

MINUTES OF WORK MEETING OF OCTOBER 8, 2014

The work meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, October 8, 2014 and was called to order at 6:00 pm 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 and Clerk Brenda Kleber.

BIDS:

The bids for the Municipal Truck were opened. There was one bid from: Schwartz Truck Center, Shrewsbury, NJ for \$114,000.00.

Motion was made by Mr. Kuhn, seconded by Mr. Desiderio to have the Clerk send the bid package to the attorney for his review. All were in favor.

OLD BUSINESS:

The Clerk make the Committee aware that by going out for insurance quotes, the JIF will take us out of the pool and be on a stand along basis which could make the insurance premium higher. The Committee decided they still wanted to go out for quotes.

Mr. Desiderio informed the Committee of the repairs needed for the municipal trucks. The 1997 needs springs (\$1060), plow hitch (\$680.00 plus freight) four rear tires (\$415.00 each) costing approximately \$5,000.00. The 1998 needs left rear springs, tires and minor repairs costing between \$5,000 and \$6,000. The 2003 should be sold or scrapped as there are too many repairs it needs and will be costly. Motion was made by Mr. DeCarolis, seconded by Mr. Kuhn authorizing the repairs to the 1997 International and putting the 2003 up for sale to be sold as is. All were in favor.

The tax sale certificates were discussed. Motion was made by Mr. Stracco, seconded by Mr. Desiderio to authorize the attorney to commence foreclosure proceedings on Exhibit A, Exhibit C and Exhibit D in the packet. All were in favor. Exhibit B will be held.

Mr. Desiderio went over the material and man hours needed to crack fill Saddle Ridge Road and Homestead Drive. After discussion, motion was made by Mr. Kuhn, seconded by Mr. Desiderio authorizing Mr. Desiderio to spend up to \$38,400 to crack fill these roads. Roll call vote: Mr. Kuhn-yes, Mr. DeCarolis-yes, Mr. Stracco-abstain, Mr. Desiderio-yes, Mr. Boynton-yes.

RESOLUTIONS:

#2014-81 (Rescinding resolution)

WHEREAS, resolution #2014-72 awarded a contract for professional surveying services in the Township of Frelinghuysen, in connection with the contemplated purchase of property located at Block 104, Lot 10 of which property is now owned by Kids Camp; and

WHEREAS, at the meeting of September 17, 2014 a professional services resolution was awarded to Dykstra Walker for the lump sum fee of \$16,400.00; and

WHEREAS, this award should have gone to Finelli Consulting Engineers in the amount of \$11,900.00 the low of three (3) proposals.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee that resolution #2014-72 be rescinded.

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

#2014-82 (Professional Services)

WHEREAS, there exists a need for professional surveying services in the Township of Frelinghuysen, in connection with the contemplated purchase of real property located at Block 104, Lot 10, Frelinghuysen Township , which property is owned by Kids Corporation, II, and

WHEREAS, the Local Public Contracts Law (N.J.S.A.40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for professional services without competitive bids, and the contract itself, must be available for public inspection.

NOW, THEFORE BE IT RESOLVED, by the Mayor and the Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows:

1. Finelli Consulting Engineers, Inc., a licensed surveyor in the State of New Jersey with offices at Washington, New Jersey, shall be retained for nine (9) weeks to provide surveying and related services for a lump sum fee of \$11,900.00 to Frelinghuysen Township, and the Mayor is hereby authorized to execute, and the Township Clerk to attest, an Agreement to carry out the foregoing, in a form approved by the Township Attorney, a copy of which shall be kept on file in the Office of the Township Clerk and made available for public inspection.
2. The aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A.40A:11-1 et seq., as the contract is for services performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice setting forth the nature, duration service and amount of the subject contract shall be printed once in the official newspaper of Frelinghuysen Township.
4. This Resolution shall take effect according to law.

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

#2014-83

WHEREAS, resolution #2014-58 renewing liquor licenses in the Township of Frelinghuysen was adopted on June 18, 2014; and

WHEREAS, included in the resolution was Plenary Retail Consumption license #2106-33-001-005 for Joseph McEvoy; and

WHEREAS, Mr. McEvoy should not have been included in the resolution as he is in an inactive status and has filed for a special ruling from New Jersey Alcoholic Beverage Control.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee that license #2016-33-001-005 be excluded from the resolution #2014-58.

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

#2014-84 (Professional Services)

WHEREAS, N.J.S.A. 40A:11-1 et seq., the "Local Public Contracts Law" permits governing bodies to contract for certain professional services without competitive bidding; and

WHEREAS, the Township of Frelinghuysen has a need for the professional services for Survey for subdivision purpose of real property known as Block 201, Lot 31; and

WHEREAS, the Township Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Frelinghuysen as follows:

- 1) The Mayor and Township Clerk are hereby authorized to execute an agreement with L.J. Brill Associates in an amount not to exceed \$1,875.
- 2) This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the required services are performed by persons authorized by law to practice a recognized profession.
- 3) The Township Clerk is hereby authorized and directed to publish a copy of this resolution in the Township's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and The Land Conservancy of New Jersey.

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

#2014-85 (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 8th day of October, 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. Kuhn, seconded by Mr. Desiderio to adopt said resolution. Roll call vote: Mr. DeCarolis-yes, Mr. Boynton-yes, Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Desiderio-abstain.

NEW BUSINESS:

A memo from Sandy Urgo of The Land Conservancy was read asking to assign the lot with the salt shed as Block 201, Lot 31.01 in order to differentiate between that lot and the lot that is being preserved. Motion was made by Mr. Kuhn, seconded by Mr. DeCarolis assigned the lot with the salt shed as Block 201, Lot 31.01. All were in favor.

OPEN MEETING TO THE PUBLIC:

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

Loren Greco who showed the Committee an old broken down rake and asked if there was money in the budget for a new rake. He was told there was.

EXECUTIVE SESSION:

Motion was made by Mr. Kuhn, seconded by Mr. Desiderio to enter into executive session with regard to contract negotiations. All were in favor. Motion was made by Mr. Stracco, seconded by Mr. DeCarolis to return to public session. All were in favor. Upon returning, it was noted that the conversation was contractual negotiations and results will be known at a later date.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:12 p.m. on motion made by Mr. DeCarolis, seconded by Mr. Kuhn. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC