

## MINUTES OF REORGANIZATION MEETING OF JANUARY 1, 2009

The reorganization meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Thursday, January 1, 2009 and was called to order at 10:00 a.m. by the Municipal Clerk.

Those present were: Debra Natyzak-Osadca, Alan DeCarolis, Frank Desiderio, Dale Durling, David Boynton, Attorney Richard Beilin, Engineer Paul Sterbenz and Clerk Brenda Kleber.

### **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 faxing notice to the Star Gazette and New Jersey Herald on December 22, 2008.

Committeeman David Boynton was sworn in by the Municipal Clerk for three year term.

The Municipal Clerk called for nominations for Mayor for the year 2009. Motion was made by Natyzak-Osadca, seconded by DeCarolis to nominate Dale Durling. Roll call vote: Natyzak-Osadca-yes, DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes. Mayor Durling accepted the nomination and thanked the Committee for their support.

Nominations were called for Deputy Mayor. Motion was made by Boynton, seconded by Durling to nominate Frank Desiderio. Roll call vote: Natyzak-Osadca-yes, DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes. Committeeman Desiderio accepted the nomination and thanked the Committee for their support.

### **EXECUTIVE SESSION:**

Motion was made by Desiderio, seconded by Boynton to enter into Executive Session with regard to personnel matters after a resolution (#2009-07) was approved in the public portion of the meeting. All in favor. Motion was made by Desiderio, seconded by Boynton to return to public session. All in favor. At this time, the attorney reported that the discussion pertained to personnel matter and the appointments were reviewed.

### **COMMITTEE APPOINTMENTS:**

1. Supervisor of Roads-Frank Desiderio
2. Assistant Road Supervisor-Alan DeCarolis
3. Finance Committee (includes Tax Collector and Tax Assessor)-Dale Durling and Natyzak-Osadca.
4. Buildings & Grounds-Frank Desiderio
5. Recreation Committee Liaison-David Boynton
6. Open Space Committee member-Debra Natyzak-Osadca
7. Farmland Preservation Committee member-Debra Natyzak-Osadca
8. Insurance Liaison-David Boynton
9. Planning Board member Class I-Frank Desiderio
10. Planning Board member Class III-Alan DeCarolis
11. Board of Health Member-All committee members
12. Personnel Committee members-Alan DeCarolis & Dale Durling
13. Board of Education Liaison-David Boynton
14. Freeholder Liaison-Dale Durling
15. Police Liaison-Dale Durling
16. Safety Committee member-Frank Desiderio
17. COAH Coordinator-David Boynton
18. Environmental Commission Liaison-Alan DeCarolis
19. Municipal Alliance Member-Debra Natyzak-Osadca
20. Recycling Coordinator-Frank Desiderio
21. Clean Communities Co-coordinator-Debra Natyzak-Osadca

Motion was made by Boynton, seconded by Desiderio to accept the above appointments as read. All in favor.

**MISCELLANOUS APPOINTMENTS:**

1. Assessment Search Officer-Brenda Kleber
2. Board of Health Secretary-Brenda Kleber
3. Deputy Clerk-Shannon Drylie
4. Deputy Tax Collector-Brenda Kleber
5. Tax Search Officer-Donna Clouse
6. List of Certified Owners-David Gill
7. Coordinator to Aging-Jean Verberke
8. Member to Solid Waste Advisory Commission-James Banta
9. Technical Assistant to Construction Officer-Shannon Drylie
10. Dog Licensing Official-Brenda Kleber
11. Municipal Alliance Coordinator-Cindy Ponczek
12. Safety Director-Richard Smith

Motion was made by Boynton, seconded by Desiderio to accept the above appointments as read. All in favor.

**PLANNING BOARD APPOINTMENTS:**

1. Kevin Bailey-four year term
2. Christopher Calcagne-2 year term

(Note: Due to a planning board meeting on Monday, January 5<sup>th</sup> and the possibility of not having a quorum, the Mayor made the above appointments on January 2<sup>nd</sup>).

