

MINUTES OF MEETING OF APRIL 17, 2013

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, April 17, 2013 and was called to order at 7:00 p.m. by Mayor David Boynton.

SUNSHINE LAW STATEMENT

Under the provisions of the Open Public Meeting 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.

ROLL CALL:

Those present were: Mayor David Boynton, Deputy Mayor Christopher Kuhn, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman Christopher Stracco, Attorney Edward Wacks, Engineer Paul Sterbenz and Clerk Brenda Kleber.

EXECUTIVE SESSION:

Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to enter into executive session with regard to contract negotiations after resolution #2013-30 was adopted. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to return to public session. All were in favor. After returning at 7:50 p.m., the attorney advised that there was potential litigation on property matters and potential acquisition of property.

PUBLIC HEARING ON 2013 BUDGET:

Auditor Anthony Ardito explained that the tax levy was up approximately \$10,000 which equates to a 0.03 increase. Motion was made by Mr. Kuhn, seconded by Mr. Desiderio to open the meeting to the public. All were in favor. Motion was made by Mr. Stracco, seconded by Mr. Kuhn to close the public portion. All were in favor. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to adopt the 2013 budget. Roll call vote: Mr. DeCarolis-yes, Mr. Stracco-yes, Mr. Desiderio-yes, Mr. Kuhn-yes, Mr. Boynton-yes.

MINUTES-on hold for work meeting

ORDINANCES:

AN ORDINANCE (#2013-05) TO AMEND ORDINANCE #2013-04 OF THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN AND STATE OF NEW JERSEY FIXING THE SALARIES FOR THE YEAR 2013 was opened to the public on motion made by Mr. Desiderio, seconded by Mr. Stracco. Motion was made by Mr. Stracco, seconded by Mr. Desiderio to close the meeting to the public. Motion was made by Mr. Desiderio, seconded by Mr. Stracco to adopt said ordinance. Roll call vote: Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Stracco-yes, Mr. Desiderio-yes, Mr. Kuhn-yes.

A BOND ORDINANCE (#2013-06) PROVIDING FOR VARIOUS 2013 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; REAPPROPRIATING \$72,000 IN NOTE PROCEEDS NOT NEEDED FROM BOND ORDINANCE NUMBER 2011-08 FINALLY ADOPTED MAY 18, 2011, TO FINANCE A PORTION OF THE COSTS THEREOF AND APPROPRIATING AN ADDITIONAL \$117,335 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$111,705 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF was offered for

introduction on motion made by Mr. Desiderio, seconded by Mr. Kuhn. Roll call vote: Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes.

AN ORDINANCE (#2013-07) TO AMEND SECTION 7-3.3 OF THE TOWNSHIP OF FRELINGHUYSEN CODE OF ORDINANCES TO ADD THE REQUIREMENT OF NO PARKING ON CERTAIN STREETS IN THE TOWNSHIP OF FRELINGHUYSEN was offered for introduction on motion made by Mr. Desiderio, seconded by Mr. Kuhn. Roll call vote: Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes, Mr. Stracco-yes.

RESOLUTIONS:

#2013-30 (Setting Executive Session:

WHEREAS, it is necessary to discuss items dealing with Contract Negotiations In private or executive session; and

WHEREAS, under the Open Public Meetings Act (number 4) of the permitted exceptions to the requirements that a public body hold its meetings in public it is permissible that such matters be discussed in executive or private session.

NOW, THEREFORE BE IT RESOLVED, on this 17th day of April 2013 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned. Results or portions of that discussion will be made known in a reasonable length of time.

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

#2013-31 (Self-exam resolution)

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 2013 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 Mr. Desiderio, seconded by Mr. DeCarolis to adopt said resolution. Roll call vote: Mr. Stracco-yes, Mr. Kuhn-yes, Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Boynton-yes.

#2013-32 (Raffle license for Frelinghuysen PTO)

WHEREAS, the Frelinghuysen Township PTO has applied for a raffle license to conduct an On-premises 50/50 raffle license for May 23, 2013 with a rain date of May 24, 2013 consisting of application #2013-01; 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 #2013-01 is hereby approved.

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

#2013-33 (Raffle license for Frelinghuysen Booster Club)

WHEREAS, the Frelinghuysen Township Booster Club has applied for a raffle license to conduct an Off-premises 50/50 raffle license for June 1, 2013 with a rain date of June 2, 2013 consisting of application #2013-02; 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 Booster Club raffle application #2013-02 is hereby approved.

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

#2013-34-on hold

#2013-35 (Amend Capital Budget)

WHEREAS, the Township of Frelinghuysen, County of Warren, desires to amend the 2013 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason: Lincoln Laurel Road, Bear Creek Road Improvements, Clerk Recorder, DPW Garage Improvements, Dump Truck, Rec. Facility surveys and studies, Town Hall Septic System, Fire Dept Rescue Tools.

Township of Frelinghuysen of the County of Warren, as follows:

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

Section 1. the 2013 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 2013
Method of Financing

<u>PROJECT</u> <u>NOTES/BONDS</u>	ESTIMATED <u>COST</u>	CAPITAL IMPROV.	GENERAL
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As Listed Above -

	\$ <u>117,335</u>	\$ <u>5,630</u>	\$ <u>111,705.</u>
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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 2013 Capital Budget, to be included in the 2013 Capital Budget as adopted.

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

#2013-36 (Approval of vouchers)

WHEREAS, the Finance Committee of the Township of Frelinghuysen have reviewed the bills submitted by the Municipal Clerk to the Frelinghuysen Township Committee for the month of April; and

WHEREAS, the Finance Committee find the bills to be in order and recommend to the 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 Mr. Desiderio, seconded by Mr. Kuhn to adopt said resolution. Roll Call vote: Mr. Kuhn-yes, Mr. Boynton-yes, Mr. Stracco-yes, Mr. Desiderio-yes, and Mr. DeCarolis-yes.

PROCLAMATIONS:

A proclamation proclaiming May 2013 as Older Americans Month was proclaimed on motion made by Mr. Desiderio, seconded by Mr. Kuhn. All were in favor.

OLD BUSINESS:

Dr. Fogelson, Superintendent of North Warren Regional and Christina Sharkley, Business Administer gave a presentation on the North Warren budget. The estimated impact on Frelinghuysen residents would be \$294.11 on an average assessed home value of \$337,634.

The Lincoln Laurel Road easement will be discussed at the May meeting.

Swift911 will be discussed at the work meeting.

Committeeman Desiderio advised that he researched other athletic fields along with calling the insurance company and recommended that there be no dogs allowed on the fields. A letter will be sent to Mr. & Mrs. Togno explaining the situation. The ordinance will also be amended to include fines for people who allow their dogs on the fields.

Due to safety issues such as the township plows not able to get pass cars parked on Main Street when the ground is snow covered or icy, an ordinance is being considered for no parking on the sidewalk side of Main Street.

NEW BUSINESS:

Presently the town's ordinance states that a liquor establishment can only be open until 12:00 midnight. Discussion on allowing them to be open until 2:00 will be held at the work meeting.

Residents of Lincoln Laurel Road wrote letters along with discussing the noise of the ATV's and the skeet shooting on the Kids Camp property will be directed to the Zoning Officer by Mr. Wacks. Mr. Wacks will also look into the general use as to whether the camp complies with its charter and report back.

A request for funds from the Blairstown Rotary Club for the 4th of July celebration in the amount of \$500.00 was approved on motion made by Mr. Desiderio, seconded by Mr. Kuhn. All were in favor.

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis. All were in favor. Spoke were:

Dallas Sowards asked if he should send a letter regarding Kids Camp. He was told that he didn't need to as long as there were no different circumstances. He advised that there hadn't been any buses coming to the Kids Camp in over a year.

Andy Tynan who asked if the abandonment issue has already been addressed.

Gabe DeCarolis asked why he can't use a credit card to pay his taxes. He was told that the credit card companies charge up to 10%.

Marty Connor also asked about Kids Camp

Roman Osadca stated that there seems to always be an increase in taxes in the North Warren budget and Frelinghuysen has the largest increase. He asked if Frelinghuysen is going to do anything about getting the formula fixed. Mr. Kuhn advised he will look into this.

Motion was made by Mr. Stracco, seconded by Mr. Desiderio to close the meeting to the public. All were in favor.

