

## **MINUTES OF MEETING OF APRIL 18, 2012**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, April 18, 2012 and was called to order at 7:30 p.m. by Mayor Charles.

### **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 The Express Times.

### **ROLL CALL:**

Those present were: Mayor Thomas Charles, Deputy Mayor Frank Desiderio, Committeeman Dale Durling, Committeeman David Boynton, Committeeman Alan DeCarolis, Attorney Edward Wacks and Clerk Brenda Kleber.

### **2012 MUNICIPAL BUDGET:**

Auditor Anthony Ardito and Chief Finance Officer Gene Marie McCartney were in attendance and explained that the budget includes a 2.78 cent increase on the tax rate which equates to an annual increase of \$60.00. Motion was made by Boynton, seconded by Durling to open the meeting to the public on discussion of the budget. All were in favor. Questions were asked by Ruby Malcolm and Debra Natyzak. Motion was made by Boynton, seconded by Durling to close the public portion. All were in favor. Motion was made by Boynton, seconded by DeCarolis to adopt the 2012 budget. Roll call vote: Boynton-yes, DeCarolis-yes, Durling-yes, Desiderio-yes, Charles-yes.

**MINUTES**-on hold for the May meeting

### **ORDINANCES:**

BOND ORDINANCE (#2012-04) PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$382,650 THEREFORE (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$180,000) AND AUTHORIZING THE ISSUANCE OF \$193,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. Motion was made by Boynton, seconded by Durling to introduce said bond ordinance. Roll call vote: Boynton-yes, Desiderio-yes, Charles-yes, DeCarolis-yes, Durling-yes.

AN ORDINANCE (#2012-95) AUTHORIZING THE TOWNSHIP OF FRELINGHUYSEN TO PROVIDE LEGAL COUNSEL AND INDEMNIFICATION FOR OFFICIALS, EMPLOYEES AND APPOINTEES OF THE TOWNSHIP IN CERTAIN ACTIONS BROUGHT AGAINST SAID OFFICIALS, EMPLOYEES AND APPOINTEES. Motion was made by Desiderio, seconded by Boynton to introduce said ordinance. Roll call vote: DeCarolis-yes, Boynton-yes, Charles-yes, Durling-yes, Desiderio-yes.

## RESOLUTIONS:

#2012-25 (Approval of raffle license)

WHEREAS, the Frelinghuysen Township PTO has applied for a raffle license to conduct an On-Premises 50/50 raffle license for May 24, 2012 with a rain date of May 25, 2012 consisting of application #2012-01; and

WHEREAS, the Findings and Determination by the Municipal Clerk has determined that the organization is qualified to conduct such raffle.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Frelinghuysen Township PTO raffle application #2012-01 is hereby approved.

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

#2012-26 (Support A-2717)

WHEREAS, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be “committed for expenditures, or risk forfeiture to the State;” and

WHEREAS, the 2008 Act did not define the term “committed for expenditure” and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for “committed” as a timetable for expenditures; and

WHEREAS, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c.46; and

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its “3<sup>rd</sup> round regulations” establishing municipal obligations under the “Fair Housing Act; and

WHEREAS, COAH’s 3<sup>rd</sup> round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

WHEREAS, eight years of litigation over COAH’s methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Committee of the Township of Frelinghuysen urges our State Legislators to support and approve A-2717, which will provide a four-year extension for municipalities to commit the municipal housing trust fund dollars; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the sponsor of A-2717, Assemblyman Anthony Bucco, Senator Steven V. Oroho, Assemblyman Gary R. Chiusano, Assemblywoman Alison Littell McHose, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

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

#2012-27 (Opposing Senate Bill 1451)

WHEREAS, legislation has been introduced to reform and modernize the Open Public Meetings Act (S-1451); and

WHEREAS, the governing body of the Township of Frelinghuysen agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

WHEREAS, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

WHEREAS, s-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- \* A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- \* A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- \* A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to loss of grant monies; and
- \* A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- \* A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- \* A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and

- \* A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- \* A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and
- \* A new requirement that comprehensive minutes that must include each member’s stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

WHEREAS, the provisions of S-1451 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meeting the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-1451 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the Township of Frelinghuysen strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 will make government inefficient;

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of Frelinghuysen, County of Warren, and State of New Jersey for reasons stated above, does hereby oppose S-1451, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; an

BE IT FURTHER RESOLVED, that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, Senator Steven V. Oroho, Assemblyman Gary R. Chiusano, Assemblywoman Alison Littell McHose, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks’ Association of New Jersey.

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

#2012-28 (Oppose S-1452)

WHEREAS, legislation has been introduced to reform and modernize the Open Public Records Act (S-1452); and

WHEREAS, the governing body of the Township of Frelinghuysen agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizens’ reasonable expectation of privacy; and

WHEREAS, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- \* The expansion of the definition of government records to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodian to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- \* The creation of a definition for “advisory, consultative or deliberative” material that may be contrary to the well established definition in case law leading to costly litigation; and
- \* The expanding of the definition of government records to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- \* The inclusion of a subjective definition for “reasonable” that may be contrary to the well established definition in case law leading to costly litigation; and
- \* A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- \* A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians’ Toolkit, which should be codified; and
- \* A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency’s website ; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by “access to a computer”; and
- \* A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and
- \* A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

WHEREAS, the provisions of S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the Township of Frelinghuysen strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1452 will make government inefficient.

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of Frelinghuysen, County of Warren, and State of New Jersey for reasons stated above, does hereby oppose S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

BE IT FURTHER RESOLVED, that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, Senator Steven V. Oroho, Assemblyman Gary R. Chiusano, Assemblywoman Alison Littell McHose, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

#2012-29-on hold

#2012-30 (Dispose of electronics)

WHEREAS, there are electronic items consisting of a computer tower, computer monitor, adding machine, and wireless router; and

WHEREAS, these items are no longer operational and need to be disposed of; and

WHEREAS, on April 22, 2012, the municipality will hold an e waste day in order to dispose of electronic items; and

WHEREAS, the Municipal Clerk needs approval from the Mayor and Township Committee to dispose these items.

NOW, THEREFORE BE IT RESOLVED, that the above listed items be disposed of at the E Waste facility.

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

#2012-31(Municipal enlistment in the military initiative)

WHEREAS, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, "above all, our freedom endures because of the men and women in uniform who defend it," and that "...this generation of heroes has made the United States safer and more respected around the world", and

WHEREAS, the President, further, promised, "As they come home, we must serve them as well as they've served us. That includes giving them the care and benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation"; and

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of

the National guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers, ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

WHEREAS, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS) , to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

WHEREAS, it is incumbent on all of us to prove that New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

WHEREAS, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

WHEREAS, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up.

NOW THEREFORE BE IT RESOLVED, on this 18<sup>th</sup> day of April, 2012 that the Township Committee of the Township of Frelinghuysen recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

BE IT FURTHER RESOLVED, that in gratitude Frelinghuysen Township pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employers Support Guard and Reserves; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities. Motion was made by Boynton, seconded by Durling to adopt said resolution. Roll call vote: Boynton-yes, Charles-yes, Durling-yes, Desiderio-yes, DeCarolis-yes.

#2012-32 (Approval of vouchers)

WHEREAS, the Finance Committee of the Township of Frelinghuysen has reviewed the bills submitted to the Township of Frelinghuysen for the above named month; and WHEREAS, they find the bills to be in order and approve them to be paid by the Chief Finance Officer.

NOW, THEREFORE BE IT RESOLVED, that all bills submitted for the month are reasonable and proper claims against the Township and are to be paid from its appropriate account.

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

#2012-33 (Amend capital budget)

WHEREAS, the Township of Frelinghuysen, County of Warren, desires to amend the 2012 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Acquisition of a fire truck, portable fire pumps, and accessories; turnout gear for the Blairstown and Hope Fire Department, Resurfacing of various roads; Lincoln Laurel road and Road Vacations engineering study

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

Section 1. the 2012 Capital Budget of the Township of Frelinghuysen is hereby amended by adding thereto a Schedule to read as follows:

AMENDMENT NO. 1				
CAPITAL BUDGET OF THE				
TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN				
Projects Schedules for 2012				
Q	Method of Financing			
<u>PROJECT</u>	<u>ESTIMATED</u> <u>COST</u>	<u>NJ DOT</u> <u>GRANT</u>	<u>CAPITAL</u> <u>IMPROV.</u> <u>FUND</u>	<u>GENERAL</u>
As Listed Above -	\$ <u>382,650</u>	\$ <u>180,000</u>	\$ <u>9,650</u>	<u>193,000</u>

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2012 Capital Budget, to be included in the 2012 Capital Budget as adopted.

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

#2012-34 (Budget self-exam)

WHEREAS, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Frelinghuysen has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Frelinghuysen meets the necessary conditions to participate in the program for the 2012 budget year, so now therefore,

BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

#### **PROCLAMATIONS:**

A proclamation designating the Month of May as Older Americans Month was proclaimed by Mayor Charles. Motion was made by Durling, seconded by DeCarolis concurring with the Mayor. All were in favor.

## **OLD BUSINESS:**

The Clerk asked the Committee if they would like to hold a fall clean-up since the Warren County Landfill is only allowing a week of clean-up. It was decided to hold off on this decision until we know the number of people who took advantage of the clean up in May.

A letter received from the Township Planning Board advising that they voted and recommends to the Township Committee that they not opt in the Highlands. Motion was made by Durling, seconded by Desiderio to opt out of the Highlands as recommended by the Planning Board and as this is not in the best interest of the township. Roll call vote: Boynton-yes, DeCarolis-yes, Desiderio-yes, Durling-yes, Charles-yes.

Committeeman Boynton asked to start the process to get out of our decision in joining the Sustainable Jersey as it is part of the United Nations agenda 21 issue. It was decided on motion made by Durling, seconded by Boynton to have the attorney draft a resolution for the June meeting and decide at that time. All were in favor.

## **NEW BUSINESS:**

North Warren School Superintendent, Dr. Brian Fogelson gave a presentation on the 2012-2013 school budget. The estimated impact of tax levy on Frelinghuysen homeowners will be an increase of \$0.04 which equates to an increase of \$12.13 a month to a home assessed at \$336,431.00.

A request to have the Frelinghuysen Daisy Girl Scout Troop complete a Take Action Project where they plan and implement a community garden project in front of the Town Hall was approved on motion made by Desiderio, seconded by Boynton. All were in favor.

Jason J. Sarnoski, Warren County Freeholder appeared before the Committee and talked about the county tax levy which will be flat this year but that doesn't mean the rate will go up. Mr. Sarnoski also took questions from the audience members.

## **OPEN MEETING TO THE PUBLIC:**

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

Jean Smolha who asked when the ditch on State Park Road will be filled in. Mr. Desiderio advised it would be done shortly.

Mark Quick who asked if he could use the town hall meeting room for a meeting with regard to the solar panel installation. Mr. Wacks told him that a one day insurance certificate along with the building use form being filled out and a \$25.00 fee would be needed. Mr. Quick said he would go elsewhere. Mr. Quick also brought up Sustainable Jersey.

Chris Kuhn who wanted to encourage everyone to take advantage of the E-Waste Day on Sunday April 22<sup>nd</sup>

Robin Randolph who wanted to expand on reason for rejecting Sustainable Jersey as she feels each township could take care of them by way of the master plan.

Loren Greco who asked what the \$10,000 grant is for. He was told it was for bicycle awareness.

Motion was made by Durling, seconded by DeCarolis to close the meeting to the public. All were in favor.

### **DEPARTMENT REPORTS:**

Motion was made by DeCarolis, seconded by Durling to approve the department reports number 1 through 10 on a consent agenda motion. All were in favor.

#### Mayor Thomas Charles report:

Mayor Charles reported that Frelinghuysen Township purchased a third of a four wheel pumper and due to design flaws the manufacture is willing to swap the truck for a new one; the school came in with a \$0 budget and the Mayor would like to send a letter of appreciation; Blairstown Township adopted a Land Use Board and the Mayor thinks we should pursue this again and consider; there were 6 applications received for the Charles E. Rydell scholarship.

#### Deputy Mayor Frank Desiderio's report:

Deputy Mayor Desiderio met with Tilcon with regard to paving portions of Lanning Road, Greendell Road, Lincoln Laurel Road and Bear Creek Road; the road department shared services with Blairstown on spraying pesticide along the guard rails. Mr. Desiderio reported that there is a resident on Lanning Road blocking the outflow of pipes plus their shrubs are blocking the site line. The attorney was authorized to send a letter to this resident. The secretary who is in charge of the Open Space and Recreation Plan update has been doing extra work and Mr. Desiderio feels she should be compensated. The Clerk was instructed to check with the auditor as to whether we can give the secretary an additional \$16.00 an hour for a total of \$300.00. Mr. Desiderio asked for approval from the Committee to allow the DPW to stake out corners for a subdivision on the town owned property on Route 94 and have Laura Brill plot out a 400x900 foot section. Approval was given on motion made by Durling, seconded by Boynton. All were in favor.

#### Committeeman Alan DeCarolis report:

Committeeman DeCarolis asked that a letter be sent to the County with regard to the number of accidents that are happening at the intersection of Routes 519 and 612. Motion was made by Durling, seconded by Boynton to send this letter. All were in favor.

Mr. DeCarolis also felt that a letter should be sent to the Warren County Tax Board on the amount difference of the tax levy between the township and Knowlton Township. Motion was made by DeCarolis, seconded by Boynton instructing the attorney to send the letter. All were in favor. Mr. DeCarolis asked the attorney if he has any authority to go on property if he is refused access by the property owner. Mr. Wacks reported that if there is public safety or animal cruelty he can go on the property after obtaining a warrant.

Committeeman David Boynton's report:

Committeeman Boynton reported that he has been hearing that Frelinghuysen is going to be hit hard with a ten cent increase in county taxes. Mr. Boynton will meet with the Tax Assessor on Friday to discuss the difference in the tax levies.

Committeeman Dale Durling's report:

Committeeman Durling referenced a state statute that each fire company has to give an annual accountability and Frelinghuysen has not received any to date. The attorney will give a memo on this next month. Mr. Durling commended the Environmental Commission on the work they have done on the Open Space and Recreation Plan Update and ERI.

Attorney Edward Wacks report:

Mr. Wacks noted that he did not give the committee a litigation report as there is no longer any litigation. Mr. Wacks asked for a motion for the committee to adopt exhibit F which is a model personnel policies and procedure manual for small municipalities. Motion was made by Boynton, seconded by Durling to adopt this manual. All were in favor. Mr. Wacks instructed the Committee members, if they attended the Board of Adjustment meeting on the solar farm application, to not speak as a committee member but if they announced they were speaking as a resident they could then speak. Mr. Wacks was asked if there is any liability on the township with regard to signs being erected for the bike awareness program. He advised that if the signs are for awareness and advisory they have no liability.

Recreation Committee report:

Mr. Desiderio spoke on behalf of the Recreation Committee and advised that the DPW has started clearing trees from the walking trail. Tilcon has been asked to give a quote to pave the trail. The clay was replaced on the ballfield that had been washed away. Casino Night was a success.

Farmland Preservation Committee report:

Mr. DeCarolis reported that the closing on the Linz property should happen soon.

Open Space Committee report:

Chairman Robin Randolph reported that the final figures spent by the Township on the purchase of the Lee/Yang property was \$19,294.00. On May 5<sup>th</sup> there will be a hike on the Frelinghuysen Forest Preserve property.

**CORRESPONDENCE:**

Township of Galloway Re: Support of the Jessica Lunsford Act  
NJ Green Acres Program Re: March 2012 reimbursement request  
Frelinghuysen Township Construction Dept. Re: Copy of letter sent to Forest Manor  
Thank you note from Girl Scout Troop 775 Re: Use of town hall  
EffiSolar Energy Corp Re: Notice of public hearing to Board of Adjustment  
Frelinghuysen Township School District Re: Proposed 2012-13 school budget  
Frelinghuysen Township School Re: Certificate & report of school taxes  
Highlands Council Re: Plan conformance amended grant agreement  
Warren County Dept. of Land Preservation Re: Farmland Preservation program  
Township of Blairstown Re: Ordinance #2012-02  
NJ Gov Connect Re: Designing healthy communities  
NJDEP Re: Hazardous substance discharge  
NJDOT Re: Condition of tunnel at Camp Wasigan Road  
NJ Dept. of Education Re: percentage shares for tax levies for regional school districts  
Warren County Dept. of Public Safety Re: 911 meeting  
Warren County Planning Dept. Re: Annual recycling breakfast seminar  
New Jersey State League of Municipalities Re:

1. Two Issues:
  - a. Grants-NJLM's online resource for locating grant opportunities
  - b. 2012 annual legislative correspondents club show
2. Two Issues:
  - a. Energy tax funding gaps, funding cuts and the state skim
  - b. Executive leadership training
3. League President tells assembly budget committee to restore lost property tax relief
4. Email lists and the Open Public Records Act
5. Important decision regarding OPRA and mailing lists
6. Three Issues:
  - a. Affordable Housing/Municipal Trust fund dollars
  - b. Recent study lists New Jersey as least corrupt State in the nation
  - c. New continuing education units
7. Legislative bulletin No. 1
8. Mayor's newslines-April edition
9. Upcoming Sustainable Jersey workshops & webinars

**ADJOURNMENT:**

There being no further business, the meeting was adjourned.

Respectfully Submitted,