

MINUTES OF REGULAR MEETING OF JANUARY 18, 2017

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, January 18, 2017 and was called to order at 7:30 p.m. by Mayor, Frank Desiderio.

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 Frank Desiderio, Deputy Mayor Christopher Stracco, Committeeman Charles Marra, Committeeman Christopher Kuhn, Committeeman David Boynton, Legal Counsel Edward Wacks, and Acting Clerk Donna Zilberfarb.

MINUTES:

1. January 11, 2017 work session meeting minutes were approved on a motion by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.

ORDINANCES:

2017-01 CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to **0.5%** unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and, **WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and, **WHEREAS**, the Township Committee of the Township of Frelinghuysen in the County of Warren finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and, **WHEREAS**, the Township Committee hereby determines that a **3.0%** increase in the budget for said year, amounting to **\$22,931.73** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and, **WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years. **NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Frelinghuysen, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Frelinghuysen shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by **3.5%**, amounting to \$26,753.69, and that the CY 2017 municipal budget for the Township of Frelinghuysen be approved and adopted in accordance with this ordinance; and, **BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and, **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and, **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption. CERTIFICATION I, Donna Zilberfarb, Acting Municipal Clerk of the Township of Frelinghuysen do hereby certify the above to be a true copy adopted by the Frelinghuysen Township Committee at a meeting held on January 3, 2017 and will be

considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on January 18, 2017 at 7:30 pm at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Kuhn to open for second reading, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Boynton to open to the public, seconded by Mr. Stracco. All were in favor. Motion was made to close to the public, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Boynton to adopt, seconded by Mr. Kuhn. Roll call vote: Mr. Boynton – Yes; Mr. Desiderio – Yes; Mr. Kuhn – Yes; Mr. Marra – Yes; Mr. Stracco – Yes

#2017-02 ORDINANCE AMENDING ORDINANCE NO. 2016-08, CONCERNING THE RECREATION COMMITTEE, AND REVISING SECTION 2-27 OF THE FRELINGHUYSEN TOWNSHIP CODE

WHEREAS, Section 2-27 of the Frelinghuysen Township Code sets forth, among other things, the membership, duties and responsibilities of the Frelinghuysen Township Recreation Committee; and WHEREAS, in Ordinance No. 2016-08, the Mayor and Township Committee made certain revisions to Section 2-27, as set forth therein; and WHEREAS, it is in the best interests of the Township and its residents to revise Ordinance No. 2016 and Section 2-27 as set forth below. NOW THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen as follows: Section I 1. Section 2-27.2 of the Frelinghuysen Township Code is amended to read as follows (deletions are stricken through; additions are underlined): **2-27.2 Membership Terms; Appointments.**

The Recreation Committee shall be comprised of not less than five (5) nor more than nine (9) members and four (4) alternate members, who shall be citizens and residents of the Township of Frelinghuysen. ~~The members first appointed shall hold office for one (1), two (2), three (3), four (4) and five (5) years respectively in such a manner that the term of at least one (1) member, and not more than two (2) members shall expire in each year. Thereafter,~~ All appointments shall be for a term of five (5) years and all vacancies shall be filled for the unexpired term only. Upon the occurrence of any vacancy or the expiration of a term of a Recreation Committee member, the Recreation Committee shall, within 30 days of the date of such vacancy or expiration of term, submit to the Mayor and Township Committee a list of candidates to fill the unexpired term (in the case of a vacancy), or to sit for a new, full term (in the case of an expired term). The Mayor and Committee shall make a selection from the list provided by the Recreation Committee. One member of the Township Committee appointed by the Mayor shall serve as an ex-officio member of the Recreation Committee, but shall have no vote unless he also be formally appointed as a member of the Recreation Committee. Alternate members may participate in discussions of Recreation Committee proceedings but may not vote, except in the absence or disqualification of a regular member. Section II Section 2-27.8 of the Frelinghuysen Township Code is deleted in its entirety and replaced with the following: **§ 2-27.8 Rydell Field; Bear Creek Greenway; FFP North; Rules and Regulations.**

- A. The Recreation Committee shall have control over Rydell Field and the recreation fields and facilities associated with the Bear Creek Greenway, and control of any recreation fields or facilities for active recreation use which is designated and approved in the Forestry and Use Plan for the FFP North adopted by the Township, , and may adopt such suitable rules, regulations and bylaws for the scheduling and use of same as it may deem necessary, subject to the review and approval of the Township Committee. The Township Committee retains the ability to schedule maintenance fees, and control over all areas not used for active recreation purposes set forth above.
- B. For these purposes the term “active recreation” means and is intended to include any organized recreational activity. ~~includes recreation activities that are usually rigorously athletic, not quiet, and have a noticeable impact on the surrounding environment. These may include individual or team sports, large picnic grounds, children’s playgrounds, and recreational events with a high density of people. Parks that provide active recreation commonly include tennis, volleyball and basketball courts; swing sets, playgrounds, and tot-lots; or fields for team sports such as football, soccer, and baseball/softball. Active~~

recreation parks can be quite small, as in the case of a tot-lot, or they can cover multiple acres, as in the case of a sports field complex. Examples include: athletic team sports, archery, obstacle courses, concerts, festivals, summer camps, organized camping events, cookouts, golf, BMX, cycling, mountain biking, organized foot racing, any form of motorized activity, boating activity, swimming, community gardens, and equestrian activities.

C. For these purposes the term "passive recreation" includes recreation activities that are usually quiet and not rigorously athletic, and have a low impact on the surrounding environment. These activities may include walking, hiking, fishing, bird watching, and quiet picnicking. Parks that provide passive recreation may include trails, public gardens or memorial parks, open areas, and picnic areas. Passive recreation parks tend to be larger than active recreation facilities and may have natural or scenic significance, containing a stream, woodland, or historically significant resource. County or state facilities are primarily designed for passive recreation and may require a further distance to travel. Examples include: astronomy, bird/wildlife observation, kite flying, group meetings, conservation activities, hiking, trail walking, open air theatre, orienteering, photography, picnics, and indoor meetings.

D. All control of hunting, fishing or trapping is reserved exclusively for the Township Committee. Section III Section 2-27.10 of the Frelinghuysen Township Code is amended to read as follows: **§ 2-27.10 Violations and Penalties.** Any person violating any provisions of this section or violating any of the rules and regulations or bylaws of the Township Committee or Recreation Committee shall be subject to penalties as follows:

- A. For a first offense: A fine in the amount of two hundred (\$200.00) dollars, and, in the discretion of the Judge of the Municipal Court before whom the cause shall be heard, imprisonment for a period of thirty (30) days;
- B. For a second offense: A fine in the amount of two hundred (\$500.00) dollars, and, in the discretion of the Judge of the Municipal Court before whom the cause shall be heard, imprisonment for a period of thirty (30) days;
- C. For at third or additional offense: For a first offense: A fine in the amount of one thousand (\$1,000.00) dollars, and, in the discretion of the Judge of the Municipal Court before whom the cause shall be heard, imprisonment for a period of thirty (30) days.

Each day that a violation is permitted to exist shall constitute a separate offense.

Section IV

1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

3. This ordinance shall take effect immediately upon final passage and publication as required by law. NOTICE Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on January 3, 2017 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on January 18, 2017 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance.

Motion was made by Mr. Kuhn for second reading for adoption, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. Boynton to open to the public, seconded by Mr. Marra. All were in favor. Mr. Greco asked what was being amended in this Ordinance and Mr. Desiderio explained that the names of members will come from Recreation and sent to the Township Committee. Motion was made by Mr. Stracco to close to the public, seconded by Mr. Marra. All were in favor. Motion was made by Mr. Kuhn to adopt, seconded by Mr. Boynton. Roll call vote: Mr. Kuhn-Yes; Mr. Boynton-Yes; Mr. Marra-Yes; Mr. Desiderio-Yes; Mr. Stracco-Yes.

#2017-03 ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE CONCERNING USES IN THE AR-6, NC, VN01 & 2 AND ROM ZONING DISTRICTS,

AND CONCERNING USES ON TOWNSHIP-OWNED LANDS WHEREAS, in furtherance of the purposes of the Frelinghuysen Township Land Development Ordinance as set forth at Section 102 thereof, it is necessary and appropriate at this time to make amendments to the Land Development Ordinance, in order to: (a) eliminate the cluster option and lot size averaging in the AR-6 Zone; (b) expand the NC Zone in accordance with the 2016 Master Plan Reexamination; (c) permit first floor apartments in the VN-1 and VN-2 Zones; (d) permit landscaping businesses in the ROM Zone, and (e) permit cell towers and solar power farms on Township-owned lands; and

WHEREAS, it is in the best interests of the Township and its residents to revise the Land Development Ordinance as set forth herein. NOW THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen as follows: Section I 1. Section 402(A) of the Frelinghuysen Township Land Development Ordinance is Code is amended to read as follows (deletions are stricken through; additions are underlined):

402 "AR-6" AGRICULTURAL RESIDENTIAL

A. Principal Permitted Uses on Land and in Buildings

1. Farms.
2. Freestanding single-family homes.
3. Public playgrounds, public conservation areas, public parks, golf courses and public purpose uses.
4. Public and private day schools of elementary and/or high school grade licensed by the State of New Jersey as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 601 for standards).
5. Churches as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 601 for standards).
6. Public Utilities as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 601 for standards).
- ~~7. Residential Clusters (see Section 604 for standards and requirements).~~
- 7~~8~~. Accessory apartments in single-family detached dwellings or its accessory building on a residential lot, ~~not part of a "Residential Cluster,"~~ as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 601 for standards).

Section II Section 305 of the Frelinghuysen Township Land Development Ordinance is amended by adding thereto a new Subsection 305(B), to read as follows:

305 ZONING MAP AMENDMENTS

- B. Pursuant to Resolution No.2016-135 adopted December 21, 2016, the NC Commercial Zone along Route 94 is expanded to encompass both sides of Route 94 from the Fredon Township border to Kerr Road, as shown in the 2016 Master Plan Reexamination, p. 30.

Section III Section 403(A)(10) of the Frelinghuysen Township Land Development Ordinance Code is amended to read as follows:

403 "VN-1" and "VN-2" VILLAGE NEIGHBORHOOD

A. Principal Permitted Uses on the Land and in Buildings

10. Apartments in mixed-use buildings, ~~not located on the ground floor~~ and only if the second floor is limited to the permitted apartment residential use(s). Such apartment(s) shall be no less than seven hundred fifty (750) square feet each in floor area for a one-bedroom apartment or nine hundred (900) square feet each for a two-bedroom apartment.

Section IV Section 405(A) of the Frelinghuysen Township Land Development Ordinance is amended by adding thereto a new Subsection 405(A)(7), to read as follows: **405 "ROM" RESEARCH, OFFICE AND MANUFACTURING**

A. Permitted Principal Uses on the Land and in Buildings

7. Landscaping businesses.

Section V Section 601(M) of the Frelinghuysen Township Land Development Ordinance is amended by adding thereto a new Subsection 601(M)(4), to read as follows: **601 CONDITIONAL USES**

M. Communications Facilities as a Conditional Use

4. Notwithstanding any other provision of this Section or of the Land Development Ordinance, cellular communications facilities and the co-location of such facilities shall be a permitted use on any property owned by the Township of Frelinghuysen, and the

provisions set forth at Section 601(M)(3) shall be inapplicable to such facilities on Township-owned property, except as otherwise required by law.

Section VI Section 601(M) of the Frelinghuysen Township Land Development Ordinance is amended by adding thereto a new Subsection 601(N)(14), to read as follows: **601** **CONDITIONAL USES** N. Solar Energy Systems.

14. Notwithstanding any other provision of this Section or of the Land Development Ordinance, solar energy systems shall be a permitted use on any property owned by the Township of Frelinghuysen, and the provisions set forth at Section 601(N)(1) through 601(N)(13) shall be inapplicable to such facilities on Township-owned property, except as otherwise required by law.

Section VI 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the meeting of the Frelinghuysen Township Committee held on January 3, 2017 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on January 18, 2017 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Stracco to send to the Land Use Board for review, seconded by Mr. Boynton. All were in favor.

#2017-05 ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A STREET KNOWN AS OLD DARK MOON ROAD IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN AND STATE OF NEW JERSEY AND RESERVING ACCESS EASEMENTS, AND RESCINDING ORDINANCE NO. 2016-07. WHEREAS, a road known as Old Dark Moon Road, in the Township of Frelinghuysen, as fully described in the Schedule attached hereto ("Old Dark Moon Road"), is no longer needed for any public purpose; and WHEREAS, as such, Old Dark Moon Road should be vacated, except to retain an easement for utility access. NOW THEREFORE BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, Warren County, and State of New Jersey, as follows: 1. Subject to the reservations specified in this ordinance, the public rights and interests are hereby vacated with respect to a portion of Old Dark Moon Road, which portion is more specifically set forth in the metes and bounds description which is attached as a Schedule hereto and made a part hereof. 2. All the rights of any and all public utilities, as defined at N.J.S.A. 48:2-13 and cable television companies, as defined at N.J.S.A. 48:5A-1, et seq., to provide future utilities or to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated are hereby expressly reserved and excepted from this vacation in perpetuity. 3. Ordinance No. 2016-07, adopted on November 9, 2016, be and the same is hereby rescinded. 4. Upon final adoption, a copy of this Ordinance shall be transmitted to the Warren County Clerk for recording as required by law. 5. This Ordinance shall take effect according to law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on January 18, 2017 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on _____ at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance. Motion was made by Mr. Stracco to hold this ordinance, seconded by Mr. Boynton. All were in favor.

RESOLUTIONS:

#2017-10 TOWNSHIP OF FRELINGHUYSEN COUNTY OF WARREN STATE OF NEW JERSEY RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES-MUNICIPAL AUDITOR WHEREAS, the Township of Frelinghuysen has a need to acquire a municipal Auditor as a fair and open contract pursuant to provisions of N.J.S.A. 19:44A-20.5; and, WHEREAS, the

Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and, WHEREAS, the anticipated term of this contract is one year; and, WHEREAS, ARDITO & CO., LLP has submitted a proposal, indicating they will provide the auditor services for the anticipated fee of \$25,026 (including court); and, WHEREAS, ARDITO & CO., LLP has completed and submitted a Business Entity Disclosure Certification which certified that ARDITO & CO., LLP has not made any reportable contributions to a political or candidate committee in the Township of Frelinghuysen in the previous year, and that the contract will prohibit ARDITO & CO., LLP from making any reportable contributions through the term of the contract; and, WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned auditing and non-auditing services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance. NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, authorizes the Mayor and Clerk of the Township of Frelinghuysen to enter into a contact with ARDITO & CO., LLP as described herein as auditors on and in behalf of the Township of Frelinghuysen for the year 2017; and, BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this Resolution; and, BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication. Political Contribution Disclosure. This contract has been awarded to Ardito & Co., LLP based on the merits and abilities of Ardito & Co., LLP to provide the goods and services as described herein. This contract was awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Ardito & Co., LLP, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19-44A-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19. affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the municipality when the contract is awarded. Exhibit "A" (Mandatory Affirmative Action Language), Exhibit "B" (Employee Information Report), Exhibit "C" (Business Registration Certificate), Exhibit "D" (Business Entity Disclosure Certification), Exhibit "E" (Political Contributions Disclosure Certification), and Exhibit "F" (Insurance) are attached to and made a part of this contract. Anthony Ardito acknowledges executing the within duplicate Resolution and agrees to be bound by the terms, covenants and conditions thereof for the year 2017. Motion was made by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.

2017-16 WHEREAS, there remains a balance in the 2016 Department of Public Works Operating budget for snow removal expenses, and WHEREAS, N.J.S.A. 40A:62.1 permits the transfer of these remaining funds into the Snow Removal/Storm Recovery Reserve Fund for future use, NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to transfer \$10,000 from the 2016 DPW operating expense budget line item to the Snow Removal/Storm Recovery Trust fund.

CERTIFICATION: I hereby certify that the above is a true and accurate copy of a Resolution adopted by the governing body of the Township of Frelinghuysen, at a meeting held January 19, 2017. Motion was made by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.

#2017-17 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF JANUARY 2017 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 JANUARY 2017; 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. Kuhn, seconded by Mr. Boynton. All were in favor.

