

MINUTES OF MEETING OF FEBRUARY 18, 2015

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, February 18, 2015 and was called to order at 7:30 p.m. by Mayor Christopher Kuhn.

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 Christopher Kuhn, Deputy Mayor Christopher Stracco, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman David Boynton, Attorney Richard Beilin and Clerk Brenda Kleber.

MINUTES:

The minutes of the political caucus of January 7, 2015. Motion failed because legal counsel advised minutes were not to be taken. The minutes of the meeting of January 19, 2015 were approved on motion made by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor. The minutes of the meeting of January 21, 2015 were approved as amended on motion made by Mr. Stracco, seconded by Mr. Boynton. All were in favor. The minutes of the executive session of January 21, 2015 were approved on motion made by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. The minutes of the meeting of January 28, 2015 were approved as amended on motion made by Mr. Stracco, seconded by Mr. Boynton. All were in favor.

ORDINANCES:

AN ORDINANCE (#2015-05) TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40a:4-45.14) was opened to the public. Motion was made by Mr. DeCarolis, seconded by Mr. Boynton to proceed. All were in favor. Motion was made by Mr. DeCarolis, seconded by Mr. Boynton to open the meeting to the public. All were in favor. Dan Kohuth asked how much the budget is being exceeded by and was given the figure. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to close to the public. All were in favor. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to adopt said ordinance. Roll call vote: Mr. Stracco-yes, Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes.

AN ORDINANCE (#2015-06) AMENDING SECTION 303 OF THE FRELINGHUYSEN TOWNSHIP LAND DEVELOPMENT ORDINANCE, CONCERNING CRITICAL AREAS MAP was opened to the public. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to proceed. All were in favor. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to open the meeting to the public. All were in favor. Debra Natyzak asked why we need an ordinance for this. She was told that we are amending this section. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to close to the public. All were in favor. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to adopt said Ordinance. Roll call vote: Mr. DeCarolis-yes, Mr. Desiderio-yes, Mr. Stracco-yes, Mr. Kuhn-yes, Mr. Boynton-yes.

AN ORDINANCE (#2015-07) REPEALING SECTIONS 19-1.1 THROUGH 19-1.4 OF THE FRELINGHUYSEN TOWNSHIP CODE, CONCERNING THE PUBLIC HEALTH NUISANCE CODE OF NEW JERSEY (1953) was offered for introduction on motion made by Mr. Boynton, seconded by Mr. Stracco. Roll call vote: Mr. Desiderio-yes, Mr. Kuhn-yes, Mr. Boynton-yes, Mr. DeCarolis-yes, Mr. Stracco-yes.

RESOLUTIONS:

#2015-19 (Appoint QPA)-on hold for meeting of February 19, 2015

#2015-20 (Municipal Alliance)

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey;

WHEREAS, the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Frelinghuysen Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Frelinghuysen Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey hereby recognizes the following:

1. The Frelinghuysen Committee does hereby authorize submission of a strategic plan for the Frelinghuysen Township Municipal Alliance grant for fiscal grant cycle July 2014-June 2019 in the amount of:

DEDR	\$3,713.00
Cash Match	\$1,061.00
In-Kind	\$2,652.00

2. The Frelinghuysen Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

#2015-21 (Recycling Resolution)

WHEREAS, the Mandatory Source separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including by not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Donna Zilberfarb as recycling coordinator for the year 2015 to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling fund to be used solely for the purpose of recycling.

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

#2015-22 (Approval of vouchers) on hold for meeting of February 19, 2015

#2015-23 (Resolution of the Frelinghuysen Township Mayor and Committee establishing the procedure for adoption of ordinances)-not adopted on motion made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor.

#2015-24 (Transfer resolution)

WHEREAS, certain bills have been presented for payment for year 2014 charges for which there are insufficient budget reserves to pay, and

WHEREAS, N.J.S.A. 40A:4-59 permits transfers of appropriation reserves within the first three months of the succeeding year to cover said charges,

NOW, THEREFORE BE IT RESOLVED that the following 2014 Budget Appropriation Reserve transfers be authorized;

<u>TRANSFER FROM:</u>		<u>TRANSFER TO:</u>	
Tax Assessment O/E	\$65.00	General Administration O/E	\$65.00
Totals	<u>\$65.00</u>		<u>\$65.00</u>

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

#2015-25 (Support, Recognize & Honor law enforcement officers)

WHEREAS, recent events throughout our nation have unfortunately demonstrated a reckless disregard for the lives and safety of law enforcement officers by many, including some public officials, who have cavalierly aligned themselves with career criminals and agitators who seek to divide our nation;

WHEREAS, even worse, much of the news media along with certain public officials and other public figures have perpetuated false narratives that have made law enforcement officers the direct targets of reprisals that have resulted in the assassination of a number of law enforcement officers throughout the country in recent weeks;

