

## **MINUTES OF OCTOBER 17, 2012**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, October 17, 2012 and was called to order at 7:30 p.m. by Mayor Thomas 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 Alan DeCarolis, Committeeman David Boynton, Attorney Edward Wacks and Clerk Brenda Kleber.

### **MINUTES:**

The minutes of the work meeting of September 13, 2012 were approved as amended on motion made by Boynton, seconded by Durling. All were in favor. The minutes of the regular meeting of September 19, 2012 were approved as amended on motion made by Boynton, seconded by Durling. All were in favor. The minutes of the executive session of September 19, 2012 were approved on motion made by Boynton, seconded by Durling. All were in favor.

### **ORDINANCES:**

AN ORDINANCE (#2012-09) RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF A STREET KNOWN AS CAMP WEAHQUA IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, AND STATE OF NEW JERSEY, RESERVING ACCESS EASEMENTS was offered for introduction on motion made by Boynton, seconded by Durling. Roll call vote: Boynton-yes, Charles-yes, Desiderio-yes, Durling-yes, DeCarolis-yes.

AN ORDINANCE (#2010-10) RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF A STREET KNOWN AS KERR ROAD IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN AND STATE OF NEW JERSEY AND RESERVING ACCESS EASEMENTS, AND THE RIGHTS OF ADJOINING OWNERS TO RELOCATE FORMERLY DEDICATED ROADWAY was offered for introduction on motion made by Boynton, seconded by Durling. Spoke was John Buonocore, Jr. of McKirdy and Riskin who represents Heather Hill, IHM Realty and Mr. Ron Mount. Mr. Buonocore had no objections to the vacation, however, he thought this should not be set in stone and if someone, in the future wanted to subdivide that the road could be moved. Mr. Wacks agreed and redrafted the ordinance. Roll call vote: Charles-yes, Desiderio-yes, Durling-yes, DeCarolis-yes, Boynton-yes.

Ordinance #2012-11 vacating Old Stage Road will be on the November agenda

**RESOLUTIONS:**

#2012-63 (Special ruling for liquor license)

WHEREAS, Joseph C. McEvoy t/a The Johnsonburg Inn applied to the Division of Alcoholic Beverage Control for a special ruling to permit consideration of the renewal application for the license term 2013 and 2012-14; and

WHEREAS, a Special Ruling dated September 6, 2012 from the Director of the Division of Alcoholic Beverage Control has been received granting renewal application pursuant to N.J.S.A.33:1-12.39 for Joseph C. McEvoy.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren and State of New Jersey that the above mentioned liquor license are hereby approved for the renewal period of July 1, 2012 to June 30, 2013.

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

#2012-64 (Approval of payment 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 Boynton, seconded by Durling to adopt said resolution. Roll call vote: Durling-yes, DeCarolis-yes, Boynton-yes, Charles-yes, Desiderio-yes.

**OLD BUSINESS:**

Mark Quick spoke to the Committee on Sustainable Jersey and Agenda 21. His opinion was that the two are interlinked as to what the website shows. It was decided on motion made by Durling, seconded by DeCarolis that Committeeman Boynton would have someone at the next meeting give another opinion. All were in favor.

Deputy Mayor Desiderio expressed his concern that the surface course has not been placed on Lackawanna Drive in the second phase. There are two new homes with another one being built and at this point the road can't be plowed. The attorney suggested that we check into the bonds.

The communications policy between township boards, departments and the Mayor and Committee was adopted on motion made by Boynton, seconded by Durling. All were in favor. This policy states that when any township board or department seeks to have action taken or a matter considered by the Mayor and Committee at a public meeting, a written request must be submitted to the Mayor and Committee, through the Township Clerk, no less than ten days before the meeting at which the action is requested. If a request is not submitted at least ten days before the meeting and the matter is not an emergency, then action will not be taken until the next meeting.

The Enough Abuse campaign which asks for community support to prevent child sexual abuse was endorsed on motion made by Durling, seconded by Boynton. All were in favor.

A letter of resignation received from Elizabeth Manz from the Municipal Alliance Committee was accepted with regret on motion made by Durling, seconded by DeCarolis. The Clerk was instructed to send a letter of thanks to Ms. Manz.

**OPEN MEETING TO THE PUBLIC:**

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

Roman Osadca asked who was on the task force for the road vacations, is there any minutes and is there a written report.

Gabe DeCarolis asked if Cross Road has been vacated.

Roman Osadca stated that there was a newspaper article that if election signs are vandalized there is a fine. He asked what would happen if this happened in Frelinghuysen.

Amy Hufnagel asked for permission to record her comments. The attorney advised that this would be acceptable as long as a copy is given to the Clerk. She next asked if the public portion could be extended by 10 minutes. She then wanted to discuss the signs on the recreation field. She looked at five other townships and their signs faced inward. She would like the signs turned around as she feels this is visual pollution.

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

**DEPARTMENT REPORTS:**

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

Recreation Committee:

Mr. Boynton reported that Saturday, October 27<sup>th</sup> is the annual hayride at the town hall.

Emergency Management Coordinator-no report

Environmental Commission-

Chris Kuhn reported that they reviewed the littering ordinance and the township committee will be asked to post signs throughout the township. The Environmental Commission will be willing to spend the money out of their budget.

Farmland Preservation Committee:

Chris Kuhn reported that a joint meeting was held with Open Space and that the Linz property had closed.

Open Space Committee:

Chris Kuhn reported that there will be additional joint meetings in the future. Quarterly meetings are also being looked into.

Mayor Thomas Charles report:

The Mayor reported that he has received mixed reviews on the new stop signs at the intersection of Routes 612 and 519 and feels a letter should be sent to the Freeholders asking them to look into this further as people are going through the stop signs. He also reported that as per Warren County, Frelinghuysen Township has the 3<sup>rd</sup> lowest taxes in the county. Lastly, he reported that he had a meeting with a resident on South Street who is willing to pursue with the work needed but needs a statement that he will not be liable. The attorney will handle this.

Deputy Mayor Frank Desiderio report:

The Deputy Mayor reported that \$27,961.00 of the \$35,000.00 has been spent on the walking trail to date. The connection of the trail still needs to be done and he will get three quotes. He will also get quotes to plant trees and shrubs in the area of the Citro property in order to buffer them from the noise. The issue of the DPW workers maintaining the recreation field was brought up. Mr. Desiderio will obtain three quotes to maintain the fields. The question of whether to put weight limits on roads that are tar and chipped, due to them starting to fall apart was discussed. The attorney asked the Committee to consider special assessments. In order to protect a 7 foot deep culvert, a \$7,000 guard rail would have been needed on Kerrs Corner Road. Mr. Desiderio suggested a basin which would cost a little over \$1000.00. Motion was made by Durling, seconded by Boynton to authorize Mr. Desiderio to proceed with the basin. All were in favor with Desiderio abstaining. Motion was made by Boynton, seconded by Durling authorizing Mr. Desiderio to obtain quotes for the walking trail and purchase of trees. All were in favor.

Attorney Edward Wacks-no report

Committeeman Dale Durling-no report

Committeeman Alan DeCarolis:

Mr. DeCarolis wanted to address the extension of the public portion.

Committeeman David Boynton:

Mr. Boynton advised that the rugs in the Municipal building are being cleaned along with the deck being stained.

Municipal Clerk's report:

The Clerk advised that the new copier has been received.

**CORRESPONDENCE:**

Draft copy of letter from Michael Lavery to attorney with regard to Cable TV

Municipal Excess Liability JIF Re: Renewal data comparison report 2013

Warren County Health Dept. Re: Copy of notification of well contamination letter sent to residents in area of Lincoln Laurel Road & Stillwater Road

Warren County Mosquito Control Comm. Re: West Nile Virus-How to protect yourself

Superior Court of New Jersey Re: 2012/2013 annual visitation to Municipal Court

NJDEP Re: Christie Administration announces approval of Green Acres project

NJ State Health Benefits Program Re: Open enrollment for local government employers

Warren County Freeholders Re: two public hearings pertaining to the future public auctions of real property owned by the Freeholders

New Jersey Highlands Re: Plan Conformance grant program

NJ DCA Re: Construction official

New Jersey State League of Municipalities Re:

1. Notice of proposed membership dues
2. Municipal Issues 2012-Race for U.S. Senate-The Candidates respond
3. Two Issues:
  - a. Verizon business personal property tax appeal
  - b. League educational foundation presents Solar Energy Policy study
4. Base Salary-Litigation update
5. Two Issues:
  - a. NJDEP Exemption from permitting requirements for Hurricane Irene
  - b. League professional development program
6. Mayors' Newslines-October issue
7. Homestead benefit application extension

**ADJOURNMENT:**

There being no further business, motion was made by Desiderio, seconded by Boynton to adjourn the meeting. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC