

MINUTES OF MEETING OF JANUARY 17, 2011

The reorganization meeting of the Frelinghuysen Township Board of Adjustment was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, January 17, 2011 and was called to order at 7:30 p.m. by the secretary Brenda Kleber.

SUNSHINE LAW STATEMENT:

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:

Present: Bailey, Jungkind, Klein, Soisson, Soranno, Stracco and Walters.
Absent: Drylie

REORGANZIATION:

Chairman-Motion was made by Walters, seconded by Klein nominating Christopher Stracco as Chairman. There were no other nominations. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes, Walters-yes.

Vice Chairman-Motion was made by Soisson, seconded by Jungkind nominating Kevin Bailey as Vice Chairman. There were no other nominations. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes, Walters-yes.

Secretary-Motion was made by Soisson, seconded by Bailey nominating Shannon Drylie as Secretary. There were no other nominations. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes, Walters-yes.

Recording Secretary-Motion was made by Soranno, seconded by Bailey nominating Brenda Kleber as Recording Secretary. There were no other nominations. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes, Walters-yes.

EXECUTIVE SESSION:

Motion was made by Bailey, seconded by Klein to enter into Executive Session with regard to litigation. Motion was made by Soranno, seconded by Bailey to return to public session. Upon returning, the Chairman advised that what transpired would be known later in the meeting.

RESOLUTION:

The Chairman reported that the Finch matter was remanded to the Board for further consideration of the prior resolution as the court has ordered the Board to amend the prior resolution as it was insufficient and needed more specific reasons within 35 days of the order on December 29, 2010. The amended resolution was read into the record by Chairman Stracco. Motion was made by Bailey, seconded by Klein to adopt the resolution as modified. Roll call vote: Bailey-yes, Jungkind-yes, Soisson-yes, Klein-yes, Stracco-yes. Soranno and Walters were unable to vote as they were not in attendance at the meetings.

The meeting date resolution was approved on motion made by Soisson, seconded by Bailey after being changed to the second Wednesday of the month. All in favor.

The 2010 summary resolution for variances is on hold.

Professional services resolution for Joseph Golden as Board Engineer was approved on motion made by Jungkind, seconded by Soisson. All in favor. Motion was made by Bailey, seconded by Walters to approve the New Jersey Herald and The Express-Times as official newspapers. All in favor. Motion was made by Soranno, seconded by Jungkind to appoint Russell Stern as Special Projects Planner. All in favor. Motion was made by Jungkind, seconded by Klein to appoint David Brady as Board Attorney. All in favor.

MINUTES:

The minutes of the meeting of November 15, 2010 were approved as amended on motion made by Bailey, seconded by Soranno. All in favor. The executive session minutes were approved on motion made by Bailey, seconded by Soisson. All in favor.

NEW BUSINESS:

David Boynton, III has filed an application to be an alternate member of the Board. The Township Committee will approve his appointment at their meeting of January 19, 2011.

The listing of the meetings for the members to attend the Environmental Commission will be held over. Meantime, if a meeting is held by the Environmental Commission, Mr. Soisson has volunteered to attend.

OLD BUSINESS:

The letter of resignation received from Chip Greene was accepted with regret on motion made by Bailey, seconded by Jungkind. The secretary was instructed to send a letter of thanks and best wishes to Mr. Greene.

AUDIENCE PARTICIPATION:

Christopher Alicks stated he did not agree with the Board decision on the Finch manner and felt that there should be a zone change. Mr. Bailey advised that the Planning Board is working on this. Mr. Alicks wanted the Board to know where he stands and wondered out loud whether he would have time to respond to the updated resolution as it is more detailed than the first resolution.

Chairman Stracco reported on a question from audience member Marty Connor who asked when the results of the Kids Camp matter would be made known. Mr. Stracco stated when it involves litigation and is discussed in executive session the discussion is subject to attorney client privileged and cannot be released until the litigation is concluded which may not be for years. Mr. Conner further asked if there was anything which could be reported on. Mr. Stracco reported that the Judge ordered the parties to submit to mediation and Judge Derman was appointed as the mediator. Mediation took place on November 5th and November 17. The parties at the first mediation were from Kids Camp, their attorney, Mr. Stracco, Mr. Soranno and the Board's attorney, Mr. Brady. No resolution occurred at either meeting. Kids Camp then filed an amended application before the court alleging that the Board denied the application because they were acting in a racist manner in violation of the US Constitution and the Civil Rights Act of 1964. The court denied the application.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, Secretary