DEPARTMENT REPORTS:

Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to approve the department reports 1-9 on a consent agenda. All were in favor.

Recreation Committee:

The Chairman advised he needs to order the trees for the athletic complex. He called three places and received quotes from Steve's Trees in the amount of \$100.00 per tree, Gardens of the World in the amount of \$225, 00, Herold's in the amount of \$185.00 and no return call from Rockledge Nursery. Motion was made by Mr. Kuhn, seconded by Mr. Desiderio to order the trees from Steve's Trees with the work completed by the end of May. All were in favor.

Casino Night was a success. Over \$2300.00 was made. \$1000.00 will go toward the scholarship and the remainder will be set aside for 2014.

Environmental Commission:

Mr. Kuhn announced that May 5th is E-Waste Day from 9-1. Tammy Beckenthal and Christopher Jaronsky are the members from Environmental for the FFP subcommittee.

Farmland Preservation Committee-nothing to report

Open Space Committee:

Ms. Randolph advised that there will be a hike in conjunction with White Lake Day on May 18th; the monitoring report was approved by the recreation committee and mailed to Corey Tierney.

Mayor David Boynton's report:

The Mayor reported that he and Mr. Kuhn walked Lanning Board and will be creating a maintenance plan. They will walk Mill Road and Mott Road next. The FFP gate will be put up soon by the DPW. Last Monday, a new procedure was started with a daily log of the work being done by the DPW. The well quotes will be revised to reflect the well in the same location. Mr. Desiderio will meet with the well drillers. The Warren County Open Space tax has been reduced by 1%. A letter should be sent to Mr. & Mrs. Osadca asking for approval for the township vehicles to turn around in their driveway. Each year the JIF requires elected officials training which will reduce each member's 2013 claims premium by \$250.00. This year it can be done online of which the Clerk did.

Deputy Mayor Christopher Kuhn:

With regard to the NC/PO zone and economic development, the Land Use Board reviewed it and authorized Darlene Green and Joe Golden to prepare a report. Mr. Kuhn would like the SHPO to be invited to the June meeting.

Committeeman Alan DeCarolis:

Mr. DeCarolis asked if he could come to the town hall and file his finance disclosure statement on the township's computers.

Committeeman Frank Desiderio's report:

Mr. Desiderio reported that he obtained a quote for the vac truck. For a 4 hour minimum the cost would be \$250.00 an hour from door to door. A three ton disposal would be \$345.00 a ton. Mr. Desiderio asked which roads should be cracked filled.

Committeeman Christopher Stracco's report:

Mr. Stracco reported that he looked into combining the Environmental Commission, Open Space and Farmland. The three can't be combined but can combine two committees. The Environmental Commission could also be downgraded to an Environmental Advisory Committee. The Beefsteak dinner went very well and generated over \$2500.00.

Municipal Clerk-no report

CORRESPONDENCE;

Frelinghuysen Township School Re: 2013 budget

Warren County Board of Freeholders Re: Invitation

Service Electric Cable TV Re: Renewal of cable tv

Hardwick Township Re: Ordinances 2013-02, 2013-03 and 2013-04

NJ Highlands Re: Planning for the future of New Jersey's water report

NJ DEP Re: Bear Creek Greenway

NJ Dept of Education Re: 2013-2014 Allocation of Equalized valuation

JCP&L Re: Notice of proposed rate increases and other adjustments

New Jersey State League of Municipalities Re:

1. Legislative bulletin No. 1
2. Ethics resources from the league
3. Appellate division upholds DEP waiver rule
4. Two Issues:
 - a. Various grant opportunities for climate and energy initiatives
 - b. League professional development seminar
5. Governor signs integrity oversight monitor legislation
6. Three Issues:
 - a. League Federal updates and National Links page changed
 - b. FEMA Hazard Mitigation grant program
 - c. Survey on the impact of Hurricane Sandy
7. Federal income tax exemption for municipal bonds still under attack
8. Washington watch update on recent and pending action
9. Two Issues:
 - a. new member benefit
 - b. announcing FEMA coastal construction courses in NJ

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:45 p.m. on motion made by Mr. DeCarolis, seconded by Mr. Kuhn. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC