

MINUTES OF MEETING OF DECEMBER 19, 2012

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, December 19, 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 meeting of November 26, 2012 was approved as amended on motion made by Boynton, seconded by Durling. All were in favor. The minutes of the executive session of November 26, 2012 were approved on motion made by Durling, seconded by Boynton. All were in favor. The minutes of the work meeting of December 13, 2012 were approved on motion made by Boynton, seconded by DeCarolis. All were in favor with Durling abstaining.

RESOLUTIONS:

#2012-68 (Dedication by rider)

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

WHEREAS, PL2001, c.24 & NJS 40A:4-62.1 provides for receipt of snow removal funds by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the SNOW REMOVAL RESERVE TRUST FUND are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the SNOW REMOVAL RESERVE TRUST FUND PL2001, c.24 & NJS 40A:4-62.1.
2. The Clerk of the Township of Frelinghuysen, County of Warren is hereby directed to forward two certified copies of this Resolution to the Director of the Director of the Division of Local Government Services.

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

#2012-69 (refund double payment of taxes)

WHEREAS, a resolution is required by the Tax Collector to refund double payment of 2012 4th quarter taxes, for the following properties, as listed below:

Block	Lot	Pay to	Amount
801	7.02 Q0276	Richard & Marlene Wilburn	\$ 11.70
1401	1.03	Stephen & Holly Jaros	2,101.59

NOW, THEREFORE BE IT RESOLVED, by the Township Committee that the Treasurer is hereby authorized to refund the above overpaid property taxes.

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

#2012-70 (Approval of vouchers)

WHEREAS, the Finance Committee of the Township of Frelinghuysen has reviewed the bills submitted to the Frelinghuysen Township Committee for the month of December; 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, by the Frelinghuysen Township Committee that all bills submitted for the above named month are reasonable and proper and are to be paid from their appropriate account.

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

#2012-71 (Transfer resolution)

WHEREAS, there are insufficient funds to meet the demands necessary for the 2012 budget in Tax Collector O/E, Group Insurance and Buildings & Grounds; and

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

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen that in accordance with the provisions of R.S. 40:4-48, the Chief Finance Officer is hereby authorized to make the following transfers:

To:

Tax Collector O/E	\$ 100.00
Group Insurance	900.00
Building & Grounds	<u>900.00</u>
	\$ 1,900.00

From:

Legal	\$ 1,900.00
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Motion was made by Boynton, seconded by Durling to adopt said resolution. Roll call vote: Desiderio-yes, Boynton-yes, DeCarolis-yes, Durling-yes, Charles-yes.

#2012-72: (Authorizing tax collector to accept installment payments)

WHEREAS, Mark & Diantha Quick owe an amount of Seven-Thousand Nine-Hundred Fifty-six dollars and Thirty-Four cents (\$7,956.34). The amount due represents taxes from the 1st quarter 2011 through the 4th quarter of 2012 plus interest and cost calculated to January 16, 2013. This property is located at 141 Silver Lake Road and is known as Block 801, Lot 1.02.

WHEREAS, the owners of said property have requested to make installment payments prior to tax sale to bring all taxes current; and

WHEREAS, N.J.S.A. 54:5-19 et seq. authorizes such installment payments large enough to pay all delinquent taxes, interest and costs within five (5) years.

NOW, THEREFORE BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to accept installment payments on delinquent taxes, interest and costs in accordance with the following:

1. Sixty equal payments of Two-Hundred Two dollars and Four cents (\$202.04). This amount will be sufficient to pay the balance in full within five (5) years of the date of this agreement for a total cost of \$12,122.32.

2. All installment payments and subsequent taxes must be paid within thirty (30) days of when they become due and payable or the balance of the 2011 taxes, interest and costs will be subject to tax sale, immediately.

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

OLD BUSINESS:

Paul Niehoff of Maser Consulting gave the Committee an annual updated brief on Storm water Management.

Philip Dukes asked the Committee to explore options for the purchase of his father's property which is located next to the township garage. The Mayor advised Mr. Dukes that since this property is located in the historical area, the township would need to apply to SHPO for any type of rehabilitation to the buildings.

NEW BUSINESS:

Charles Peterson and his neighbor Paul Wilcox asked the Committee if they would replace the curbing along their driveways as water is coming down the driveways when it rains. The curbing had been in place before the road was repaved but was not replaced. Motion was made by Durling, seconded by Boynton authorizing the engineer to meet with the homeowners and develop a plan which would be acceptable to both parties. All were in favor.

A contract between the township and Space Farms Zoo and Museum for removal of deer carcasses at a fee of \$40.00 per deer was approved on motion made by Durling, seconded by Boynton. All were in favor.

A memo from the JIF Underwriting Manager for options to reduce deductibles/co pays will be held over to the January meeting.

A letter of resignation received from Christopher Kuhn from the Planning Board and Farmland Preservation board was accepted on motion made by Boynton, seconded by DeCarolis. All were in favor.

