made a terrific purchase. It has been cleaned up and does much better. There are no more trespassers on the property etc. Mr. Stracco explained his point of view on the purchase of the property and that although people are saying we purchased it for the pool, he did not consider that as a purchasing point. He felt the property was nestled between Nome Hollow and the other township property. The Lincoln Laurel residents did not like the camp and they weren't the best residents/owners for the township. He also stated that there were other people on the committee when this purchase went through and could only speak for himself.
- Jean Smolha asked if there are any plans on utilizing the lodge building. Feels the lodge needs to be used more and to be maintained more. Mr. Desiderio asked if she would like to help to develop a plan for the building. He also stated that the lodge is used for archery, aerobics, karate, etc and rentals for parties etc. Ms. Smolha asked how much the town has made on the building.
- Scott Lance asked if there was a long term maintenance plan for the lodge. Mr. Desiderio stated that there was none known.

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

DEPARTMENT REPORTS:

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

DPW – Report is in the book. Nothing further to report.

Land Manager – Mr. Conner discussed the pond treatment and how presentable the pond looks. He also mentioned his encounter with a woman walking dogs off leash on the property. He advised her of the rules and regulations. If happens again he will contact the ACO.

Rec Center Coordinator – No report given

Legal Report – Covered throughout the meeting.

Recreation Committee – Mr. Desiderio stated that soccer is running well and there is a fall ball softball team this year. The Eagle Scout project has been started with Jack Swistack.

Environmental Commission – No meeting

Farmland Preservation/Open Space Committee – No meeting

Historic Committee – Ms. Natyzak and Mr. Lance let the committee know that they will be conducting a walk in Johnsonburg this October. At the September meeting, Dick Stevens will have maps completed and will be at the meeting.

Mayor report – Nothing to report

Deputy Mayor report – Mr. Stracco explained that he participated in a roadside cleanup and that the amount of trash was astronomical. He did mention that they left a steel door at the pullover by the creamery. Ms. Zilberfarb said she would have the dpw remove it. He also was concerned with the speed on that road.

Committeeman Boynton – Not present

Committeeman Marra – Let the committee and public know that he felt Ed and Loren were doing a great job and wanted to commend them both.

Committeeman McPeek – Commended the dpw for handling everything with Dan out on medical leave.

Clerk report – Ms. Zilberfarb thanked the committee members again for allowing her the time off to take her son to college.

EXECUTIVE SESSION:

There was no executive session.

CORRESPONDENCE:

- State of New Jersey – DOT Applications being accepted for Local Freight Impact Fund for FY2020
- State of New Jersey – Dept of Agriculture, Emerald Ash borer
- State of New Jersey – DEP, Suspected hazardous substance discharge notification NJDEP Case Number: 19-07-18-1457-49
- New Jersey League of Municipalities – Annual Audit Statement FY2019
- New Jersey League of Municipalities – Legislative Bulletin June 2019
- New Jersey Transit Corporation – FY2019 Request for Federal Financial Assistance
- New Jersey Transit – FTA Section 5310 Grant Program
- Warren County Department of Public Safety – Status of EOM
- Township of Blirstown – Ordinance #2019-18 a Land Use Ordinance amendment
- Township of Green – Ordinance #2019-10 permit medical marijuana growing, production and manufacturing as a conditionally permitted use in the AI-10 Zone
- Wildwood Crest – second annual Crest Best Run Fest invitation
- Washington Township – Parent to parent addictions services
- Stillwater Township – Ordinance 2019-18 Amend to change certifications of zoning board of adjustment applications
- Legal Notice to Frelinghuysen Township LUB board for a minor subdivision
- Lakeland Bank – Stillwater Branch closure
- JCP&L – BP Docket No. ER18080965 and BPU Docket No. ER19060736
- ANJEC – NJ No plastics
- Blirstown Hose Company – July fire report

ADJOURNMENT:

There being no further business, motion was made by Mr. Stracco, seconded by Mr. Marra to adjourn the meeting at 8:50 p.m. All were in favor.

Respectfully Submitted,

