

MINUTES OF REGULAR MEETING OF SEPTEMBER 22, 2021

The regular meeting of the Frelinghuysen Township Committee was held at the Township Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, September 22, 2021 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, Committeeman Todd McPeek, Attorney Rich Beilin, CFO Danette Dyer (via phone) and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. September 8, 2021 work session meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. McPeek. All were in favor.

ORDINANCES:

#2021-13 ORDINANCE AMENDING SECTION 2-18.3 OF THE FRELINGHUYSEN TOWNSHIP CODE TO ELIMINATE THE POSITION OF ROAD SUPERVISOR AND ASSIGN RESPONSIBILITIES TO THE DIRECTOR OF PUBLIC WORKS WHEREAS, Section 2-18.3 of the Frelinghuysen Township Code establishes the position of Road Supervisor; and WHEREAS, the Mayor and Township Committee have determined that the responsibilities of that position can be efficiently handled by the Director of Public Works, which will result in savings to the Township and its taxpayers. 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 2-18.3 of the Frelinghuysen Township Code is amended to read as follows (additions are underlined, deletions are stricken through): 2-18.3. Department Personnel. a. The Department of Public Works shall consist of the Director of Public Works, who shall be the head of the Department, ~~the Road Supervisor,~~ the Road Foreman and all other officers and employees assigned thereto. All officers and personnel of the Public Works Department shall be appointed by the Mayor, with the advice and consent of the Township Committee. b. The duties of the Director of Public Works ~~Road Supervisor~~ shall include the following ~~have the following duties:~~ 1. Management of work order requests for road repair and maintenance; 2. Development of weekly work schedules, in conjunction with the Road Foreman; 3. Ordering materials needed for road repair and maintenance; and 4. ~~Maintaining a work log and timesheets for employees of the Department of Public Works; and~~ 5. ~~Such other duties as the Township Committee may prescribe concerning road repair and maintenance within the Township.~~ c. A work log and timesheets for employees of the Department of Public Works shall be maintained by the Township Clerk. **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. ATTEST: TOWNSHIP OF FRELINGHUYSEN DONNA ZILBERFARB, Clerk CHRISTOPHER STRACCO, Mayor **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced on first reading at the regular meeting of the Frelinghuysen Township Committee held on September 22, 2021 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on October 20, 2021 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. Ramos to open for first reading for introduction, seconded by Mr. Boynton.

RESOLUTIONS:

#2021- 74 WHEREAS, the Tax Assessor has granted a **100% disabled veteran exemption** on the property listed below, **effective April 7th, 2021**. The Tax Collector is therefore relieved of collecting taxes in the amount of **\$8,771.58** (this amount is for pro-rated 2nd qtr, 3rd qtr & 4th qtr 2021 taxes). WHEREAS, the Tax Collector advises of the payment of the taxes for the year 2021. The 1st qtr and 2nd qtr taxes were paid as billed. NOW, THEREFORE, BE IT RESOLVED on this 22nd day of September, 2021 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	5	Soldano, Deanna & Matthew Jacob	\$ 3,135.24

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 22nd, 2021.

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

#2021-75 Cancel taxes uncollectable was held until the work session on October 13th. Mr. Gill will have an explanation at that time.

#2021-76 CAPITAL ACCOUNT RESOLUTION WHEREAS, it is the desire of the Committee of the Township of Frelinghuysen to review and update the line items within each open Capital Ordinance, and WHEREAS, after review it has been decided to transfer budgeted amounts within each ordinance to better serve the purposes of the allotted capital expenditures and to move dollars to alleviate line items that have small or overspent balances within each ordinance, NOW, THEREFORE BE IT RESOLVED by the Committee of the Township of Frelinghuysen that the following capital budget transfers be recorded by the CFO:

DESCRIPTION	CURRENT BUDGET	ADJUSTMENT	ADJUSTED BUDGET
<u>Ordinance 2018-06 Various Improvements</u>			
Office Furniture	179.52	-179.52	0
Hope Fire	0	179.52	179.52
<u>Ordinance 2019 Various Improvements</u>			
Town Hall Renovations	3702.50	-3702.50	0
Website Design/Implementation	1100.00	-1100.00	0
Installation of Salt Shed	23,000.00	4802.50	27,802.50
<u>Ordinance 2020-08 Various Improvements</u>			
Green Fire	29.19	-29.19	0
Blairstown Fire	2554.60	-2554.60	0
Greendell Road Improvements	9777.17	-9777.17	0
Hope Fire	74.10	12,360.96	12,435.06

I hereby certify the above to be a true copy of a Resolution adopted by the Committee of the Township of Frelinghuysen at a meeting held on September 22, 2021.

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

#2021-77 WHEREAS, an application has been filed for the extension of the Plenary Retail Consumption License 2106-33-004-001 to the Administrator of the Estate of Katharina Reay, sole proprietor and owner of the license; **WHEREAS**, the submitted application form is complete in all respects, including proof of appointment to act as Executor; **NOW, THEREFORE BE IT RESOLVED** that the Township of Frelinghuysen Township Committee does hereby approve, Nunc Pro Tunc to June 29, 2021, the extension of the aforesaid Plenary Retail Consumption License to Kathleen Reay, as Administrator of the Estate of Katharina Reay, to conduct business under the privileges, terms, and conditions of the license for the benefit of the estate until such time as the will is probated and the license may be transferred in compliance therewith, and directs the Township Clerk/ABC Board Secretary to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Kathleen Reay, Administrator, until June 30, 2022. **CERTIFICATION** 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 22nd, 2021.

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

#2021-78 RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY FOR THE YEAR 2021-2022 WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2021-2022 2106-33-004-001 Kathleen Reay, Administrator Estate of Katharina Reay (Fireside Inn) 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 22nd day of September, 2021 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2021-2022. 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 22, 2021.

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

#2021-79 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF SEPTEMBER 2021 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 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			

*Colliers Engineering invoice for \$4,391.26 was held.

#2021-80 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with contract negotiations and personnel matters. 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 22, 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 – nothing to report
- Deputy Mayor Ramos discussed the ARP allocation for broadband and asked to earmark \$80,000 for the areas in town that are smaller. Mr. Ramos also mentioned that recreation has gotten gym time at North Warren and will be saving approximately \$5,000.00.
- Committeeman David Boynton – nothing to report
- Committeeman Frank Desiderio – nothing to report
- Committeeman Todd McPeek - nothing to report

- Attorney Rich Beilin – Nothing to report
- Municipal Clerk Donna Zilberfarb – Nothing to report

OLD BUSINESS:

- Mr. McPeek let the committee know that the pad for the salt shed has been dug out by the contractor and they will be drilling for the posts on Monday/Tuesday of next week. Mr. Desiderio stated a resident called him regarding the soil that was put at the dpw garage and asked if it was tested. Mr. Stracco said when speaking to the Engineer, he stated it was fine. Mr. Sterbenz will be at the work session in October.
- Mr. Beilin discussed the stand pipe and looking at where the easement is currently and then it will not be an issue with the land owner. This will put it in the County ROW. Mr. Beilin will reach out to the County Attorney and discuss.
- Hess Road vacation
- Time clock will be held to the new year. Ms. Zilberfarb will put back on the agenda in January 2022.
- Mr. Stracco asked the thoughts on the Hope fire department draft agreement. A motion was made by Mr. McPeek to transmit to Chief Marino for their signature, seconded by Mr. Ramos. All were in favor.
- Mr. Stracco discussed the shared services agreement drafted by Green Township for fire coverage and asked the committee their thoughts. After discussion, a motion was made by Mr. McPeek to not accept this agreement, seconded by Mr. Ramos. All were in favor.

NEW BUSINESS:

- Jackie Espinoza, JCP&L, discussed with the committee and public how outages and levels of service work throughout a storm. Ms. Espinoza discussed making sure when the power goes out to contact JCP&L so they are aware and can get the power back quicker. Questions on tree trimming were discussed and it was explained that they will be back in 3 years. They run on a 4 year cycle.
- A covid vaccination policy was discussed and after discussion, Mr. Beilin strongly recommended following the State and Federal guidelines.

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 – Nothing to report
- Land Manager – Mr. Connor showed the committee photos of the green house that was sold. Just the shell is still remaining and he asked if there was something that could be done. Ms. Zilberfarb will send an email to the buyer.
- Recreation committee – Mr. Ramos mentioned Justin Stanley and explained to the committee that he stepped up and is mowing the fields. Nothing else to report
- Environmental Commission – Meeting 9/27 nothing to report
- Farmland/Open space 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:

- Loren Greco, Greendell Road, asked what the \$26,000 change order was for. Mr. Ramos explained that it was for the paving, fill and little excavation.
- Trevor Burd, Main Street, asked if the soil that was brought to the dpw garage was clean and safe. He is concerned because his well is so close. He would like the soil tested and a copy of the report sent to him. Mr. Ramos will discuss with the Engineer and get back to Mr. Burd with more definitive answers.

Motion was made by Mr. McPeek, 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. Ramos. All were in favor.

Action was taken

Motion was made by Mr. Boynton to exit executive session, seconded by Mr. Ramos. All were in favor.

RETURN TO PUBLIC MEETING:

Mr. Stracco explained that the reason for the executive session was for personnel issues and contract negotiations.

- Motion was made by Mr. Ramos to authorize the Mayor to sign the agreement with CSC TKR, LLC a wholly owned subsidiary of Altice USA, seconded by Mr. Boynton. All were in favor.
- Mr. Boynton discussed Hess Road and hazards of parking. After discussion Mr. Beilin will draw a contract for private towing company to handle. Mr. Desiderio stated he would reach out to towing company and homeowner. In the meantime, residents can call the state police.
- A question was asked about the ordinance on hotel tax as there may be a bed and breakfast on Ackerson Road. Mr. Beilin is looking into the Ordinance further.
- Mr. Boynton let the committee know that he has a map of Warren County that he will be donating to the township.

CORRESPONDENCE:

- State of New Jersey DEP – NJDEP Discharge Notice
- Warren County Board of County Commissioners – Roadway solicitation
- Warren County Department of Land Preservation – county annual PIG submission
- Warren County Board of County Commissioners – Dedication and naming of the Warren County Library headquarters
- Warren County Engineer Office – 2020 Warren County traffic crash data and road safety assessment (book in clerk’s office)
- Frelinghuysen Township OEM – Independence FAS to serve Forest Manor
- Frelinghuysen Township Zoning – extension granted
- Frelinghuysen Township Zoning – Silver lake road property
- Frelinghuysen Township – ANJEC 2020 open space stewardship grant close out
- Township of Blairstown – Ordinance 2021-08 adoption notice
- Township of Allamuchy – Ordinance 2021-04 intro and adoption notice
- JCP&L – BPU Docket no. ER21060939 and ER21030631
- NJ Transit – public hearing notice
- Eastern States Environmental Associates Inc. – Block 1401, Lot 21.06
- The Land Conservancy – Muni PIG Grant FY 2022
- Fran Muller – NJ Herald Article
- Blairstown Hose Company – August report
- Green Township Fire Department – August report
- Unsigned complaint

ADJOURNMENT:

There being no further business, motion was made by Mr. Boynton, seconded by Mr. Ramos to adjourn the meeting at 9:31 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC