

MINUTES OF MEETING OF JULY 16, 2014

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, July 16, 2014 and was called to order at 7:30 p.m. by Mayor David Boynton.

SUNSHINE LAW STATEMENT:

Under the provisions of the Open Public 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 David Boynton, Deputy Mayor Christopher Kuhn, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman Christopher Stracco, Attorney David Brady and Clerk Brenda Kleber.

MINUTES:

The minutes of the meeting of June 18, 2014 was approved as corrected on motion made by Mr. DeCarolis, seconded by Mr. Kuhn. All were in favor with Mr. Stracco abstaining. The minutes of the executive session of June 18, 2014 were approved on motion made by Mr. DeCarolis, seconded by Mr. Kuhn. All were in favor with Mr. Stracco abstaining.

ORDINANCES:

A BOND ORDINANCE (#2014-10) PROVIDING FOR THE ACQUISITION OF LAND FOR OPEN SPACE PURPOSES, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$925,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$878,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF was offered for introduction on motion made by Mr. Kuhn, seconded by Mr. DeCarolis. Roll call vote: Mr. Desiderio-yes, Mr. DeCarolis-yes, Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Boynton-yes.

RESOLUTIONS:

#2014-63-(Issuance of Raffle license)

WHEREAS, the Antler Ridge Wildlife Sanctuary has applied for a raffle license to conduct an On-premises raffle for October 12, 2014 consisting of application #2014-03; 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 Antler Ridge Wildlife Sanctuary raffle application #2014-03 is hereby approved.

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

#2014-64 (Payment 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 July; and

WHEREAS, the Finance Committee find the bills to be in order and recommend to the Township Committee that they 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 accounts.

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

#2014-65 (Setting executive session)

WHEREAS, it is necessary to discuss items dealing with contract negotiations and litigation in private or executive session; and

WHEREAS, under the Open Public Meetings Act (number 5 & 7 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 16th day of July, 2014 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned and 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. Kuhn to adopt said resolution. Roll call vote: Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Boynton-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes.

OLD BUSINESS:

The proposal for professional services for the Public Works driveway was discussed. The \$10,900.00 figure will put the account over the estimated cost. The Mayor spoke with Maser Consulting and they are willing to reduce the figure by \$1,500.00 by reducing their cost and by eliminating the site meeting (\$500.00) and the Warren County Soil conservation district exemption (\$300.00). The Mayor will discuss further with Maser Consulting. Motion was made by Mr. Kuhn, seconded by Mr. Stracco approving the Mayor to move forward with the cost of \$5,500 for the NJDOT minor access permit application (phase 3.0) and NJDOT traffic control plan (phase 4.0). Roll call vote: Mr. Kuhn-yes, Mr. Stracco-yes, Mr. DeCarolis-no, Mr. Boynton-yes, Mr. Desiderio-no. The Mayor will also contact Bob Berry on the cost for a topo survey.

The driveway escrow held over from last month was discussed next. The Building Inspector advised that it would cost between \$1,250.00 and \$1,500.00 to now pave a 25 foot driveway apron and suggested that the ordinance be changed. Motion was made by Mr. Kuhn, seconded by Mr. Desiderio authorizing the attorney to prepare an amendment to the Street and Sidewalk ordinance, section 13-1.4 titled "Driveway construction permit and fee required" Part I (a): shall remain the same (b) shall be changed from \$900.00 to \$1,500.00 and (c) shall be the same. Section c shall be changed from two years to one year from issuance of certificate of occupancy. All were in favor. The next issue was what to do about the people who have paved their apron but have not asked for their monies back. A voucher for signature will be sent to them. Those who do not live in the township anymore will be sent a certified letter to the address on the application. The paving of the aprons by the township will be discussed further along with asking the attorney what office this work should originate from.

NEW BUSINESS:

A letter from the Warren County Mosquito Commission was read asking to remove multiple major and minor blockages from an unnamed tributary of Bear Creek Road that runs through the township property on Block 1001, Lot 15, 210 Main Street. Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn authorizing the Mayor to sign the release. All were in favor with Mr. Stracco abstaining.

Mr. Desiderio asked for and received proposals from the following for electric work for new outdoor lights on the back of the town hall and salt shed:

Nardone Electric: Option A-install 2 175 watt metal halide dusk to dawn with photo cell-\$700.00. Option B: 2 LED 32 watt flood lights and 2 photo cells-\$950.00

Wires Electric: Option A-\$680.00 and Option B-\$860.00

C&K-no return response.

Motion was made by Mr. Kuhn, seconded by Mr. Stracco to award the work to Wires Electric in the amount of \$860.00. All were in favor.

OPEN PUBLIC TO PUBLIC:

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

Charles Muller who asked the cost of the salt shed. He was told that \$90,000.00 was put in a capital ordinance.

Wendy Goetz asked what the schedule was for the salt shed. She was told that they are trying for completion this year. She asked if there had been a public hearing and was told that 3 months ago there was a public hearing on the ordinance. Ms. Goetz then stated that there would be light and noise pollution as our township vehicles do not have Jake brakes. Lastly she asked if the salt would have any effect on the local wells. She was told that the salt would be contained.

Loren Greco stated that since Mr. Desiderio was asked why he voted no on the engineer's proposal he asked why Mr. DeCarolis voted no. Mr. DeCarolis stated that he thought we should have gone out for bids.

Doreen Rutherford asked why we chose this particular field. She was told that it is the flattest and the other field has a large ledge.

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

DEPARTMENT REPORTS:

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

Recreation Committee-no meeting

Environment Commission-no meeting

Farmland Preservation-no meeting

Open Space-no meeting

Mayor David Boynton-Mr. Boynton updated the South Street project.

Deputy Mayor Christopher Kuhn-Mr. Kuhn would like to go forward with changing the zoning on Route 94. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis giving Mr. Kuhn approval to go over this with the attorney. All were in favor.

Committeeman Alan DeCarolis-Mr. DeCarolis asked if the correct ordinance was put on the littering signs. He was told that the section of the ordinance was put on the sign not the ordinance number.

Committeeman Christopher Stracco-no report

Committeeman Frank Desiderio-Mr. Desiderio reported that all roads that were scheduled to be paved have been so using 50 tons of patch. The walking path was completed and guard rails will be needed. There is a problem on Henfoot Road where the shoulder was wiped out. This will have to be taken care of next year.

There has been minor damage done to the property behind the town hall and the camera needs to be updated. As part of buildings and grounds-the Mayor will handle. Mr. Desiderio would like a letter sent to Jane Barba about rocks being put around the drain pipes on Lanning Road. Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn to have the attorney send a letter to Ms. Barba. All were in favor. The letter will also include that the tree at the corner of her property will be trimmed on the site triangle. Mr. Desiderio would also like a letter to be sent to the company who installed the guard rails on Kerrs Corner Road as they have not responded to our requests to repair the guard rail that was damaged in an accident. Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn to instruct the attorney to send a letter to the company. All were in favor. On South Street, hydro seeding will be needed to be done. Mr. Desiderio obtained three quotes: Beaumont of Flanders \$3,400.00, Pipa of Lake Hopatcong-no return call and Finch of Blairstown \$860.00. Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn awarding the quote to Finch. All were in favor.

Municipal Clerks report-Mrs. Kleber read an e mail from CFO Danette Dyer regarding the salary ordinance having an annual salary for the temporary subcode inspector and thought that it should be an hourly salary. Mr. Kuhn will handle.

EXECUTIVE SESSION:

Motion was made by Mr. Desiderio, seconded by Mr. Kuhn to enter into executive session with regard to contract negotiations and litigation. All were in favor. Motion was made by Mr. Desiderio, seconded by Mr. Kuhn to return to public session. All were in favor. Upon returning Mr. Brady reported that no action was taken and that copies of the minutes will be available as such time as the Committee decides there is no harm to the public interest.

CORRESPONDENCE:

Frelinghuysen Zoning Officer Re: Thank you letter for certification course

Thank you note from Nicolle Siebens for Charles E. Rydell scholarship

Warren County Board of Taxation Re: 2014 tax rate data

Warren County Purchasing Dept. Re: Annual auction on July 25th

Yellow Frame Presbyterian Church Re: Notice to property owners

Statewide Insurance Fund Re: Information about their insurance program

Russo & Assoc. Re: Workers Compensation payroll for Frelinghuysen

New Jersey State League of Municipalities Re:

1. Legislative bulletin No. 3
2. Mayor's Newline-July 1, 2014
3. Important decision on police search of cell phones
4. State budget goes to Governor & Legislative recap for June 26

5. Two Issues:
 - a. Weekly summer legislative update
 - b. Resource for municipalities when heading into interest arbitration
6. Washington watch advisory-Federal transportation funding depleted
7. SEC disclosure rules self-reporting deadline approaching

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:25 on motion made by Mr. Kuhn, seconded by Mr. DeCarolis. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC