

MINUTES

Township of FRELINGHUYSEN

Planning Board

MAY 1, 2006

REGULARLY SCHEDULED MEETING

THE MAY 1, 2006 REGULARLY SCHEDULED MEETING OF THE TOWNSHIP OF FRELINGHUYSEN PLANNING BOARD MINUTES WERE READ AND APPROVED BY THE PLANNING BOARD AT THE JUNE 1, 2006 WORK SESSION MEETING, BY A MOTION BY MS. RANDOLPH, SECONDED BY MR. KUHN. ALL MEMBERS PRESENT WERE IN APPROVAL, WITH MR. YOUNG ABSTAINING.

CALL TO ORDER - The May 1, 2006 Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board was called to order at 8:05 p.m. by Chairman Finn.

FLAG SALUTE

ANNOUNCEMENT OF PROPER NOTICE - Notice of this meeting was provided by posting notice on the Township Municipal Building located in Johnsonburg, and by advertising in the Star Gazette and New Jersey Herald in accordance with the Open Public Meetings Act.

ATTENDANCE -

Board Members Present

Boynton	DeCarolis	Desiderio	Finn
Kuhn	Marie	Randolph	Smith
Kleber - Alt - #1	Pachnos - Alt #2		

Board Members Absent

Young

PROFESSIONALS

Professionals Present

Lavery

Professionals Excused

Golden Madden

MINUTES

The Minutes of the February 13, 2006 Special Public Hearing on the Open Space Recreation Plan were approved with minor modifications, by a motion made by Mr. DeCarolis, seconded by Mr. Boynton. All Board Members present approved.

CORRESPONDENCE - 8:50 p.m.

All correspondence listed on the Agenda was reviewed by the Board. An addition to the

Correspondence regarding the Open Space and Recreation Plan was added by Chairman Finn. The correspondence was from Mr. Robert Severinsen, Attorney At Law, who has been retained by Alan DeCarolis for the purpose of investigating the legality of including Wyly Road in the Open Space and Recreation Plan.

Mr. DeCarolis stepped down for the Correspondence.. Mr. Lavery stated he received a copy of the letter, and as his firm conducted the closing on part of Wyly Road, he has requested closed copies be taken out of archives to review the Deeds, as well as the closing documents. As of now, the paperwork seems to indicated the road appears in Road Returns listed in Sussex County. Mr. Lavery was asked to look into the Deeds. It was asked of Mr. Lavery as to how much time and money would be spent on this particular search. Mr. Lavery responded it could take as little as fifteen minutes, or it could open up a whole can of worms.

There was discussion regarding removing Wyly Road from the Open Space/Recreation Plan completely. Mr. DeCarolis stated if the roads are in the Open Space Element of the Master Plan, and money is accepted from the State for the purpose of the Plan, the roads cannot be taken out of the Plan at that point. Ms. Marie indicated she is not comfortable with the roads being named in the Plan, as it seems there has not been enough homework done on this particular

Mr. Desiderio made a motion to Re-advertise for a Public Hearing on the Open Space Plan, specifically in regard to the trails. Mr. DeCarolis seconded the motion, however, as he recused himself previously from the dais, this was not accepted. After further discussion regarding the trails, it was asked of Mr. Lavery to find out what is going on with Wyly Road.

9:25 p.m.

DEEDS

Ricon Builders - Approval was given to the Secretary by the Professionals for Deed signature by the Chairman and Secretary.

SUB-COMMITTEE REPORTS

COAH - Alan DeCarolis, Chair - The Sub-Committee has received copies of the surrounding Township's Ordinances, which will reviewed. There shall be another meeting of the Sub-Committee shortly.

Conservation Easement - Robert Young, Chair - Mr. Young was not present for the Meeting, therefore there is no report.

Rural Character - David Boynton, Chair - Mr. Boynton stated Ms. Smith brought a lot of paperwork prior to the Meeting, and the Committee is reviewing this paperwork. The Committee will meet again within the next three weeks, prior to the Work Session Meeting.

Open Space Committee - Robin Randolph, Chair - Ms. Randolph stated she is hoping the Township Committee puts together the Open Space Committee soon. There was some confusion with regard to

the Ordinance regarding funding, as there was two Ordinances created for this purpose. The Ordinance should be on the Agenda for the next Township Committee Meeting.

PUBLIC COMMENT

The meeting was opened to the Public by a motion by Mr. Boynton, seconded by Mr. DeCarolis. All members present were in approval.

Margaret Silversides - stated that what she heard from Mr. Garbo was that there were monuments located in the middle of Wyly Road, and that Mr. Garbo owns up to those monuments, therefore Wyly Road is a privately owned road, and now a Township road. Mr. Finn told Ms. Silversides that the Board would not be making and decisions on Wyly Road at this time, as was stated earlier in the Meeting, and the Board is waiting for Mr. Lavery’s review of all documents pertaining to Wyly Road.

Fran Muller - stated she likes what Ms. Marie is saying about the roads, and that the homework should have already been done on the roads.

Tessa McDonald - agrees with Mrs. Muller, and feels it was premature to name the roads in the document without having all of the information ahead of time.

A motion was made by Mr. DeCarolis, seconded by Mr. Boynton, to close the meeting to the Public. Meeting closed to the Public

9:40 p.m.

Mr. Lavery advised the Board that there is a need for Executive Session due to impending litigation. A motion was made by Mr. Boynton, seconded by Mr. DeCarolis, to move the Board into Executive Session due to pending litigation. All Members present were in approval to move the Meeting into Executive Session.

9:55 p.m.

A motion was made by Mr. DeCarolis to reopen the May 1, 2006 Regularly Scheduled Meeting, seconded by Ms. Randolph. All members were in favor. The Meeting was called to order.

A motion was made by Mr. Kuhn, seconded by Ms. Randolph, to grant North Warren Properties, John Angeleri and Robert Benbrook owners, a thirty (30) day extension, with the right to enforce the forty-five (45) day time limit on the application. The vote is recorded as follows:

Finn - Yes Kuhn - Yes Marie - Yes Smith - Yes
Boynton - Abstained DeCarolis - No

Motion passes.

As there was no further business, the May 1, 2006 Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board was adjourned at 9:58 p.m.

RESPECTFULLY SUBMITTED,

Shannon Drylie
Planning Board Clerk