WHEREAS, from combating terror and staking out criminals to patrolling our highways, law enforcement officers maintain stability in our communities, resulting in a more secure nation; and

WHEREAS, law enforcement officers in this state and throughout the nation are routinely called upon to serve and protect their fellow citizens by responding to horrendous events and acting heroically to save the lives of others;

WHEREAS, it is incumbent upon public officials and law abiding public to proactively support our law enforcement officers who regularly face threats of violence and danger, and routinely put their lives in jeopardy to defend others potentially resulting in injury, disability, or even death to keep our neighborhoods safe, enforce the rules of law, protect our property, and respond in times of crisis;

WHEREAS, a number of residents of Frelinghuysen Township are current or former members of the law enforcement community and dedicate their lives and wellbeing to their official duties, and are sworn to protect and to serve the citizenry of this State, and, NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Frelinghuysen in the County of Warren, State of New Jersey, that they declare their support and solidarity with the men and women who serve, or who have served, as law enforcement officers, and in particular to those who reside in the Township, for their distinctive service and dedicated efforts, earning our highest respect and deepest gratitude, which must be recognized and honored for their selfless and heroic service and invaluable contribution to upholding justice, enforcing the rule of law, and protecting the innocent in Frelinghuysen Township, the State of New Jersey and in this nation.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the President of the United States, Governor of New Jersey, and the State Legislators representing the Township of Frelinghuysen and the Board of Chosen Freeholders in the County of Warren.

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

#2015-26 (Relocate salt shed)

WHEREAS, the Township's salt shed is problematic in terms of access, location, and capacity;

WHEREAS, the current salt shed does not contain sufficient capacity for the storage of the quantities of road salt needed to adequately treat the Township's approximately 33 miles of road in inclement weather;

WHEREAS, the weather the past two fall and winter seasons have made it abundantly clear that the current salt shed does not provide sufficient capacity;

WHEREAS, the location of the existing salt shed is problematic in terms of its proximity to recreational facilities, the use of said facilities, and parking for the Township municipal building;

WHEREAS, members of the Frelinghuysen Historical Society have confirmed that the existing structures for salt storage are of no historical or cultural significance;

WHEREAS, the current location of salt storage structures are not in conformance with the 2012 Open Space and Recreation Plan update;

WHEREAS, the Recreation Committee, at its meeting on February 12, 2015, has recommended to the Mayor that the location of the salt shed be moved from its current location, and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Frelinghuysen in the County of Warren, State of New Jersey that they declare their intention to move the salt shed to a location yet to be determined, and that the Committee shall take whatever action it deems necessary to find or determine an alternative location for the said salt shed to alleviate the aforesaid complaints.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to transmit a copy of this Resolution to the Chairman of the Township's Recreation Committee.

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

OLD BUSINESS:

The public assistance policy will be discussed at the February 19, 2015 meeting.

The status on the tax board resolution is that Mr. Stracco will prepare it for the March meeting.

Recreation Ordinance discussion. Mayor Kuhn advised that he met with the recreation committee on February 12th and was given a list of active recreation. This will be held for the March work meeting.

NEW BUSINESS:

The authorization for the Warren County Mosquito Commission to begin treating mosquito areas was approved on motion made by Mr. Boynton, seconded by Mr. Desiderio. All were in favor.

A request from the Assistant Manager of Public Lands to donate some items from the FFP North (Kids Camp) to a local Boy Scout Camp in Hardwick was approved. Motion was made by Mr. Kuhn, seconded by Mr. DeCarolis authorizing the donation of 12 bunks, 3 fish tanks, 2 pool reach poles and 1 backboard. All were in favor.

A stand pipe needed to pump water out of the pond located on Route 661 and into the fire truck was discussed. It was determined that the Green Township Fire Dept would need an easement. Motion was made by Mr. Kuhn, seconded by Mr. DeCarolis authorizing Mr. Desiderio to get a quote to prepare the easement and report back next month. All were in favor.

The Mayor went over the Mayors Wellness Campaign and has suggested a walk with the Mayor for the senior citizens. He will bring this up at the next senior meeting.

The final report of the Stewardship Assessment report was opened to the public on motion made by Mr. Boynton, seconded by Mr. Desiderio. All were in favor. Spoke were: Wendy Goetz who wanted to go on record that round up is not a good choice for remediation of invasive plants. The Mayor stated that her comments are noted. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to close to the public. All were in favor. Motion was made by Mr. Boynton, seconded by Mr. Desiderio to approve as complete. All were in favor.

The Recreation committee will prepare a list of request items for the two ball fields for next month's meeting.

Mayor Kuhn reported that he and Mr. Stracco met with two members of the historical society last week. They along with the other members will attend the March 11th work meeting. He has obtained information on a weak historical society commission for the purpose of getting grant money. A couple of the projects are the Lime Kiln on the FFP south property, the Barn on the FFP north property and the Johnsonburg properties.

Mr. Desiderio asked why the loader was sent to the Kids Camp property when it was suppose to be kept at the Town Hall in case the backhoe broke down. Mr. DeCarolis told him he would bring one of his own machines if the backhoe broke down. Mr. Desiderio then asked if the supervisor is trained in safety. This will be looked into.

A motion was made to change the time of the work meetings from 6:00 to 7:00. A resolution will be done at the February 19, 2015 meeting.

OPEN MEETING TO THE PUBLIC:

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

Debra Natyzak advised the Committee of her concern over the water table on Main Street with regard to the moving of the salt shed behind the town garage. The resolution will be amended to reflect this.

Wendy Goetz went over studies pertaining to mosquito spraying. She will contact the mosquito commission for further information.

Loren Greco asked what the bill for EWMA was. He was told that this was the environmental company that inspected Kids Camp before we purchased it.

Debra Natyzak asked what the bill for Loren Greco was. She was told that he plowed and salted the roads for the town.

Dan Kohuth asked the total expenditure for Kids Camp. The Mayor will forward to him, however, the initial figures will change.

Wendy Goetz asked if the correspondence pertaining to the pipe line be given to the Environmental Commission. This will be done.

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

DEPARTMENT REPORTS:

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

Richard Beilin-with regard to the public assistance account policy there is too many variables and should wait for the auditor's report.

Recreation Committee-Casino Night is March 28th.

Environmental Commission-there has been 3 members added. An alternate is needed.

Farmland & Open Space-progressing on the applications and focusing on Kids Camp

Mayor Christopher Kuhn-reported that there has been considerable wrong information on facebook of which he corrected. He thanked the historical society for attending the meeting he and Mr. Stracco had. Mr. Kuhn also praised the public land managers for the work they are doing on Kids Camp. The Mayor announced that the Kleindienst farm has been preserved. Lastly, he thanked the road crew, Todd McPeek, John Lucas & Loren Greco along with the supervisor and director for their work during the last snow storms.

Deputy Mayor Christopher Stracco-reported that he and Mr. DeCarolis are still working on filling the secretary positions. They will meet with two candidates on March 7th. He has reached out to SHPPO but has not received a return call. He will amend the resolution on the salt shed and the historic ordinance will be sent to legal counsel.

Committeeman Alan DeCarolis-asked for approval to shave the DPW property surveyed. Laura Brill will put pins on the property lines for \$600.00-&700.00. It was decided that Mr. Desiderio will ask the neighbor if they have a survey that can be used. Mr. Gill missed 12 Fridays during 2014 and asked if there is any recourse. The Mayor will talk to Mr. Gill. Lastly, he asked Mr. Desiderio if he has any additional questions so that he can be prepared next month.

Committeeman Frank Desiderio-no report
Committeeman David Boynton-no report
Municipal Clerk-no report

CORRESPONDENCE:

PS&S Re: Vegetative maintenance & repair activities for JCP&L
Warren County Public Safety Dept. Re: Hazard Mitigation plan workshop
Warren County Planning Dept. Re: Highlands Regional master plan comments
Warren County Planning Dept. Re: Amendment to solid waste management plan
Warren County Planning Dept. Re: Warren Co. Development regulations
Warren County Dept. of Land Preservation Re: Warren County Preservation Day
NJ DEP Re:

1. Recycling
2. Burning of wood in cold weather months
3. FY15 grant money

Service Electric Cable TV Re: Franchise fee
Edward Wacks & Assoc Re: Control over Volunteer fire companies
The Land Conservancy of New Jersey Re: Copies of subdivision for Municipal Farm
Borough of Tinton Falls Re: Copy of resolution regarding law enforcement officers
Hardwick Township Re: Copy of resolution regarding law enforcement officers
New Jersey State League of Municipalities Re:

1. Legislative alert
2. Two Issues:
 - a. Urgent legislative alert
 - b. Training to prevent financial exploitation-NJ adult protective services
3. Transition
4. Weekly policy update bills on the Governor's desk
5. Interstate natural gas pipeline projects in NJ
6. Weekly policy updates

7. Two Issues:
 - a. Contact legislators now to protect relief for taxpayers
 - b. Support efforts to increase local transportation aid
8. Two Issues:
 - a. Transportation Trust Fund
 - b. Update on activity in our Nation's Capital
9. Property tax in New Jersey
10. Four Issues:
 - a. New Jersey Municipalities Magazine
 - b. NJ Supreme Court
 - c. Annual Mayor's legislative day
 - d. Upcoming league seminar
11. Two Issues:
 - a. Interstate Oil Pipeline projects
 - b. Upcoming league seminars
12. Four Issues:
 - a. Weekly policy update
 - b. Proposed Federal Flood risk management standards
 - c. Upcoming league webinar
 - d. Upcoming league seminar
13. Two Issues:
 - a. Upcoming Sustainable Jersey webinars
 - b. Point of clarification regarding January 29th letter
14. Weekly policy updates

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:00 on motion made by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC