

MINUTES OF REGULAR MEETING OF OCTOBER 20, 2021

The regular meeting of the Frelinghuysen Township Committee was held at the Township Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, October 20, 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, and Municipal Clerk Donna Zilberfarb.

MINUTES:

1. October 13, 2021 work session meeting minutes were approved on a motion by Mr. Ramos, seconded by Mr. Boynton. 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. Motion was made by Mr. Boynton, seconded by Mr. Ramos to open for second reading for adoption. All were in favor. Motion was made by Mr. Boynton to open to the public, seconded by Mr. Ramos. All were in favor. No public comment. Motion was made by Mr. Boynton to close to the

public, seconded by Mr. Ramos. All were in favor. Motion was made by Mr. Ramos to approve for adoption, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

2021-15 AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$86,511 FOR FUNDING THE INSTALLATION OF BROADBAND IN THE TOWNSHIP OF FRELINGHUYSEN, AND THE UPGRADE OF COMPUTER HARDWARE/CYBERSECURITY IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, NEW JERSEY. BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Frelinghuysen, County of Warren, New Jersey, as follows: **Section 1.** The sum of \$86,511.00 is hereby appropriated for the following purposes:

- 1) \$80,000 for Installation of Broadband as outlined in the American Rescue Plan Act
- 2) \$5,611 for Upgrade of Computer Hardware/Cybersecurity as outlined in the American Rescue Plan Act

Section 2. The funding sources for said ordinance are as follows:

- 1) Current Fund Unappropriated Reserves, American Rescue Plan Funds

Section 3. In connection with the amount authorized in Section 1 hereof, the Township makes the following determination:

- a) The purposes described in Section 1 hereof is not a Current Expense and is an improvement, which the Township of Frelinghuysen may lawfully make as a general improvement.
- b) The period of usefulness of the purpose described in section 1 hereof is, at a minimum, five (5) years as required under the Local Public Bond Law. **Section 3.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provisions so adjudged and the remainder of the ordinance shall be deemed valid and effective. **Section 4.** This ordinance shall become effective immediately upon final passage, approval, and publication as provided by law. Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Township Committee of Frelinghuysen Township, New Jersey, held on October 20, 2021, and that at a regular meeting of the same to be held on November 10, 2021 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey, at the hour of 7:30 o'clock in the evening, the said Committee will consider the final passage of said ordinance. Motion was made by Mr. Ramos to open for first reading for introduction, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

Section 4. This ordinance shall become effective immediately upon final passage, approval, and publication as provided by law. Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Township Committee of Frelinghuysen Township, New Jersey, held on October 20, 2021, and that at a regular meeting of the same to be held on November 10, 2021 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey, at the hour of 7:30 o'clock in the evening, the said Committee will consider the final passage of said ordinance. Motion was made by Mr. Ramos to open for first reading for introduction, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-yes; Mr. Desiderio-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stracco-yes.

RESOLUTIONS:

2021-75 Held

#2021-81 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF OCTOBER 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 OCTOBER 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			
Mr. Desiderio	x		x			
Mr. McPeek			x			
Mr. Ramos		x	x			
Mr. Stracco			x			

#2021-81 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with contract negotiations and personnel issues. 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 October 20, 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			
Mr. Desiderio	X		X			
Mr. McPeek		X	X			
Mr. Ramos			X			
Mr. Stracco			X			

COMMITTEE REPORTS:

- Committeeman David Boynton discussed the propane at the FFP and that all seemed good. He also mentioned the parking lot on Hess Road and discussed seeing the approval and questioned the legality. He will discuss with the zoning officer. He also discussed some issues at north warren and was told to direct those residents to the Board of Education as the town has nothing to do with it.
- Committeeman Todd McPeek let the committee know that he will be on vacation next week. Mr. Ramos will work with the dpw during that time.
- Municipal Clerk Donna Zilberfarb thanked Girl Scout Troop 97441 for the bench in the front of the townhall that they donated. She also reminded everyone that next months meeting is earlier and will be on November 10th at 7:30pm. Ms. Zilberfarb discussed the zoning officer being on salary and asked for a new motion for that. Motion was made by Mr. Ramos to amend the previous motion at the work session (10/13) to hire Andrew Melendez at a salary of \$6,119.00 per year effective October 20, 2021, seconded by Mr. Desiderio. All were in favor.

OLD BUSINESS:

- Mr. McPeek let the committee know that paving will be next week and on schedule with salt shed.
- Waiting to hear back from the Hope fire department regarding the draft agreement.
- There was no update from Rina Chughatta regarding the lending library/silver award.
- Mr. Ramos spoke with Mr. Sterbenz regarding the speed limits and cross walk and they will be meeting to discuss further on the 3rd or 5th of November.

NEW BUSINESS:

- Municipal Alliance agreement – motion was made by Mr. Boynton to authorize the Mayor to sign the agreement, seconded by Mr. Ramos. All were in favor. Ms. Zilberfarb will send a signed copy to the county.
- The recreation committee recommended appointing Amanda Schmidt as a member of the recreation committee. Motion was made by Mr. McPeek to concur with said appointment of Amanda Schmidt to the recreation committee for a 3 year term, seconded by Mr. Boynton. All were in favor.
- Mr. Beilin explained that someone has approached him and the town and will be applying as a microbusiness for cannabis and would like representation of the local use. Mr. Beilin explained that the State wants to see that its allowed per the township committee. Mr. Beilin explained the next steps should prepare a process, have a subcommittee, and establish a licensing board. All requests should go to the Township Committee and then to legal to review.
- A partial payment to Clarke Moynihan was discussed. Motion was made by Mr. Ramos to process payment with exception of approval from the Engineer, Paul Sterbenz, seconded by Mr. McPeek. All were in favor. Ms. Zilberfarb will hold the check until Mr. Sterbenz has gotten all documents needed prior to mailing.

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.

- Recreation committee – Nothing to report
- Environmental Commission – discussed solar panels and farmland.
- Farmland/Open space Committee – No meeting

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. McPeek, seconded by Mr. Boynton 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 if the town heard back regarding the fire coverage agreement with Hope Fire department. Mr. Ramos explained that the agreement was sent and are waiting to hear back from them.
- Trevor Burd, Main Street, received a letter regarding the soil and his well that stated it's "most likely" not going to affect the well. Mr. Burd would like a guarantee. Judy Burd also asked how they know if the soil wasn't tested and why not remove it. Mr. Ramos stated that it will be removed at some point.
- Bruce Barbour, Main Street, stated he has the same interest as Mr. Burd with the dirt and would like to know about the new plans, preferably the salt run off. He stated that the portion of dead grass is concerning from where the salt is being stored. Mr. Ramos explained the new building and the new doors to help stop the runoff. He explained that the new pitch will also help with that run off. Mr. Ramos also discussed the dead grass and wasn't sure that the area was caused by run off. Mr. Barbour explained that the run off will still be going to the drain. Mr. Ramos explained the different phases of work for the salt shed and area surrounding it. Mr. Barbour offered to show the run off that is killing the grass.
- Dan Kohuth, Greendell Road, asked what the additional \$26,000 was for. Mr. Ramos explained the bid process and explained the change order was for the paving for the salt shed.
- Mr. Kohuth also asked about the stand pipe and how many years have we discussed and asked if it was truly needed. Mr. Stracco explained the need and explained that it was going to be on private property but they are looking into the Warren County ROW. Mr. Ramos mentioned that it was brought up and inquired about by the fire departments.
- Mr. Kohuth asked about the status of the road crew, how many there are. Mr. Ramos explained the hiring of 2 well qualified people, Tom Heaton is the Foreman, and Tyler Crum is the Laborer. Mr. Ramos explained the winter approaching and that they are looking good for the winter months and that they have Loren Greco as well.

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. McPeek to enter into executive session, seconded by Mr. Boynton. All were in favor.

No action was taken

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

RETURN TO PUBLIC MEETING:

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

CORRESPONDENCE:

- Warren County Board of County Commissioners – Resolution 401-21 Resolution to amend the Warren County solid waste management plan
- Township of Hardwick – ordinance 2021-09
- JCP&L - BPU docket No. ER21060872
- JCP&L – BPU docket No. EO20080545
- Blairstown Hose Company – September report

ADJOURNMENT:

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

Respectfully Submitted,

Donna Zilberfarb, RMC