**BOARD OF ADJUSTMENT APPOINTMENTS:-on hold**

**RECREATION COMMITTEE MEMBERS APPOINTMENTS:-on hold**

**ENVIRONMENTAL COMMISSION APPOINTMENTS:-on hold**

**LOCAL ASSISTANCE BOARD APPOINTMENTS:**

1. Robert Berry-1 year term to expire December 31, 2009
2. Nancy Placko-2 year term to expire December 31, 2010
3. Dale Durling-1 year term to expire December 31, 2009

**OPEN SPACE COMMITTEE APPOINTMENTS:-on hold**

**FARMLAND PRESERVATION COMMITTEE APPOINTMENTS-on hold**

**RESOLUTIONS:**

#2009-01:

WHEREAS, Section 12 of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that at least once a year, not later than January 10<sup>th</sup> of such year, every body shall post and mail to newspapers designated by said body, a schedule of the location, time and date of each meeting of said body during the succeeding year.

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that the regular public meeting of the Frelinghuysen Township Committee will be held on the third Wednesday of each month at 7:30 p.m. at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey as follows:

**REGULAR MEETING DATES FOR 2009**

- |                   |                    |
|-------------------|--------------------|
| January 21, 2009  | July 15, 2009      |
| February 18, 2009 | August 19, 2009    |
| March 18, 2009    | September 16, 2009 |
| April 15, 2009    | October 21, 2009   |
| May 20, 2009      | November 18, 2009  |
| June 17, 2009     | December 16, 2009  |

BE IT FURTHER RESOFLVED, that the following days during the calendar year of 2009 are hereby designated as the Workshop Meetings of the Mayor and Committee of the Township of Frelinghuysen on an as needed basis:

- |                  |              |
|------------------|--------------|
| January 14, 2009 | July 9, 2009 |
|------------------|--------------|

February 12, 2009  
March 12, 2009  
April 9, 2009  
May 14, 2009  
June 11, 2009

August 13, 2009  
September 10, 2009  
October 15, 2009  
November 12, 2009  
December 10, 2009

All workshop meetings will begin at 4:00 p.m. at 210 Main Street, Johnsonburg, New Jersey unless otherwise specified. Workshop meetings may be subject to cancelation. Formal action may be taken at workshop meetings and executive sessions may be called by the governing body at these meetings.

Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolus-yes, Desiderio-yes, Boynton-yes, Durling-yes.

#### #2009-02

BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the following resolution be adopted:

That all Township officials be present at each meeting on a quarterly basis.

Monthly department reports are required from the Tax Collector, Tax Assessor, Chief Finance Officer, Building Inspector, Zoning Officer, Warren County Health Department, Planning Board and Animal Licensing Official to be given to the Clerk one week prior to the Township Committee meeting.

Interest on current and delinquent taxes shall be 8% on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and 6% in excess of \$10,000.00 for who fails to pay delinquent taxes prior to the end of the calendar year.

The Tax Collector, Township Clerk, Building Inspector, Zoning Officer, Animal Licensing Official shall turn over monies collected and in hand at the end of the month to the Clerk to be recorded in the minutes.

The North Warren branch of the Lakeland Bank is depository for monies collected by the Tax Collector, Chief Finance Officer, Zoning Officer, Animal Licensing Official, Building Inspector, Small Cities and Township Clerk.

The Bank of America is the depository for monies collected by the Chief Finance Officer for escrow accounts.

The Express-Times and New Jersey Herald are the official newspapers for the publication of all legal items.

The Tax Collector is authorized to issue tax search requests.

The Township Clerk is authorized to issue certificates as to liability for assessments for municipal purposes or improvements.

The Tax Assessor is authorized to issue certified list of property owners.

Motion was made by Desiderio, seconded by Boynton to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolus-yes, Desiderio-yes, Boynton-yes, Durling-yes.

#### #2009-03:

WHEREAS, N.J.S.A.40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2009 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided;; and

WHEREAS, the date of this resolution is within the first thirty (30) days of January 2009; and

WHEREAS, one-fourth of the total appropriations in the 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said 2008 budget in the sum of \$230,000.00.

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Finance Officer for her records.

Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolus-yes, Desiderio-yes, Boynton-yes, Durling-yes.

#### 2009-04:

WHEREAS, N.J.S.A.40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2009 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided;; and

WHEREAS, the date of this resolution is within the first thirty (30) days of January 2009; and

WHEREAS, one-fourth of the total appropriations in the 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said 2008 budget in the sum of \$230,000.00

NOW, THEREFORE BE IT RESOLVED, by the Frelinghuysen Township Committee that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Finance Officer for her records.

Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes.

WHEREAS, the Mayor and Township Committee of the Township of Frelinghuysen require the services of a Municipal Attorney, Municipal Engineer, Bond Counsel; and

WHEREAS, funds will be available in the 2009 budget to pay for the aforesaid services.

NOW, THEREFORE BE IT RESOLVED, that:

1. The appointment of the following for the term indicated is hereby approved:

- a. Municipal Attorney-Edward Wacks of Wacks & Hartmann-1 year term
- b. Municipal Engineer-Paul Sterbenz and Paul Niehoff of Maser Consulting-1 year term
- c. Bond Counsel-Wilentiz, Goldman & Spitzer-1 year term

2. The services of the above mentioned appointees were engaged without competitive bidding as "professional Services", as defined in the local public contracts law, because such services are performed by persons authorized by law to practice a recognized profession, regulated by law, and it is not possible to obtain competitive bids.

3. A copy of this resolution shall be published as required by law within ten (10) days of its passage.

Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes.

#2009-05 (auditor's proposal)-on hold

#2009-06:

WHEREAS, Thomas K. Charles was duly elected to the Township Committee; and  
WHEREAS, the Township Committee has appointed Thomas K. Charles Mayor since 2003; and

WHEREAS, Thomas K. Charles has served in the capacity as Mayor and has decided not to seek reelection.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Frelinghuysen wish to confer the honorary title of Mayor Emeritus on Thomas K. Charles in recognition of his service to the Township of Frelinghuysen, County of Warren, State of New Jersey.

Motion was made by Desiderio, seconded by DeCarolis to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes.

#2009-07:

WHEREAS, it is necessary to discuss items dealing with Personnel matters in private or executive session; and

WHEREAS, under the Open Public Meetings Act (number 4 of the permitted exceptions to the requirements that a public body hold its meetings in public) it is permissible that such matters be discussed in executive or private session.

NOW, THEREFORE BE IT RESOLVED, on this 1st day of January, 2009 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned and results or portions of that discussion will be made known in a reasonable length of time.

Motion was made Desiderio, seconded by Boynton to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolis-yes, Desiderio-yes, Boynton-yes, Durling-yes.

#2009-08

WHEREAS, Resolution #2009-04 was adopted by the Mayor and Township Committee, resulting among other things, in the appointment of the Frelinghuysen Township Auditor; and

WHEREAS, the Mayor and Township Committee subsequently determined to amend Resolution #2009-04 to stay the Frelinghuysen Township Auditor's appointment for the reasons set forth on the record at their January 1, 2009 reorganization meeting.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen that resolution #2009-04 be amended to reflect the Mayor and Township Committee's decision to stay the appointment of the Frelinghuysen Township Auditor.

Motion was made by Boynton, seconded by Desiderio to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, DeCarolus-yes, Desiderio-yes, Boynton-yes, Durling-yes.

**OLD BUSINESS:**

Dale Glynn was appointed as Plumbing Inspector for the Township at a salary of \$5,000.00 annually on motion made by Desiderio, seconded Boynton. All in favor.

**PROFESSIONAL AGREEMENTS:**

Professional agreements were received from Wacks & Hartman and Maser Consulting and were accepted on motion made by Desiderio, seconded by Boynton. All in favor. The professional service agreement for Land Conservancy was put on hold.

**DEPARTMENT REPORTS:**

Committeeman Boynton thanked Maser Consulting and Ed Wacks for keeping their rates the same as last year.

Committeeman Boynton advised that he resigned from the Planning Board and now wants to concentrate on the building of the ballfield and will push for less spending.

Committeeman Natyzak-Osadca asked to hold the first of the budget meetings at the work meeting to be held on January 15<sup>th</sup>. (Note: due to a conflict, the meeting was changed to the 14<sup>th</sup>).

**AUDIENCE PARTICIPATION:**

Robin Randolph congratulated the Committee and advised them that there is a vacancy on the Open Space and they are currently working on a forestry plan.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, RMC