A letter of resignation received from Christopher Stracco from the Zoning Board of Adjustment was accepted on motion made by Desiderio, seconded by DeCarolis. All were in favor.

A letter of resignation received from Cliff Kimball from the Recreation Committee and as liaison to the Environmental Commission was accepted with regret on motion made by Durling, seconded by Boynton. All were in favor.

OPEN MEETING TO THE PUBLIC:

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

Loren Greco asked Deputy Mayor Desiderio if he stated at last month's meeting that the event held at the Vass house was a party or a reception. He also wanted it clarified that the siding was no longer texture T III.

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

DEPARTMENT REPORTS:

Motion was made by Boynton, seconded by Durling to approve the department report number 1-7 on a consent agenda motion. All were in favor. With regard to #8- construction department, the Mayor asked for a comparison from the previous year. #9 #10, #12 and #13 -no report.

Farmland Preservation Committee:

Mr. Kuhn reported that a sub-committee will be formed to put together a listing of the target area properties.

Open Space Committee:

Ms. Randolph reported that the County has approved the application for the Grzelak property. Open Space received blessings from the Recreation Committee to help with two projects and that she met with the auditor and the questions she had with regard to the open space fund was answered.

Mayor Thomas Charles report:

Mayor Charles reported on the meeting he had with the Highlands Commission representatives who wanted to know the reason Frelinghuysen Township opted out. Motion was made by Desiderio, seconded by Durling to schedule the Highlands to a regularly scheduled Planning Board meeting in February. All were in favor. The Mayor stated that it had been a pleasure working with the employees of the township and serving the residents of the township and wished the new committee good luck.

Deputy Mayor Frank Desiderio's report:

Mr. Desiderio presented Mayor Charles with a plaque thanking him for his many years of service. Mr. Desiderio also presented Dale Durling with a plaque and thanking him for his years of service.

Mr. Desiderio advised he will contact Laura Brill to start the survey on the Route 94 property. At the recreation meeting, it was decided to not allow hunting and firearms on the Frelinghuysen Forest Preserve property. Mr. Desiderio asked the Committee for approval to contact Paul Sterbenz to check with the NJDOT on the requirements for the driveway opening from the Frelinghuysen Forest Preserve. Motion was made by Boynton, seconded by Durling giving Mr. Desiderio approval. All were in favor.

Committeeman Alan DeCarolis report:

Mr. DeCarolis advised that in 2013, the State will not be paying for the needles used for the rabies clinic which will now cost about \$100.00, in the future they will also not pay for the serum which will cost about \$800.00. With regard to the garbage on Kerrs Corner Road, the State Police will issue summons to the people who discarded the soiled diapers.

Committeeman David Boynton's report:

Mr. Boynton informed everyone that the invitations to the township dinner have been mailed out. Casino Night will be held March 23, 2013.

Committeeman Dale Durling's report:

Mr. Durling stated that it was a pleasure working with the members of the Committee, the employees and attorney and wished both Chris's good luck.

Attorney Edward Wacks report:

Mr. Wacks reported that he has a problem with the wording of the Lurz agreement as the town could be held liable should there be flooding. The Mayor suggested that a meeting be set up with Mr. Lurz to see exactly what he is looking for. Mr. Wacks stated that he is finishing his 15th year with the committee and it has been a pleasure.

CORRESPONDENCE:

Citizen Leadership Form from Paula Jensen Re: Board of Adjustment member

Warren County OEM Office Re: EMC Appointments

New Jersey SADC Re: Individual farm application green light review

New Jersey DEP RE: 2013 Green Community grant

New Jersey DEP Re: Bobcats

New Jersey DEP Re: Bear Management plan

New Jersey Conference of Mayors Re: Shared services

Big Brothers Big Sisters Re: Fundraiser

Chris Reiner Re: recent vote

Morris County JIF Re: 2013 budget

Municipal Excess Liability JIF Re: MEL annual report

JCPL Re: Hurricane Sandy

Stillwater Township Planning Board Re: Legal notice

ANJEC Re: ERI and Open Space & Recreation plan update contribution

New Jersey State League of Municipalities Re:

1. A-2753
2. December grant page posted
3. Two Issues:
 - a. Senate voting record on S-2 concerning shared services
 - b. Opposition to concurrence with Governor's veto of A-3096
4. Hurricane Sandy aftermath programs
5. Shared services bill threatens to penalize taxpayers
6. Two Issues:
 - a. League files Supreme Court amicus brief on Verizon v. Hopewell
 - b. Tow new local finance board rule proposals.
7. League approves 17 resolutions
8. Sandy update from FEMA and NJOEM

9. Three Issues:
 - a. Fiscal Cliff "Solution" that could threaten property taxpayers
 - b. League program on Ethics
 - c. League program on Pensions

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, RMC