

MINUTES OF REGULAR MEETING OF SEPTEMBER 16, 2020

The regular meeting of the Frelinghuysen Township Committee was held virtual via zoom virtual meeting service, Township Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, September 16, 2020 and as called to order at 7:30 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 via zoom, Committeeman Todd McPeek, Attorney Ed Wacks via zoom, CFO Danette Dyer, via zoom, Paul Sterbenz, Maser Engineer via zoom and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. August 19, 2020 regular meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. Boynton. All were in favor.
2. August 19, 2020 Executive session meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. Boynton. All were in favor.
3. September 9, 2020 work session meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. McPeek. All were in favor. Mr. Desiderio abstained.

RESOLUTIONS:

#2020-67 TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION OPPOSING REALLOCATION FROM THE STATE RECYCLING FUND
WHEREAS the international markets for recycled materials have all but collapsed; and **WHEREAS**, not enough domestic market capacity exists; and **WHEREAS**, this market crisis has resulted in tipping fees for single stream recycling in the range of \$75 to \$100 per ton and higher, thus being equivalent to and, in some cases exceeding, the cost of disposal, and **WHEREAS**, New Jersey towns have been forced to scramble under severe budget constraints to cover unanticipated costs to maintain these mandated recycling services to their residents; and **WHEREAS**, the New Jersey State Recycling Fund provides an estimated \$24 million to municipalities and counties to fund mandated and essential recycling services to their constituents; and **WHEREAS**, the impact of COVID-19 and subsequent business and government shutdowns have substantially increased the residential recycling generation rates due to work from home policies and orders; and **WHEREAS**, the lack of recycling markets along with higher volumes have the potential for further straining municipal budgets in the coming years; and **WHEREAS**, Governor Murphy’s proposed reallocation of \$12 million to state park management will severely cut the grant amounts available and will have a negative impact on local budgets, as recycling is mandated by state law; and **WHEREAS**, now is not the time to further compromise municipalities’ ability to meet state recycling mandates; and **WHEREAS**, the Township Committee of the Township of Frelinghuysen, Warren County are concerned that reduction of \$12 million from the State Recycling Fund will impair its ability to maintain an adequate recycling program; and **NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Frelinghuysen, Warren County, oppose the reallocation of any and all monies from the State Recycling Fund. **BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the New Jersey Secretary of State; the Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of the General Assembly; the Warren County Legislative Delegation, the New Jersey Association of Counties, all other Boards of Chosen Freeholder, ANJR and Warren County Municipal Clerks.
CERTIFICATION I hereby certify the above to be a true copy of a resolution adopted by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey on September 16, 2020.

Roll Call Vote:

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

#2020-68 RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY FOR THE YEAR 2020-2021 WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2020-2021

2106-33-005-006 Plan B Pub, LLC

WHEREAS, the following Plenary Distribution Liquor Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2020-2021

2106-44-002-002 Gerald Chrusz

WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2020-2021

2106-33-001-005 Joseph McEvoy

WHEREAS, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of New Jersey by the above applicants. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 16th day of September, 2020 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2020-2021. CERTIFICATION I, Donna Zilberfarb, Municipal Clerk of Frelinghuysen Township, Warren County do hereby certify the above to be a true copy of a resolution adopted by the Frelinghuysen Township Committee at their meeting of September 16, 2020.

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

2020-69 TOWNSHIP OF FRELINGHUYSEN WARREN COUNTY, NJ WHEREAS, the Tax Assessor has granted a **100% disabled veteran exemption** on the property listed below, **effective June 15th, 2020**. The Tax Collector is therefore relieved of collecting taxes in the amount of **\$ 4,450.61** (this amount is for pro-rated 2nd qtr, 3rd qtr & 4th qtr 2020 taxes).

WHEREAS, the Tax Collector advises of the payment of the taxes for the year 2020. The 1st qtr, 2nd qtr, 3rd qtr & part of 4th qtr were paid as billed. NOW, THEREFORE, BE IT RESOLVED on this 16th day of September, 2020 by the Mayor and Township Committee that the Chief Financial Officer is hereby authorized to issue a refund of taxes paid, as listed below;

BLOCK	LOT	OWNER	AMOUNT
1601	24	Stewart, David H	\$ 2,722.11

I, Donna M. Zilberfarb, Clerk of the Township of Frelinghuysen, do hereby certify the foregoing Resolution to be a true and accurate copy adopted by the Township Committee on September 16th, 2020

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

#2020-70 September 2020 WHEREAS, a resolution is required by the Tax Collector to cancel 2020 taxes deemed uncollectible, and WHEREAS, the following property has 2020 taxes that must be canceled of record;

BLOCK	LOT	OWNER	AMOUNT
1401	1.38	William & Angela Calamusa	2,827.30

NOW, THEREFORE BE IT RESOLVED by the Township Committee that the above taxes be canceled of record as they are uncollectible. I hereby certify the foregoing to be a true and accurate copy of a resolution adopted by the Township Committee at its' meeting held September 16th, 2020. This property owner was granted a Veteran Exemption effective February 3, 2020 and the 4th quarter of 2020 must be canceled of record.

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

#2020-72 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF SEPTEMBER 2020 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 SEPTEMBER 2020; 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			

#2020-74 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 September 16, 2020 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 stated that the municipal courts contracts have been signed and sent to Belvidere and he will follow up with the attorney to make sure Belvidere signed the contracts. The Green Township Fire truck will be discussed in executive session. He had nothing further to discuss.
- Deputy Mayor Ramos continues to have close contact with Altice.
- Committeeman David Boynton asked if the town would be hosting Halloween like in the past. Mr. Stracco explained that we are still waiting for guidance from the State but that he and OEM have drafted somethings and will be ready for discussion at the work session in October. Mr. Boynton also discussed a tree on South Street that is dead and feels should be taken down. He also discussed a branch on Bear Creek Road. Ms. Zilberfarb will get pricing.
- Committeeman Frank Desiderio asked about signing the intent for the renewal of the MEL insurance. Ms. Zilberfarb explained that the committee wanted quotes and those won't be available until December. Mr. LaSalla is working on those quotes.
- Committeeman Todd McPeek had nothing to report
- Attorney Ed Wacks discussed the house on Route 519 and explained the guidance on unsafe structures and liens on property. A letter will be sent from the attorney explaining that the township will be placing a lien on the property.
- Municipal Clerk Donna Zilberfarb had nothing to report

OLD BUSINESS:

- Salt shed – discussed by Mr. Sterbenz during his report.
- Energy Coop – Hold until October 2020

NEW BUSINESS:

- Mr. Sterbenz discussed with the committee performing an audit on storm water management over the next couple of weeks for the submittal of the annual report. He is currently preparing updates for stormwater provisions and the land use board will hear those as well as the township committee.

Mr. Sterbenz also briefed the committee on the paving projects. The NJDOT has given clearance to proceed. There will be a preconstruction meeting on 9/24 for Greendell and Stillwater Roads. Paving should start on October 1 and 2. There will be prep work for the dpw to complete prior to milling and paving. The county will also need to place a membrane over the bridge on Greendell road. Mr. Sterbenz explained that all costs will be within budget for both projects.

Mr. Sterbenz let the committee know that he received approval from SHIPO for the salt shed and discussed the different phases of removal and erection. He discussed demo this year and erect the new one next year in the spring. Mr. Ramos discussed what was discussed prior and that the salt shed needed to be demoed and erected in the same time frame. Mr. Ramos will send Mr. Sterbenz a short scope of needs to be done per

their conversation. Approval was given by the committee for Mr. Sterbenz to scope out work and spec everything out and Mr. Sterbenz will bring to the work session meeting in October.

- A letter of resignation by Mr. Sassman from the Recreation committee was accepted with regrets by Mr. Boynton, seconded by Mr. McPeck. All were in favor.
- Mr. Stracco appointed Cheryl Bach to the Land Use Board as an alternate. Motion was made by Mr. Boynton to concur with said appointment, seconded by Mr. Ramos. All were in favor.
- Mr. Stracco appointed Alan DeCarolis as an alternate to the Environmental commission. Motion was made by Mr. Ramos to concur with said appointment, seconded by Mr. Desiderio. All were in favor.
- Mr. Ramos read a letter from the recreation committee regarding booster club funds. After reading the letter Mr. Ramos asked Mr. Desiderio to recuse himself until this matter is taken care of. Mr. Desiderio explained that due to covid it has made it harder to get things completed. Mr. Desiderio stated that the CD had been cashed in and a bank check will be issued and that all should be resolved within a week. He feels there is no conflict of interest and will not recuse himself. Mr. Wacks stated that he should only recuse himself from any issues with booster club and the recreation committee. Mr. Desiderio will give all checks to Danette Dyer, the CFO.

DEPARTMENT REPORTS:

Motion was made by Mr. Ramos for a consent agenda for department reports 1-10, seconded by Mr. Boynton. All were in favor.

DPW – Report in the book. Ms. Zilberfarb questioned the trees that Mr. Boynton discussed and Mr. Desiderio explained to Mr. Boynton that the right of way on South Street is 35 feet and that he believes the tree has been removed already. Mr. Boynton will go back out and look again.

Land Manager – Mr. Conner asked if the old utility poles could be removed from the FFP. Ms. Zilberfarb will ask JCP&L if they are their poles, Marty will get her pole numbers. The committee commented on the monthly reports and that they are nicely done and Marty let the know that Ms. Buttgerit prepares them each month.

Recreation committee – Mr. Ramos let the committee know that they have prepared rules for permit application for the fire pit.

Environmental Commission - no meeting.

Farmland/Open space Committee – no meeting

Historic Committee – no meeting.

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Boynton, 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:

- Waclaw Hein spoke of the letter to the booster club and stated that he participated in programs and stated to stop playing games and to give the money and to open up the books for the booster club.
- Mr. Hein also asked about elections for the upcoming general elections and felt it was wrong to have mail in voting. Mr. Stracco understood his concerns but explained that by law all persons will receive a mail in ballot. He explained that due to social distancing our polling place has moved to Frelinghuysen School. The township is awaiting guidelines from the county board of elections.
- Mr. Hein also commented on the dugouts and how they turned out. Mr. Ramos thanked him for volunteering and helping.
- Loren Greco asked about the trees that were discussed for being cut down and removed and asked why Nelson wasn't asked to cut them down. Ms. Zilberfarb was asked to contact JCP&L to discuss.
- Edyta Martewicz asked when Mr. Desiderio would be providing information for the booster club and when all monies would be turned over to the recreation department. Mr. Desiderio stated within a week.

- Dan Kohuth suggested that booster club present at the regular meeting and put it on the agenda.
- Mr. Kohuth also asked about the house at 509 Route 519 and also what was happening with the yellow house on Main Street. Mr. Stracco explained that he could not comment at this time as it was being discussed during executive session.
- Mr. Kohuth was flabbergasted that Nelson wasn't taking the trees in question down. Mr. Stracco explained that these trees have just been brought to our attention.
- Ms. Martewicz asked about working hours for the maintenance workers and if they have a schedule. Mr. Boynton said their hours are currently 7:30 - 3:30 and their schedule varies daily. Mr. Ramos stated that they do a lot of work and do their best with what they have.

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

RETURN TO REGULAR SESSION:

Mr. Wacks explained that the executive session was to discuss sale of township property, regards to potential structure, the township committee authorized building department to proceed, and a claim by Mr. Leanzo for legal payment. The township will not be looking for those fees.

CORRESPONDENCE:

- Warren County Department of Land Conservancy – County annual PIG submissions
- Warren County Agriculture Development Board – Opposition to designating productive farmland areas in need of redevelopment.
- Warren County Department of Human Services – Notice of Virtual public hearing 2021 casino revenue grant (emailed to TC members 8/19/2020)
- Warren County office of the engineer – 2019 WC Traffic Crash data and road safety assessment (report book in clerks office)
- Township of Blirstown – Resolution 2020-104
- Robin Deschak – tree on south street
- Mary Reduzzi – thank you note
- Steven Covacci – Notice of hearing on application
- Upper Delaware Conservation District – Merge of Sussex County and Warren County soil conservation districts
- JCP&L – BPU Docket Number: er20060392
- JCP&L – BPU Docket Number: er20030190
- NJ Transit – Notice of Public hearing
- Cozen O'Connor, Gregory Eisenstartk – JCP&L docket number: ER20020146 and OAL docket number: PUC 04343-2020N
- Green Township Fire Department – August 2020 Report
- Blirstown Hose Company – August 2020 Report

ADJOURNMENT:

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Boynton to adjourn the meeting at 9:26 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC