

MINUTES OF REORGANIZATION MEETING OF JANUARY 3, 2012

The reorganization meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Tuesday, January 3, 2012 and was called to order at 4:00 p.m. by the Municipal Clerk.

SUNSHINE LAW STATEMENT:

Under the provisions of the Open Meetings Act, 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 Express Times on December 13, 2011.

ROLL CALL:

Those present were: Thomas Charles, David Boynton, Frank Desiderio, Dale Durling, Alan DeCarolis, Engineer Paul Sterbenz, Attorney Edward Wacks and Clerk Brenda Kleber.

OATH OF OFFICE:

The Municipal Clerk administered the oath of office to David Boynton.

NOMINATION FOR MAYOR:

The Municipal Clerk called for nomination for Mayor for the year 2012. Motion was made by Desiderio, seconded by DeCarolis to nominate Thomas Charles. There being no other nominations, Mr. Charles accepted.

NOMINATION FOR DEPUTY MAYOR:

Mayor Charles took over the meeting and asked for nominations for Deputy Mayor. Motion was made by DeCarolis, seconded by Durling to nominate David Boynton. A motion was made by Boynton, seconded by Charles to nominate Frank Desiderio. A straw vote was taken. The results were three (3) votes for Frank Desiderio and two votes for David Boynton. Mr. Desiderio accepted the position.

COMMITTEE APPOINTMENTS:

Director of Public Works -Charles
Supervisor of Roads Desiderio
Finance Commissioner (includes Tax Assessor and Tax Collector Durling & Charles
Buildings & Grounds Boynton & Desiderio
Open Space Committee member-DeCarolis
Farmland Preservation Committee member-DeCarolis
Recreation Committee member Boynton

Planning Board member -Class I-Mayor's appointee -Desiderio
Planning Board member Class II- DeCarolis
Environmental Commission liaison-Durling
Board of Health members all committee members
Personnel Committee members -Durling & Boynton
Board of Education Liaison -Boynton
Freeholder Liaison -Durling
Police Liaison -DeCarolis
Safety Committee Liaison -Desiderio
COAH Coordinator -DeCarolis
Municipal Alliance Liaison –Boynton
Motion was made by Durling, seconded by Boynton to concur with the Mayor's appointments. All were in favor.

MISCELLANOUS APPOINTMENTS:

Deputy Clerk-(Donna Zilberfarb)
Tax Collector-(Donna Van Tassel)
Tax Search Officer (Donna Van Tassel)
List of Certified Owners (David Gill)
Deputy Tax Collector (Brenda Kleber)
Board of Health Secretary (Brenda Kleber)
Senior Citizen Coordinator (Jean Verberke)
Solid Waste Advisory Commission member (James Banta)
Animal Control Officer-Alan DeCarolis)
Dog Licensing Official (Brenda Kleber)
Municipal Alliance Coordinator (Ronnie Schwartz)
Clean Communities Coordinator (Donna Zilberfarb)
Driveway Opening Official (Joseph Golden)
Zoning Officer/Code Enforcer-(George Boesze)
Building Sub Code Official-(Richard O'Connor)
Temporary Sub Code Official-(James O'Connor)
Electrical Sub Code Official-(Greg Chontow)
Plumbing Sub Code Official-(Dale Glynn)
Technical Assistant to the Construction Dept.-(Donna Zilberfarb)
Recycling Coordinator-(Donna Zilberfarb)
Motion was made by Boynton, seconded by Durling to concur with the Mayor's appointments. All were in favor.

PLANNING BOARD APPOINTMENTS:

Donna Eitner (Class IV)- 4 year appointment
David Zilberfarb (Class IV)-4 year appointment
James Simonetti (Alternate #1) 1 year appointment
Christopher Kuhn (Alternate #2)-1 year appointment
Motion was made by Desiderio, seconded by Boynton to concur with the Mayor's appointments. All were in favor.

BOARD OF ADJUSTMENT APPOINTMENTS:

Nicholas Soranno-2 year appointment

David Boynton II- 1 year appointment

Motion was made by Durling, seconded by Boynton to appoint the above named. All were in favor.

RECREATION COMMITTEE:

Frank Desiderio (Note: Thomas Charles resigned at this time and replaced himself with Mr. Desiderio)-4 year appointment

David Boynton-1 year appointment

Motion was made by Durling, seconded by DeCarolis to appoint the above named. All were in favor.

ENVIRONMENTAL COMMISSION:

Cliff Kimball-1 year appointment

Dale Durling-1 year appointment

Motion was made by Boynton, seconded by DeCarolis to concur with the Mayor's appointments. All were in favor.

OPEN SPACE COMMITTEE:

Alan DeCarolis-1 year appointment as Committee member

David Cross-1 year appointment as Environmental member

Cliff Kimball-1 year appointment as Recreation member-1 year appointment

Robin Randolph-1 year appointment as Planning Board member

Wendy Buttgereit-1 year appointment as citizen

Motion was made by Boynton, seconded by Durling to appoint the above named. All were in favor.

FARMLAND PRESERVATION BOARD:

Alan DeCarolis-1 year appointment

Richard Dericks-1 year appointment

Richard Rogers-2 year appointment

Robert Young-1 year appointment

Christopher Kuhn-3 year appointment

David Boynton, II-1 year appointment

Motion was made by Durling, seconded by DeCarolis to appoint the above named. All were in favor.

MUNICIPAL ALLIANCE COMMITTEE:

David Boynton-1 year appointment
Dr. Dwight Klett-1 year appointment
Elizabeth Manz-1 year appointment
Cyndy Ponczek-1 year appointment
John Ponczek-1 year appointment
Clare Saalfeld-1 year appointment
Ronnie Schwartz-1 year appointment

Motion was made by Durling, seconded by Boynton to appoint the above named. All were in favor.

GENERAL ASSISTANCE BOARD:

Robert Berry- 1 year appointment
Thomas Charles-1 year appointment

Motion was made by Boynton, seconded by Durling to appoint the above named. All were in favor.

EMERGENCY MANAGEMENT COORDINATOR:

Due to the resignation of James Drylie, motion was made by DeCarolis, seconded by Durling to appoint Nicholas Pachnos as Emergency Management Coordinator. All were in favor. Ralf Irizarry will remain as deputy.

ORDINANCES:

AN ORDINANCE (#2012-01 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) was offered for introduction on motion made by Durling, seconded by Boynton. Roll call vote: Charles-yes, Desiderio-yes, DeCarolis-yes, Durling-yes, Boynton-yes.

RESOLUTIONS:

#2012-01 (Setting meeting dates)

WHEREAS, section 12 of the Open Public Meetings act, Chapter 231, P.L. 1975, requires that at least once a year, not later than January 10th of such year, every public body shall post and mail to newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year.

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that the regular public meetings of the Frelinghuysen Township Committee will be held on the third Wednesday of each month at 7:30 p.m. at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey as follows:

REGULAR MEETING DATES FOR 2012

January 18, 2012
February 15, 2012
March 21, 2012
April 18, 2012
May 16, 2012
June 20, 2012

July 18, 2012
August 15, 2012
September 19, 2012
October 17, 2012
November 21, 2012
December 19, 2012

BE IT FURTHER RESOLVED, that the following dates during the calendar year of 2012 are hereby designated as the workshop meetings of the Mayor and Committee of the Township of Frelinghuysen on an as needed basis.

January 12, 2012
February 9, 2012
March 15, 2012
April 12, 2012
May 10, 2012
June 14, 2012

July 12, 2012
August 9, 2012
September 13, 2012
October 11, 2012
November 15, 2012
December 13, 2012

BE IT FURTHER RESOLVED, that all workshop meetings will begin at 4:00 p.m. at 210 Main Street, Johnsonburg, New Jersey unless otherwise specified. Workshop meetings may be subject to cancelation. Formal action may be taken at regular and workshop meetings. Executive sessions may be called by the governing body at these meetings. Motion was made by Durling, seconded by Boynton to adopt said resolution. Roll call vote: Durling-yes, Boynton-yes, Desiderio-yes, DeCarolis-yes, Charles-yes.