#2017-18 RESOLUTION APPROVING THE AMENDMENT OF A RAFFLE LICENSE FOR FRELINGHUYSEN TOWNSHIP SCHOOL PTO WHEREAS, the Frelinghuysen Township School PTO has applied for amendments to raffle licenses #2016-06 and #2016-07 to conduct an On-Premises merchandise raffle and an On-premises 50/50 raffle for February 11, 2017; and WHEREAS, the Frelinghuysen Township School PTO has changed the location of the raffles, making it necessary to amend the applications for these licenses. 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 Frelinghuysen Township School PTO raffle amendment applications #2016-06 and #2016-07 are hereby approved. Motion was made by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.

#2017-19 TOWNSHIP OF FRELINGHUYSEN RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE KERRS CORNER ROAD PHASE 4 PROJECT. NOW, THEREFORE, BE IT RESOLVED that Council of Frelinghuysen formally approves the grant application for the above stated project. BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Frelinghuysen Township – 00397 to the New Jersey Department of Transportation on behalf of Frelinghuysen. BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Frelinghuysen and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement. Certified as a true copy of the Resolution adopted by Council on this 18th day of January, 2017. My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above. Motion was made by Mr. Kuhn, seconded by Mr. Boynton. All were in favor.

OLD BUSINESS:

Salt shed was held.

Darlene Green of Maser Consulting discussed and questioned the Verizon enhancing network and the right of ways of the township. There was discussion on how it will work, if there could be limits and what are the visual limitations on these anticipated nodes. After discussion, Ed Wacks suggested inviting Verizon to the next meeting to discuss in further detail. Mr. Stracco questioned if this should go to the land use board or stay here. Motion was made by Mr. Stracco to send to the land use board for review and comments. Motion was made by Mr. Kuhn to rescind the motion to refer to land use board and leave at the township committee, seconded by Mr. Boynton. All were in favor. Mr. Stracco abstained. Motion was made by Mr. Kuhn to authorize Mr. Wacks and Ms. Green to draft a letter to Verizon, seconded by Mr. Boynton. All were in favor. Mr. Stracco abstained.

The letter to service electric cable will be sent out on January 19, 2017.

Cash for crash – hold to April

NEW BUSINESS:

Jackie Espinoza from JCP&L was in attendance and let everyone know that the linesman class will be starting again for this year. It is a 2 year program. Anyone interested can reach out to Ms. Espinoza.

Trooper Wojack was in attendance from the Hope Barracks. He let the committee know that the fatal accident on Route 94 was still under investigation. Mr. Desiderio asked about the 3 way stop sign and Trooper Wojack said to call the station and speak with Assistant station commander White to discuss.

Nick Pachnos and fire Chief Tom Charles explained the need for 911 to be called through Warren County dispatch. There was a call in Frelinghuysen Township that was

dispatched via Sussex County and it was dispatched to a different address in Byram. The call took 45 minutes to get to the Green Township Fire Department. Mr. Charles and Mr. Pachnos would appreciate the Township Committee reaching out to the Warren County dispatch center to try and get them to dispatch them for Frelinghuysen Township. Mr. Desiderio will contact the administrator in Green Township and discuss with him as well. Mr. Kuhn will write a letter and send it to the Warren County dispatch and copy the Warren County Freeholders.

Warren County mosquito control commission sent an authorization for the township to sign for aerial applications over certain areas within the township. Motion was made by Mr. Kuhn to authorize the Mayor to sign, seconded by Mr. Boynton. All were in favor.

The Warren County Preservation Day at the Van Nest Hoff-Vannatta Farmstead will be held on Sunday, May 21, 2017 from 10:00 am to 4:00 pm. Mr. Kuhn will be attending.

DEPARTMENT REPORTS:

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

Legal Report – Mr. Wacks discussed the outstanding bill for the land use board for applicant Hart and will send a letter to try to obtain the escrow. He also discussed the ABC social affairs permit and suggested that everyone complete one of these that will be renting the lodge with alcohol. The energy aggregate will be ready for next month's meeting. Mr. Wacks handed out to all members a copy of an abandoned property ordinance from Rockaway Borough and asked everyone to look at it. Motion was made by Mr. Kuhn to authorize Mr. Wacks to write an ordinance on vacating non and residential properties, seconded by Mr. Stracco. All were in favor.

Mayor report – Reported via Recreation committee

DPW Report – Report is in the binder

Recreation Committee – Mr. Desiderio stated the recreation committee would like to appoint Brian Sassman to the committee. Motion was made by Mr. Kuhn to appoint Mr. Sassman as an Alternate to the Recreation Committee, seconded by Mr. Boynton. All were in favor. Mr. Desiderio also stated that the propane tank needed to be filled. Motion was made by Mr. Kuhn to fill the propane tank at the lodge and authorize no more than \$1,000.00, seconded by Mr. Boynton. All were in favor. Mr. Desiderio discussed the exterior lighting and he will get some prices. He also discussed the parking area and plans on attending the next open space meeting to find out where the exception area is. Mr. Kuhn suggested speaking with Mr. Sterbenz. He will reach out to Mr. Sterbenz. He also let the committee know the exercisers are using the building and that he will try to wash the floor over the weekend. He is going to need to change the locks on some doors and lock certain sections off to the public. He also notified the school that it is ready to use for any school trips, functions etc. The new bank account has been opened and a \$200.00 donation from antler ridge was deposited.

After discussion it was determined that the Township dinner should be somewhere else this year. Motion was made by Mr. Kuhn to move the township dinner to the Farmstead on April 8, 2017, seconded by Mr. Boynton. All were in favor.

Environmental Commission– The reorganization meeting will be held on January 23rd at 7:30 pm.

Farmland Preservation Committee – The reorganization meeting will be held on January 20th at 7:30 pm.

Open Space Advisory Committee – The reorganization meeting will be held on January 20th at 7:30 pm.

Historical Committee – Mr. Kuhn let the committee know that the chair is Scott Lance and the Vice Chair is Debra Natyzak.

Deputy Mayor report – Mr. Stracco let the committee know that the Land Use Board chair is Donald Soisson and the Vice chair is Marty Connor. The Verizon cell tower, an individual with a pool and the referred ordinances will be on the agenda for their meeting on the 6th of February.

Committeeman Boynton – Nothing to report at this time.

Committeeman Kuhn – Mr. Kuhn explained the finance meeting and needed a motion for cell phone reimbursement. Mr. Kuhn made a motion for the Road Supervisor cell phone reimbursement to be \$45.00 per month, seconded by Mr. Boynton. All were in favor.

Committeeman Marra – Nothing to report at this time.

Clerk report – Ms. Zilberfarb asked if the gates needed to be locked each night now that there is no one utilizing the building for exercise or karate. It was determined the gate does not need to be locked.

OPEN MEETING TO THE PUBLIC:

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

Mr. Greco inquired where all the money for the Rec Center is coming from. Mr. Kuhn explained it comes from the open space trust fund.

Ms. Fran Muller asked what LUB meant on the bills listing and it was explained that it was the land use board.

Mr. Greco inquired about the propane for December and why we are using so much. Mr. Desiderio explained that there is a 3 zone heating system and they are trying to work everything out. He is also looking for an app for the phone to be able to set remotely.

Mr. Muller stated that he would update the 911 maps after all road vacations have been completed.

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

EXECUTIVE SESSION:

There was no executive session.

CORRESPONDENCE:

New Jersey Senate – Thank Township in support of Assembly Bill 3686 and Senate Bill 2423 known as Ralph and David’s Law. **Warren County Pollution Control** – Retirement of Joan Pluto **Frelinghuysen Township** – Land Use Board Notice sent by the applicant **Green Township Land Use Board** – Public hearing for consideration of revised housing element and fair share plan for master plan – not adopted **Mosher family** - Thank you for the fruit basket **Blairstown Hose Company #1** – November and December 2016 Fire Report **Conservation Advising Services, Inc.** – Proposal for Open Space Consulting Services **Rutgers** – Center for Government Services – Saturday April 1, 2017. The powers and duties of the municipal governing body

ADJOURNMENT:

There being no further business, motion was made by Mr. Stracco, seconded by Mr. Boynton to adjourn the meeting at 9:20 p.m. All were in favor.

Respectfully Submitted,

