

MINUTES OF MEETING OF JUNE 15, 2016

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, June 15, 2016 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 Boynton, Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Attorney Edward Wacks, and Acting Clerk Donna Zilberfarb.

MINUTES:

The minutes of the May 11, 2016 Work Session Meeting were approved on a motion by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor. Mr. Boynton and Mr. Desiderio abstained.

The minutes of the May 18, 2016 Regular Meeting were approved as amended on a motion by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor.

AGREEMENTS:

Knowlton Court – Motion was made by Mr. Desiderio to pass Resolution #2016-66 to authorize the Mayor and Clerk to enter into a shared services agreement with the Knowlton Court, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-Yes; Mr. DeCarolis-Yes; Mr. Desiderio-Yes; Mr. Kuhn-Yes; Mr. Stracco-Abstained. Vote 4-0.

Valley Medical Group for drug and alcohol testing. After discussion it was determined that Ms. Zilberfarb will obtain additional information and bring to the next meeting.

ORDINANCES:

#2016-05 BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$266,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS: SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$280,000, said sum being inclusive of a down payment in the amount of \$14,000 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$280,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$266,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$266,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is the 2016 Capital

Improvement Program (the "Program"), which includes, but is not limited to, the acquisition and installation of a new phone system and desk in the town hall; the acquisition of playground equipment and mower equipment for the Recreation Department; the acquisition of a cutter for jaws of life and other miscellaneous equipment for the Green Township Fire Department, a hose and other miscellaneous equipment for the Blairstown Fire Department, and various fire equipment for the Hope Fire Department; the acquisition of road signs, a tailgate sander, tools and a single axle truck for the Department of Public Works; and various repairs and improvements to roads, storm drains and paving within the Township, including, but not limited to, Bear Creek Road, including, as applicable, all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor on file in the office of the Township Clerk and available for public inspection and hereby approved. (b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$266,000. (c) The estimated cost of said improvements or purposes is \$280,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of \$14,000, which is the down payment available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. (b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.21 years. (c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the

Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$266,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. (d) An aggregate amount not exceeding \$13,800 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described. SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount. SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.1481 of the bonds or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$266,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2). SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance. SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law. Motion was made by Mr. Desiderio, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-Yes; Mr. DeCarolis-Yes; Mr. Desiderio-Yes; Mr. Kuhn-Yes. **ADOPTED ON FIRST READING DATED: June 15, 2016 Second reading for final adoption will be on July 20, 2016 at 7:30 pm.**

2016-06 ORDINANCE AMENDING CHAPTER XXII OF THE FRELINGHUYSEN TOWNSHIP CODE TO ESTABLISH RULES AND REGULATIONS FOR THE USE OF THE FRELINGHUYSEN FOREST PRESERVE.

After discussion and comments, Mr. Wacks will amended with changes discussed and have ready for July 20, 2016 for the first reading for introduction.

RESOLUTIONS:

#2016-57 RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY FOR THE YEAR 2016-2017 WHEREAS, the following Plenary Distribution Liquor Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2016-2017 2106-44-002-002 Gerald Chrusz WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2016-2017 2106-33-003-008 Sweet Janes Café and Bar WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2016-2017 2106-33-004-001 Katharina Reay WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2016-2017 2106-33-001-005 Joseph McEvoy WHEREAS, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of New Jersey by the above applicants. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 15th day of June, 2016 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2016-2017. Motion was made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor. Mr. DeCarolis absented.

#2016-58 RESOLUTION APPROVING THE ISSUANCE OF RAFFLE LICENSE FOR ANTLER RIDGE WILDLIFE SANCTUARY WHEREAS, the Antler Ridge Wildlife Sanctuary has applied for a raffle license to conduct an On-premises tricky tray raffle for October 9, 2016 consisting of application #2016-04; and WHEREAS, the Findings and Determination by the Acting 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 Sactuary tricky tray raffle application #2016-04 are hereby approved. Motion was made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor.

#2016-59 RESOLUTION AUTHORIZING APPLICATION FOR A WARREN COUNTY MUNICIPAL AND CHARITABLE CONSERVANCY TRUST FUND HISTORIC PRESERVATION GRANT **WHEREAS**, the Township of Frelinghuysen seeks to improve the condition of the historic barn hereinafter referred to as the “Boat House” at the Frelinghuysen Forest Preserve North; and **WHEREAS**, Warren County offers funding for such improvement projects through their Municipal and Charitable Conservancy Trust Fund Grant program; and **WHEREAS**, the Township meets all eligibility requirements to apply for a grant for stabilization and renovation of the Boat House; and **WHEREAS**, the Township is committed to provide 25% matching funding if this grant is awarded; and **WHEREAS**, Warren County Municipal and Charitable Conservancy Trust Fund grant round will receive applications until June 17, 2016, **NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Frelinghuysen authorizes application for the aforementioned Warren County Municipal and Charitable Conservancy Trust Fund grant. Motion was made as amended by Mr. DeCarolis, seconded by Mr. Kuhn. All were in favor. Mr. Desiderio opposed.

#2016-60 AMENDING RESOLUTION 2016-11 APPOINTING RISK MANAGMENT CONSULTANT WHEREAS, the Township of Frelinghuysen (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and **NOW, THEREFORE, BE IT RESOLVED** by the governing body of the “Local Unit”, in the County of Warren and State of New Jersey, as follows:

1. Frelinghuysen Township hereby appoints Jim Gilmore, of Bollinger Inc. as its local Risk Management Consultant.

2. The Mayor (authorized representative of the public entity) and Risk Management Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2016 in the form attached hereto. Motion was made by Mr. DeCarolis, seconded by Mr. Boynton. All were in favor.

#2016-61 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF JUNE 2016 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 JUNE 2016; 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 made by Mr. Boynton, seconded by Mr. Desiderio. All were in favor.

#2016-62 SETTING EXECUTIVE SESSION WHEREAS, it is necessary to discuss items dealing with the discussion of land preservation in private or executive session; and WHEREAS, under the Open Public Meetings Act (number ____ 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 June 15, 2016 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 reasonable length of time. Motion was made by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor.

#2016-63 ESTABLISHING THE SUSTAINABLE JERSEY GREEN TEAM

Motion was made by Mr. Desiderio to table until full committee is present, seconded by Mr. Boynton. All were in favor.

#2016-64 RESOLUTION SUPPORTING SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LEGISLATIVE INTENT OF THE FAIR HOUSING ACT WHEREAS, the Township of Frelinghuysen supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State-imposed affordable housing requirements; and WHEREAS, recently the Ocean County Superior Court included a distinct "gap period" analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and WHEREAS, the Fair Housing Act (FHA) and existing case law, requires that "present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period." [N.J.S.A. 52:27D-307(c)]; and WHEREAS, the "gap issue" arises out of COAH's inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and WHEREAS, any retroactive "gap" obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need and will likely result in forcing municipalities and their property taxpayers to subsidize development; and WHEREAS, Senate Bill S-2254 sponsored by Senators Greenstein and Bateman and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo, Benson and Bucco, re-affirm the legislative intent of the Fair Housing Act so as to preclude significant, unfair impacts and instead progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the provision of affordable housing. **NOW, THEREFORE, BE IT RESOLVED**, on this 15th day of June 2016 by the Township of Frelinghuysen, County of Warren, that:

1. The Township of Frelinghuysen strongly urges New Jersey Legislators to reaffirm the legislative intent of the Fair Housing Act (FHA) immediately and **clarify** that affordable housing need is the sum of present and prospective need for a ten year period.

2. The Township of Frelinghuysen supports Senate Bill S-2254 and Assembly Bill A-3821.

3. Copies of this resolution be distributed to the Governor and Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Senator Steven V. Oroho, Assemblywoman Gail Phoebus, Assemblyman Parker Space and the New Jersey League of Municipalities. Motion was made by Mr. Desiderio, seconded by Mr. Boynton. All were in favor. Resolution will be posted on the website and sent to State Legislation.

#2016-65 RESOLUTION FOR PLAN B PUB, LLC WHEREAS, Plan B Pub, LLC has submitted an application for the renewal of Liquor License #2106-33-005-006; and WHEREAS, Committeeman Alan DeCarolis has a conflict of interest with respect to this application and has absented himself from voting on this application; and WHEREAS, the Mayor and Township Committee have determined that they have received no objections to the renewal and do not find any reason to withhold approval of the renewal of Liquor License #2106-33-005-006; NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that Liquor License #2106-33-005-006 issued to Plan B Pub, LLC be renewed for the year 2016-2017, Alan DeCarolis having absented himself from voting on this matter. Motion made by Mr. Boynton, seconded by Mr. Kuhn. All were in favor. Mr. DeCarolis absented.

#2016-66 SHARED SERVICES AGREEMENT FOR SHARED MUNICIPAL COURT BETWEEN KNOWLTON TOWNSHIP AND FRELINGHUYSEN TOWNSHIP Between: Township of Knowlton, a municipal corporation 628 Route 94, Columbia, in the County of Warren, And State of New Jersey AND: Township of Frelinghuysen, a municipal corporation, 210 Main Street, Johnsonburg, in the County of Warren, and State of New Jersey. **WHEREAS**, The Township of Knowlton (“Knowlton”) operates its own municipal court with offices in the municipal building at 628 Route 94 in Columbia, New Jersey (“Knowlton Municipal Court Facilities”); and **WHEREAS**, the Township of Frelinghuysen (“Frelinghuysen”) shares municipal court services with Knowlton and was notified that its current shared court agreement with Knowlton will expire effective December 31, 2016; and **WHEREAS**, Knowlton and Frelinghuysen both wish to continue sharing municipal court services pursuant to N.J.S.A. 2B:12-1(c); and WHEREAS such shared service agreements are authorized by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. Seq.; and **WHEREAS**, both Townships desire to set forth the administrative and financial responsibilities of each member for the shared court services; and **WHEREAS**, this shared court agreement is subject to approval by the Administrative Office of the Courts and the Vicinage Assignment Judge. **NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Frelinghuysen authorizes this shared services agreement for the aforementioned shared municipal court agreement between the Township of Knowlton and the Township of Frelinghuysen. **CERTIFICATION** I, Donna M. Zilberfarb, Acting Clerk of the Township of Frelinghuysen, do hereby certify the above resolution to be a true copy adopted by the Frelinghuysen Township Committee at the meeting of June 15, 2016. Motion made by Mr. Desiderio, seconded by Mr. Boynton. Roll Call vote: Mr. Boynton-Yes; Mr. DeCarolis-Yes; Mr. Desiderio-Yes; Mr. Kuhn-Yes; Mr. Stracco-Absent.

OLD BUSINESS:

Mr. Sterbenz discussed the micro paving on Saddle Ridge and will send the information to Ms. Zilberfarb to get in touch with asphalt paving (Wally Percy) to set up a meeting with them and the foreman of dpw, the director and the supervisor to address any issues.

Mr. Sterbenz also discussed the plan for Bear Creek Road paving for this year. After discussion it was determined to do an overlay on the sections of Bear Creek that are marked out.

70 Camp Wasigan Road and the retaining wall was discussed by Mr. Sterbenz and legal and was determined that it is in the right of the way of the township Mr. Kuhn would like something in writing from Mr. Sterbenz stating it is in the right of way of the township and then legal will send legal notification to the homeowner. Mr. Desiderio will reach out to homeowner and explain what the next steps will be.

Mr. Sterbenz updated the committee on the status of the salt shed. It was discussed to do a possible shared service with the Warren County. Mr. Desiderio discussed speaking with Mr. Lazorisak from the county and he will be invited to attend the meeting in July. Also discussed was moving from the location that has been dedicated thus far. Mr. Sterbenz said that he could prepare a new layout with a new location.

Meeting was opened to the public with a motion by Mr. Boynton, seconded by Mr. Desiderio. Spoke were:

Mr. Marra inquired why the township uses Tilcon and asked if they use virgin material. Mr. Sterbenz explained the DOT specifications for asphalt and how the coop works with respect to companies winning the bid. He also explained that the township can go out to bid on their own but we utilize the coop pricing. Mr. Wacks explained the process of bidding.

Mr. Barbour spoke regarding the salt shed and has no concern with the location of it but wanted to be sure of the height of the new building and would like to see some trees in the parking lot area.

Ms. Goetz spoke regarding Muller Road and asked about a large pothole and if it could possibly be another drain.

Mr. Kumetz inquired about the Route 94 property and asked if there was any other use for it. Mr. Kuhn explained the 3rd round COAH approval existing in the Master Plan. Mr. Kumetz also asked about a possible land swap and if it can be done. After some discussion, Mr. Wacks stated that it could be done.

Mr. Kohuth inquired about the contract for Saddle Ridge Road and why it could not be found. Mr. Sterbenz explained that it was a state contract and he has been in contact with them. Mr. Kohuth also asked about the salt shed and questions the amount of tons it will hold. Mr. Sterbenz did not have the exact tonnage it would hold and explained that the plans have changed since the beginning. Mr. DeCarolis asked Ms. Zilberfarb to pull up 10 years of salt usage and have for the next meeting.

Ms. Goetz inquired about the Land Use Board utilizing Eco Villages and asked if these would qualify for COAH. Mr. Wacks explained the COAH requirements.

Ms. Natyzak asked for confirmation that Mr. Sterbenz and Mr. Lazorisak will be in attendance at the July 20th meeting.

Meeting was closed to the public with a motion by Mr. Boynton, seconded by Mr. Desiderio.

EXECUTIVE SESSION:

Motion was made to enter into executive session with a motion by Mr. Boynton, seconded by Mr. DeCarolis. All were in favor.

No action was taken

Motion was made to close executive session with a motion by Mr. Boynton, seconded by Mr. Desiderio. All were in favor.

Legal statement - Regular meeting resumed: Mr. Wacks discussed that in executive session the township committee and legal discussed the status of some negotiations and mediation that we are having with Judge Buxbaum with respect to our affordable housing obligations. He explained that a number of state senators and assemblymen have introduced a bill into the Legislature to commit to close the concept of a gap period for affordable housing. There is a Resolution before the township committee to eliminate the gap period. Also discussed Mr. Boesze, which a Rice Notice was given, and hours worked over his normal hours in regards to the Girisi litigation. The wage

was discussed. The committee was also brought up to date on the Girisi litigation as well.

Motion was made by Mr. Desiderio to authorize payment for Mr. Boesze for 18 hours at a rate of \$35.53 per hour, seconded by Mr. Boynton. All were in favor.

NEW BUSINESS:

The bicentennial plaque by the tree is no longer there and Mr. Kuhn will bring up to the Environmental Commission and have them get a new plaque.

Open Public Meetings Act was discussed and again township committee members were told that meetings would need to be advertised if more than 3 committee members were in attendance as there would be a quorum and that gives the authority to conduct business.

Mr. Kuhn discussed the New Jersey Conference of Mayors and holding a government day at Frelinghuysen.

Resignation of Kimberlee Mantz was given to the township committee members. Motion was made by Mr. Boynton to accept the resignation with regrets, seconded by Mr. Desiderio. All were in favor. Ms. Mowbray will start in the building department on June 27th in the Green office. Mr. Wacks will let Ms. Zilberfarb know if advertising will need to be done to hire Ms. Mowbray in the building department since she already works for the township.

OPEN MEETING TO THE PUBLIC:

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

Ms. Smolha spoke regarding the litter on Route 519. She brought the township Ordinance to the County Engineer. Ms. Smolha believes that the fines are too low and should be raised. Feels it should be raised to \$1,000.00.

Ms. Natyzak spoke regarding Kids Camp and the opening of it to the public and asked if it would be by September. She discussed the Frelinghuysen Fling for all members present.

Mr. Conner spoke regarding the NJ DEP and the inspection of the septic system. Mr. Desiderio will speak to the county and Mr. Conner will get him a copy of the prints.

Ms. Goetz handed out and discussed the utilization of roundup for killing weeds.

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

DEPARTMENT REPORTS:

Motion made by Mr. Boynton for consent agenda items 1-10, seconded by Mr. Desiderio. All were in favor.

FFP - Mr. Conner discussed the kiosk being completed by a boy scout doing his Eagle Scout project. Mr. Kuhn asked about having a presentation to the Township Committee at the opening of the camp once the ordinance is approved

DPW - Ms. Zilberfarb discussed the bid specs for the new truck and will have them for the next meeting. Also discussed the roads that will be tar and chipped. (Kerr Road, South Street, Muller Road, Pippin Hill, Golden Chain, Hess Road and Stone Bridge Road).

Recreation – Mr. Desiderio discussed Founders Day. It was a huge success.

Environmental - Mr. Kuhn discussed that they want to consider sustainable jersey, and this will be tabled until August meeting.

Mayor report – Mr. Kuhn discussed Government day and possibly doing it within our town.

Deputy Mayor report – Was not present

Committeeman Boynton report – Discussed the lodge at Kids Camp and that the heating units are running. He also discussed the air conditioning unit in the meeting room that is broken. It will cost approximately \$2,200.00 plus labor to repair it and approximately \$4,000-5,000 or more for a new unit. Mr. Boynton suggested considering looking at window units for the time being. Mr. DeCarolis will have his ac contractor come over and look at the system. Mr. Boynton also stated how Mr. Cooke did bring his fan over during elections to help out and left his extension and asked if anyone saw it or had it. Mr. Desiderio put it in the snack shed and will bring it into the town hall for Mr. Cooke.

Committeeman Desiderio – Nothing to report

Committeeman DeCarolis – Nothing to report

Clerk report – Nothing to report

ADJOURNMENT:

There being no further business, motion was made by Mr. Desiderio, seconded by Mr. DeCarolis to adjourn the meeting at 10:47 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, Acting Township Clerk