#2012-02 (Committee resolution)

BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the following resolution be adopted:

That all Township officials be present at each meeting on a quarterly basis

Monthly department reports are required from the Tax Assessor, Tax Collector, Chief Finance Officer, Building Department, Zoning Officer, Warren County Health Department, Knowlton Court and Animal Licensing Official to be given to the Clerk one week prior to the Township Committee meeting.

The Township Clerk, Building Department, Zoning Officer, and the Animal Licensing Official shall turn over monies collected and in hand on a weekly basis to the Township Clerk to be deposited.

Interest on current and delinquent taxes shall be 8% on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00. A penalty of up to 6% may be charged on any delinquency in excess of \$10,000.00 if not paid by the end of the calendar year.

The Lakeland Bank is depository for monies collected by the Tax Collector, Chief Finance Officer, Zoning Officer, Animal Licensing Official, Building Department, COAH, Small Cities and Township Clerk.

The Bank of America is the depository for monies collected by the Chief Finance Officer for escrow account.

The New Jersey Herald and Express-Times are the official newspapers for the publication of all legal items.

The Tax Collector is authorized to issue tax search requests.

The Tax Assessor is authorized to issue certified list of property owners.

Motion was made by Boynton, seconded by DeCarolis to adopt said resolution. Roll call vote: Desiderio-yes, Charles-yes, Durling-yes, Boynton-yes, DeCarolis-yes.

#2012-03 (Temporary budget)

WHEREAS, N.J.S.A.40A:4-19 provides that where any contract commitment or payments are to be made prior to the final adoption of the 2011 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided; and

WHEREAS, the date of this resolution is within the first thirty (30) days of January 2011; and

WHEREAS, one-fourth of the total appropriations in the 2010 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said 2011 budget in the sum of \$239,600.00.

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Finance Officer for her records.

Motion was made by Boynton, seconded by Durling to adopt said resolution. Roll call vote: Boynton-yes, DeCarolis-yes, Charles-yes, Durling-yes, Desiderio-yes.

#2012-04 (Setting Open Space tax)

WHEREAS, section 2-39.3 of the Ordinances of the Township of Frelinghuysen requires that the Open Space tax for the year 2012 be set at or before the meeting when the budget is adopted; and

WHEREAS, the Township Committee of the Township of Frelinghuysen desires to establish a \$0/02 cent open space tax per \$100.00 of ratable for each and every taxable property located within the Township.

NOW, THEREFORE BE IT RESOLVED, that the 2012 Open Space Tax is hereby established at \$0.02 cents per \$100.00 of ratable pursuant to section 2-39.2.

Motion was made by Boynton, seconded by Durling to adopt said resolution. Roll call vote: DeCarolis-yes, Durling-yes, Charles-yes, Desiderio-yes, Charles-yes.

#2010-05 (Appointing township professionals)

WHEREAS, there exists a need for various Township Professionals; and

WHEREAS, the Local Public Contracts law (N.J.S.A. 40A:11-1 et. seq) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised.

WHEREAS, the following award is for a contract that is not in excess of \$26,000 as certified by the Chief Finance Officer of the Township of Frelinghuysen, and pursuant to N.J.S.A.19:44A-20.4, may be awarded by the Township Committee.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows:

1. The Mayor and Clerk are hereby authorized to execute an agreement with the following for the term indicated:

Edward Wacks-Municipal Attorney of Wacks & Hartmann-1 year term

Paul Sterbenz and Paul Niehoff-Municipal Engineers of Maser Consulting-1 year term

The Land Conservancy of New Jersey-Land Consultants-1 year term

Wilentz, Goldman & Spitzer-Bond Counsel-1 year term

Arditio & Co-Municipal Auditors-1 year term

2. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law because these are recognized professionals licensed and regulated by law and it is not feasible to obtain competitive bids.

3. A copy of this resolution shall be published in the New Jersey Herald and The Express Times as required by law, within ten days of its passage.

Motion was made by Boynton, seconded by Durling to adopt said resolution. Roll call vote: Durling-yes, Desiderio-yes, Charles-yes, DeCarolis-yes, Boynton-yes.

#2012-06 (Appoint personnel of the Public Works Dept)

WHEREAS, the Department of Public Works for the Township of Frelinghuysen shall have charge of and supervision over the care, maintenance and construction of all streets, alleys and public ways; the construction, operation and maintenance of all storm-water and sanitary sewers, and all street gutters and drains and the appurtenances thereto; and

WHEREAS, the Department of Works consist of the Director of Public Works and shall be under the immediate control and direction of the Township Committeeman in charge of public works, who shall be designated “Director of Public Works” and who shall be subject and subordinate to the ultimate control and direction of the Township Committee.

NOW, THEREFORE BE IT RESOLVED, that Thomas Charles shall be appointed as “Director of Public Works” for the year 2012.

Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: Durling-yes, Charles-yes, Desiderio-yes, Boynton –yes, DeCarolis-yes.

#2012-07 (Tax matters)

WHEREAS, a resolution by the Township Committee of the Township of Frelinghuysen is required in order for the Township Attorney to represent the Township before the Warren County Board of Taxation, and to sign documents relating to tax appeals and other real property tax matters before such board;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren and State of New Jersey that Edward Wacks, the Township attorney, and the firm of Wacks & Hartmann, LLC or any other attorney authorized to represent Frelinghuysen Township before the Warren County Board of Taxation, in connection therewith to sign and file petitions of appeal or counter-petitions, to sign and file answers, to make motions and to sign motion papers, to sign stipulations, including stipulations of settlement, and to take all other actions and sign all other documents appropriate to the representation of Frelinghuysen Township before the Warren County Board of Taxation and New Jersey Court, as applicable.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be supplied to the Warren County Tax Board, Belvidere, New Jersey, and to the Frelinghuysen Township Tax Assessor.

Motion was made Durling, seconded by Boynton to adopt said resolution. Roll call vote: DeCarolis-yes, Boynton-yes, Durling-yes, Charles-yes, Desiderio-yes.

#2012-08 (Transfer resolution)

WHEREAS, there are insufficient funds to meet the demands necessary for the 2011 budget in Emergency Management OE, Fire Sub-Code Official OE, Public Health (Board of Health) OE, and Recreation OE; and

WHEREAS, the following account has sufficient excess funds to meet such demands: Social Security.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen that in accordance with the provisions of R.S. 40:4-58, the Chief Finance Officer is hereby authorized to make the following transfers:

To:

Emergency Management OE	\$500.00
Fire Sub-Code Official OE	100.00
Public Health OE	100.00
Recreation OE	<u>500.00</u>
	\$1,200.00

From:

Social Security	\$1,200.00
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Motion was made by Boynton, seconded by DeCarolis to adopt said resolution. Roll call vote: Boynton-yes, DeCarolis-yes, Charles-yes, Desiderio-yes, Durling-yes.

NEW BUSINESS:

Paul Licitra representing the State Legislators of the 24th District appeared before the Committee Township. If any questions or problems arise, Mr. Licitra would like the committee to contact him.

CORRESPONDENCE:

Readington Township Re: Resolution to veto New Jersey's State owned lands which would be opened to commercial logging.

DEPARTMENT REPORTS:

Paul Sterbenz thanked the Committee for his reappointment and looks forward to organizing upcoming projects.

Ed Wacks thanked the Committee for his reappointment of the last 15 years.

The Municipal Clerk related a problem that arose in the town hall while being painted. A resident got paint on his jacket and wanted a replacement. Motion was made by Durling, seconded by DeCarolis to not replace the jacket as they do not feel the town was at fault and this would set a precedent. All were in favor except David Boynton who abstained.

PUBLIC PARTICIPATION:

Motion was made by Durling, seconded by Boynton to open the meeting to the public. All were in favor. Spoke was:

Robin Randolph thanked the Committee for their support and commitment to the Lee/Yang property acquisition. The Mayor thanked Ms. Randolph for her work and accomplishment in the purchase.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, RMC