

MINUTES OF MEETING OF MARCH 18, 2015

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

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 (arriving at 7:32) Deputy Mayor Christopher Stracco, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman David Boynton, Attorney David Brady and Clerk Brenda Kleber.

MINUTES:

The minutes of the meeting of November 24, 2014 were approved as amended on motion made by Mr. Stracco, seconded by Mr. Desiderio. All were in favor. (Note: These minutes were approved at the meeting of December 17, 2014 but were not put in the minutes-the December 17th meeting minutes will be amended to reflect this). The minutes of the work meeting of December 10, 2014 were approved on motion made by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. The minutes of the work/budget meeting of January 14, 2015 were approved as amended on motion made by Mr. Stracco, seconded by Mr. Boynton. All were in favor. The minutes of the work meeting of February 11, 2015 were approved on motion made by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor. The minutes of the regular meeting of February 18, 2015 were approved as amended on motion made by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor. The minutes of the budget meeting of February 19, 2015 were approved on motion made by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor.

ORDINANCES:

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 opened to the public on motion made by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor. There being no public participation motion was made by Mr. Stracco, seconded by Mr. Boynton to close to the public. All were in favor. Motion was made by Mr. Boynton, seconded by Mr. Desiderio to adopt said ordinance. Roll call vote: Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes.

AN ORDINANCE (#2015-08) OF THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, AND STATE OF NEW JERSEY FIXING THE SALARIES FOR THE YEAR 2015 was offered for introduction on motion made by Mr. Boynton, seconded by Mr. DeCarolis. Roll call vote: Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes, Mr. Boynton-yes.

AN ORDINANCE (#2015-09) CREATING FRELINGHUYSEN TOWNSHIP HISTORIC PRESERVATION COMMITTEE was offered for introduction on motion made by Mr. Boynton, seconded by Mr. Desiderio. Roll call vote: Mr. Stracco-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes, Mr. Boynton-yes, Mr. Kuhn-yes.

AN ORDINANCE (#2015-10) ADOPTING, NAME AND LOGO OF FRELINGHUYSEN FOREST PRESEVE, AND FRELINGUYSEN FOREST PRESERVE STEWARDSHIP ASSESSMENT REPORT AS TO FRELINGHUYSEN FOREST PRESERVE SOUTH was offered for introduction on motion made by Mr. Boynton, seconded by Mr. Desiderio. Roll call vote: Mr. Desiderio-yes, Mr. DeCarolis-yes, Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Stracco-yes.

AN ORDINANCE (#2015-11) AMENDING SECTION 525 OF THE FRELINGHUYSEN TOWNSHIP CODE, CONCERNING WOOD-FIRED BOILERS, STOVES OR FURNACES was offered for introduction on motion made by Mr. Desiderio, seconded by Mr. Boynton. Roll call vote: Mr. DeCarolis-yes, Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Desiderio-yes.

A BOND ORDINANCE (#2015-12) PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$425,000. THEREFORE (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$150,000) AND AUTHORIZING THE ISSUANCE OF \$261,250 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. Boynton. Roll call vote: Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes.

RESOLUTIONS:

#2015-29 (Refund planning board escrows)

WHEREAS, the CFO and Clerk are in the process of clearing out the old balances in the Planning Board Escrow Trust Account; and

WHEREAS, the account for J. Gorski was refunded but incurred interest between the time they were refunded and the check cashed; and

WHEREAS, the account for Donna Marie has an outstanding balance after all the invoices were paid.

NOW, THEREFORE BE IT RESOLVED, that the balance of \$0.03 for J. Gorski be canceled into the township's general account;

BE IT FURTHER RESOLVED, that the balance of \$30.40 for Donna Marie be refunded. Motion was made Mr. Boynton, seconded by Mr. Desiderio to adopt said resolution. Roll call vote: Mr. Kuhn-yes, Mr. Stracco-yes, Mr. Desiderio-yes, Mr. DeCarolis-yes, Mr. Boynton-yes.

#2015-30: (Extend temporary budget)

WHEREAS, the 2015 Temporary Budget of Frelinghuysen Township, as adopted January 7, 2015, appropriated sufficient funds to cover the Town's financial obligations for the first three months of the calendar year, and

WHEREAS, due to a revision in the State budget calendar the 2015 budget will not be adopted by March 31st,

NOW, THEREFORE, BE IT RESOLVED by the Town Committee of Frelinghuysen Township, that the temporary budget be extended and that the appropriations be increased by one twelfth of appropriations made for all purposes in the budget for the year 2014, excluding appropriations made for debt service, capital improvement fund and public assistance.

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

#2015-31 (Appoint local registrar)

WHEREAS, Brenda Kleber has tendered her resignation from the position of Municipal Registrar, effective March 31, 2015; and

WHEREAS, Mrs. Kleber's certificate to serve as Registrar has expired and cannot be renewed at this time; and

WHEREAS, the State of New Jersey, Department of Health, Office of Vital Statistics and Registry has confirmed that an Acting Municipal Registrar may be appointed effective April 1, 2015, provided that the Acting Municipal Registrar agree to take the necessary steps to become certified following appointment.

WHEREAS, Donna Zilberfarb has the qualifications to serve as the Acting Municipal Registrar.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, in the County of Warren and State of New Jersey, that Donna Zilberfarb is hereby appointed to serve as Acting Municipal Registrar, commencing on April 1, 2015 and expiring June 30, 2016.

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

#2015-32 (Capital Budget)

WHEREAS, the Township of Frelinghuysen, County of Warren, desires to amend the 2015 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Various Improvements

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

Section 1. The 2015 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

Project Schedules for 2015
Method of Financing

GENERAL PROJECT	ESTIMATED COST	CAPITAL		NOTES/ BONDS
		IMPROVEMENT FUND	NJDOT GRANT	
Geographical Info System	\$31,750.00	\$1,587.50		\$30,162.50
State Park Road	\$165,000.00	\$750.00	\$150,000.00	\$14,250.00
Kerrs Corner Road Engineering	\$15,500.00	\$775.00		\$14,725.00
Road Overlay \$168,150.00	\$177,000.00	\$8,850.00		
Tar/chip/micropave	\$35,750.00	\$1,787.50		\$33,962.50
Totals	\$425,000.00	\$13,750.00	\$150,000.00	\$261,250.00

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 2015 Capital Budget, to be included in the 2015 Capital Budget as adopted.

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

#2015-33 (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 March; 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 account.

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

#2015-34

WHEREAS, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 13th of the fiscal year; and,

WHEREAS, the Township of Frelinghuysen has delayed the introduction of the 2015 Municipal Budget past the statutory deadline; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, Warren County, New Jersey, that the Township of Frelinghuysen hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2015 Frelinghuysen Township Municipal Budget; and, BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

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

#2015-35 (Transfer resolution)

WHEREAS, certain bills have been presented for payment for the 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:

Transfer from		Transfer to:	
Construction O/E	<u>\$1,181.00</u>	Legal O/E	<u>\$1,181.00</u>
Totals	\$1,181.00		\$1,181.00

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

PROCLAMATIONS:

Proclamation congratulating Garrett Irizzary as Eagle Scout:

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, the recipient must perform and successfully complete and pass the rigid requirement exacted to achieve an Eagle Scout Award; and

WHEREAS, less than two percent of all Scouts actually achieve this goal; and

WHEREAS, Garrett Irizzary has been involved in scouting since 2008 when he joined Boy Scout Troop #140. While he was in Boy Scouts, he ranked to Tenderfoot in July, 2009, Second Class in September 2009, First Class in September, 2009, Star in April, 2011, Life in March 2012 and became an Eagle Scout in December, 2014; and

WHEREAS, while he was in the Boy Scouts he earned 43 merit badges; and

WHEREAS, upon graduation from 12th grade at North Warren Regional School Garrett will be attending The Merchant Marine Academy and will be commissioned in The Navy upon graduation; and

WHEREAS, Garrett was awarded the Lehigh High Valley Scholastic Athlete at an award dinner in March 2015; and

WHEREAS, Garrett placed 3 flagpoles and a patio to honor the veterans at the Blairstown Cemetery for his Eagle Scout project; and

WHEREAS, in honor of Garrett's achievement at an Eagle Scout Court of Honor was held on March 7, 2015 in his home located on Lincoln Laurel Road in Frelinghuysen Township; and

WHEREAS, THE Mayor and the Frelinghuysen Township Committee wishes to recognize this noteworthy achievement.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Frelinghuysen, Warren County, New Jersey hereby extend their congratulations to Eagle Scout Garrett T. Irizarry for having the Eagle Scout Award conferred upon him by the Boy Scouts of America.

BE IT FURTHER RESOLVED, that this proclamation be spread upon the minutes of this meeting and the Municipal Clerk is hereby directed to transmit a suitable copy thereof to Garrett Irizarry.

Motion was made by Mr. Boynton, seconded by Mr. Desiderio to concur with the Mayor's proclamation. All were in favor.

NORWESCAP-tabled for April's meeting

Proclamation in honor of Brenda J. Kleber:

WHEREAS, Brenda J. Kleber has served in various positions with the Township Committee since 1985, including township clerk, secretary of the zoning board of adjustment, secretary of the land use board, and as secretary of the recreation committee; and

WHEREAS, Brenda J. Kleber has decided to resign at this time from her position as township clerk effective June 30, 2015; and

WHEREAS, during her term of service, Brenda J. Kleber has worked tirelessly and selflessly for the good of Frelinghuysen Township and all of its residents.

NOW, THEREFORE BE IT PROCLAIMED on this 18th day of March, 2015, by the Frelinghuysen Township Committee, on behalf of the residents of Frelinghuysen Township, that we hereby convey our deepest thanks and gratitude to Brenda J. Kleber for her outstanding public service and dedication to the betterment of our township community, and wish her the best of luck to her in all of her future endeavors.

Motion was made by Mr. Kuhn, seconded by Mr. DeCarolis to concur with the Mayor's proclamation. All were in favor.

OLD BUSINESS:

Andrea Tingey and Jonathan Kinney of the NJDEP spoke to the Committee about the additions and changes needed to become compliant with SHPPO and went over the available grants.

Jackie Espinoza of JCP&L advised that there is work being done on circuits in the township. There is a 17% decrease in 2014 from 2013 for outages.

The Green Township Fire Dept letter regarding the standpipe and budget request is on hold. Motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to hold for the April meeting. All were in favor.

Service Electric Cable TV-Attorney David Brady advised that the concerns of the other townships are be addressed by the State. It was decided to wait and see what happens.

A letter thanking Mr. Benjamin Gerson for his donation of a conservation easement on two parcels of land totaling 31.033 acres on Mott Road was approved for the Mayor's signature on motion made by Mr. Boynton, seconded by Mr. Desiderio. All were in favor.

NEW BUSINESS:

Loren Greco asked the Committee who called the attorney to prepare the January 7th ordinances. Deputy Mayor Stracco told Mr. Greco that he did. The Mayor told Mr. Greco that he didn't want to rehash this anymore.

Safety at intersection of Route 661 and 519 is being tabled for the April 15th meeting.

Speed limit on Greendell Road is being tabled for the April 15th meeting.

OPEN MEETING TO THE PUBLIC:

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

Dr. Michael Tudor had a question for the attorney. He asked if there was any way the historical committee could analyze homes in disrepair and make low income rentals therefore meeting the required number for housing. He was told there is a 30 year deed restriction with no control over whom rents the houses.

Debra Natyzak asked if trailer parks were allowed to be counted for COAH as they would make good low income housing. She was told that most towns restrict these.

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

DEPARTMENT REPORTS:

Motion was made by Mr. Boynton, seconded by Mr. DeCarolis to table the department reports. Roll call vote: Mr. Stracco-yes, Mr. DeCarolis-yes, Mr. Boynton-yes, Mr. Kuhn-yes, Mr. Desiderio-left the meeting.

ADJOURNMENT:

There being no further business, motion was made by Mr. Boynton, seconded by Mr. DeCarolis to adjourn the meeting. All were in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC