

**MINUTES OF REGULAR MEETING OF SEPTEMBER 20, 2023**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, September 20, 2023, and was called to order at 6:00 p.m. by Mayor Ramos.

**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 emailing notice to the New Jersey Herald and The Express-Times.

**ROLL CALL:**

Those present were: Mayor Keith Ramos, Deputy Mayor Stracco, Committeeman Boynton, Committeeman McPeek, Committeeman Stock, Attorney Rich Beilin, and Municipal Clerk Donna Zilberfarb.

**MINUTES:**

- Minutes of the August 16, 2023, regular meeting were approved as amended on a Motion by Mr. Stock, seconded by Mr. Boynton. All were in favor. Mr. McPeek abstained.
- Minutes of the August 16, 2023, executive session meeting were approved as amended on a motion by Mr. Stracco, seconded by Mr. Boynton. All were in favor. Mr. McPeek and Mr. Stracco abstained.

**RESOLUTIONS:**

**# 2023 -67** WHEREAS, the Township of Frelinghuysen plans to improve another 3,000 foot segment of Greendell Road beginning at the terminus of the Phase 2 improvements; and WHEREAS, the Township has obtained a grant from the municipal aid portion of the Transportation Trust Fund to help fund the project; and WHEREAS, the Township has appropriated the funds and plans on constructing the improvements in the fall of 2023; and WHEREAS, the Township plans on utilizing Tilcon New York, Inc. ("Tilcon") and Denville Line Painting Inc. ("Denville") through its membership in the Morris County Cooperative Pricing Council ("MCCPC") to perform the required milling, paving, and striping work on Greendell Road; and WHEREAS, Tilcon and Denville are qualified contractors and have been found to be in compliance with the contract documents and technical specifications; and NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE of the Township of Frelinghuysen, that the Township shall utilize Tilcon and Denville through its membership in the MCCPC, to perform the following work:

1. Fuel Price Adjustment at \$1,250.00 (Tilcon);
2. Asphalt Price Adjustment at \$2,500.00 (Tilcon);
3. HMA Milling, 0"-2" Depth at \$2.75/SY for a total of \$22,275.00 (Tilcon);
4. HMA Milling, 2"-4" Depth at \$2.00/SY for a total of \$200.00 (Tilcon);
5. Hot Mix Asphalt 9.5M64 Surface Course at \$84.15/Ton for a total of \$88,357.50 (Tilcon);
6. Hot Mix Asphalt 19M64 Base Course at \$60.00/Ton for a total of \$1,200.00 (Tilcon);
7. Traffic Striping 4", Yellow, Epoxy at \$0.34/LF for a total of \$2,244.00 (Denville).

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the N.J.D.O.T.'s Bureau of Local Government Services. Donna Zilberfarb, Township Clerk Date: September 20, 2023

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

**#2023-68 CHAPTER 159 RESOLUTION: INSERTION OF NJDOT GRANT: GREENDELL ROAD**

**SECTION III WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of adoption of the budget, and **WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount, **NOW, THEREFORE, BE IT RESOLVED** that the Township of Frelinghuysen hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$125,000.00; which item is now available as revenue from the State of NJ, Department of Transportation, pursuant to the provisions of statute, and **BE IT FURTHER RESOLVED** that a like sum of \$125,000.00 be and the same is hereby appropriated under the caption of:

*Public and Private Programs Offset by Revenues  
NJDOT Greendell Road Phase III*

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Committee of the Township of Frelinghuysen, in the County of Warren, New Jersey, at a meeting held on September 20, 2023 Donna Zilberfarb, RMC

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

**#2023-69** RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF SEPTEMBER, 2023 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; 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.

Donna M. Zilberfarb, RMC

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

**ORDINANCES:**

**COMMITTEE REPORTS:**

- Mayor Ramos – nothing to report
- Deputy Mayor Stracco – nothing to report
- Committeeman Boynton discussed conversations with residents on the mowing of the roads. Mr. Ramos explained that they are trying to get them done as quickly as they can but that there were some problems with the mower that is being repaired now.
- Committeeman McPeek – nothing to report
- Committeeman Stock – nothing to report
- Attorney Rich Beilin let the committee know of a need for a procedure for road openings in the township and will have an ordinance ready for next month.
- Municipal Clerk Zilberfarb – nothing to report

**OLD BUSINESS:**

**NEW BUSINESS:**

- Motion was made by Mr. McPeek to appoint Smitra Choubey to the Environmental Commission, seconded by Mr. Stracco. All were in favor.
- Motion was made by Mr. Stock to accept the resignation of Justin Stanley from the Land Use Board with regrets, seconded by Mr. Boynton. All were in favor.
- Motion was made by Mr. McPeek to accept the resignation of Nickolas Soranno from the Land Use Board effective December 31, 2023, with regrets, seconded by Mr. Boynton. All were in favor.
- Motion was made by Mr. McPeek to accept the resignation of Bryan James from the Recreation Committee with regrets, seconded by Mr. Stock. All were in favor.
- Motion was made by Mr. McPeek to appoint Scott Winfield to part time dpw as needed at an hourly rate of \$17.00 effective today, seconded by Mr. Boynton. All were in favor.
- Motion was made by Mr. McPeek to accept the \$8,000.00 holding tank bid with precast, seconded by Mr. Stock. All were in favor.
- Mr. McPeek explained to the committee the intent to purchase a new Boss Snow Plow for the Mason dump costing \$6,572.20 He explained that the older Boss Snow plow was not the correct plow and was going through too many cutting edges in a season. After discussion, motion was made by Mr. Stock to purchase a new boss plow for the Mason dump truck, seconded by Mr. McPeek. All were in favor.
- Mr. McPeek discussed putting the older 2 plows on MuniBid at \$1,000-\$1,200 minimum for each. One will be the old western plow and the other will be the old boss plow. He will get specifics for each plow and send to Ms. Zilberfarb for placement on MuniBid.
- Motion was made by Mr. Stock to appoint Antwon Barnes to the FTVFC, seconded by Mr. Boynton. All were in favor.

**DEPARTMENT REPORTS:**

Motion was made by Mr. Stracco for a consent agenda for department reports 1-16, seconded by Mr. McPeek. All present were in favor.

**OPEN MEETING TO THE PUBLIC:**

Motion was made by Mr. Boynton, seconded by Mr. Stock limiting it to 20 minutes to open meeting to the public. All were in favor. Spoke were:

- Wendy Buttgerreit spoke regarding the parking on Ramsey Road and that it hasn't gotten better and felt that the parking would be back behind town hall now that the salt shed has been built. She explained that noticed people sitting in chairs in front of the guardrail with their cars to their backs. She is concerned as that is dangerous. She asked if signs could be posted on the fence and not necessarily on the road way. Mr. Ramos will speak with Mr. Stanley and agreed with the safety concerns. Cheryl Towey asked to put cones out. Mr. Ramos said they tried but people steal the cones.
- Loren Greco asked if the Boss plow would be stronger and Mr. McPeek stated that it was a heavy duty commercial plow.
- Debra Natyzak asked if there was someone hired to build the fire department and asked who. Mr. Ramos let her know that Zook construction was the company. Ms. Natyzak asked why the dpw was doing work on the building then.
- Cheryl Towey asked about the picnic tables and let the committee know that she was more than willing to purchase tables. She asked what they were looking for exactly. Mr. Ramos explained how they were removed and that recreation didn't capitalize for them this year. He explained that Scott Lance offered to build them with his students toward a project. He would just need the materials. Mr. Ramos stated he appreciated the gesture for donating toward them. Mr. Stock mentioned the recycling program for plastic that the town is working on and asked Marty Connor to explain it. Mr. Connor explained that after collection of 500 pounds of plastic they are able to get a Trex bench. Plastics can be dropped off at the town hall. All information is posted on the website and at the town hall for anyone needing the information.
- Dan Edwards asked about the property on Route 94 that was just auctioned and would like to know what their plans are. Mr. Ramos explained that they haven't submitted a site plan yet. Chris Stracco explained that they would need to go to the Land Use Board for site plan approval and has to file an application and that could take months to years.
- Janey Hammerman asked if the Fire Department was going through training and at what point can they respond? Mr. Ramos explained that yes they were going through training but the department is still under DFS so they can not respond yet. Ms. Hammerman ask if there was a timeline. Mr. Ramos explained being under the DFS and that they review everything and will let them know.
- Rick Murphy asked who bought the property on Route 94. Mr. Ramos stated One Faith LLC.
- Cheryl Towey asked if there were any ordinances that have rules concerning smells. Mr. Ramos explained an air filtration system and explained that the State of New Jersey has the rules and regulations. Ms. Towey asked if there was anything townwide. Mr. Beilin explained that the State mandates and advised here to read the towns ordinances for cannabis.
- Cheryl Towey also asked about right of way and asked for a definition. Mr. Stracco explained the rare ROW easement is over properties and the other is where the town owns the road, dominate tenement. Mr. Beilin explained that it is a case by case basis in rural communities and will look at specific property. He also explained that anyone can search County records as well. Ms. Towey discussed tree that fell in the road and pushed onto her property.
- Loren Greco asked if Greendell Road would be paved this year or next year. Mr. Ramos let him know it would be next year.

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

#### **CORRESPONDENCE:**

- State of New Jersey DEP – approval of stormwater assistance grant deliverable
- JCP&L – BPU docket No. ER23030124
- Blairstown Hose Company – July monthly
- Hope Township fire Department – July monthly
- Green Township Fire Department – June monthly

#### **ADJOURNMENT:**

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Boynton to adjourn the meeting at 6:41 p.m. All were in favor.

Respectfully submitted,

Donna Zilberfarb, RMC