

MINUTES OF WORK MEETING OF APRIL 14, 2011

The work meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Thursday, April 14, 2011 and was called to order at 3:00 p.m. by Mayor Charles.

SUNSHINE LAW STATEMENT:

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 Express Times.

ROLL CALL:

Those present were: Mayor Thomas Charles, Deputy Mayor David Boynton, Committeemen Desiderio, DeCarolis and Durling and Clerk Brenda Kleber.

AUDIENCE PARTICIPATION:

Motion was made by DeCarolis, seconded by Boynton to open the meeting to the public. All in favor. Amy Hufnagel presented a letter with several items she wished to discuss. One item was the wind ordinance of which she was told there could be no discussion as this is not the public hearing on the ordinance. At this time, the Mayor polled the Committee to hold the wind ordinance and wood boiler ordinance at the meeting of April 20, 2011 so that they can be debated as there is a heavy agenda. Ms. Hufnagel went on to state that she feels the wind ordinance should be sent back to the Planning Board for revisions on the 10 acres, roof mounts and the location near the school. There were no comments made by the Committee. The next item was the conflicting information on health insurance and needs a figure as she sees a decrease in the line item. The Mayor advised that no committee members were receiving benefits unless they pay for them. There also was a policy created that no coverage would be made for spouses. The last item was the public apology from the Mayor for not allowing her to speak at a public meeting. The Mayor asked her if she would like the apology now or at the meeting of April 20th. Ms. Hufnagel preferred the meeting next week. The Mayor explained that he would apologize just to the fact he did not give her the opportunity to discuss the solar ordinance as based on his perception of a letter from the Attorney General he took it to read it was a law and not an opinion.

OLD BUSINESS:

A proposal for COAH monitoring reports was presented by Darlene Jay of Maser Consulting who will provide professional planning services for the preparation of COAH reports. The cost for this would be \$2,500.00. The Clerk advised that the money to pay for this could come out of the COAH fund which has \$9,274.66 in the account. Motion was made by Boynton, seconded by Durling accepting the proposal with a cap of \$1,800.00 on the project. All in favor. (Note: See meeting of April 20th)

An e mail received from Darlene Jay was read advising that the Township could use the Highlands funding as the cash portion required for the ANJEC grant, however, there were three things the Highlands needed to consider: 1) detailed scope of work, 2) total

amount of funding being requested and the amount of funding being requested from the Highlands and 3) a letter from ANJEC stating that they would accept this arrangement. It was decided to have the Clerk contact Land Conservancy and Darlene Jay and ask that they work together. With regard to the Highlands plan conformance grant, Mr. Durling asked whether the township would be obligated to return the grant monies if we decide to opt out. The Clerk was instructed, on motion made by Durling, seconded by DeCarolis to contact Darlene Jay for confirmation and make available to the Committee this letter stating there would be no obligation. All in favor. The Mayor will prepare a letter to the Highlands stating that the township will move forward and will not take any position on the master plan at this time.

A model wind turbine resolution from the NJ Citizens for wind turbine setbacks was presented to the committee for their consideration. No action was taken.

A proposed policy for issuance and use of municipal building keys prepared by the municipal attorney was presented to the committee. The discussion of erecting a wall in the office area ensued. It was decided to have the Clerk contact SHPO for a letter in writing that the township needs SHPO approval before the wall can be installed.

The Mayor relayed to the Committee that there was to be a meeting with 7 residents on South Street with regard to flooding. One property owner was out of town and since all property owners have to be in attendance the meeting was postponed. It was decided that when the meeting is re-scheduled, the letters of notice will be sent certified mail along with a copy of Mr. Wack's agreement. 100% participation is needed or the township will no longer have a responsibility. Motion was made by Durling, seconded by DeCarolis to send the property owners a certified letter, advising that this will be a done deal and if they are unable to attend the signed agreement must be notarized. All in favor.

Due to the heavy agenda for the April 20, 2011 meeting, the wood boiler ordinance and perhaps the wind ordinance will be held for the June meeting.

NEW BUSINESS:

A discussion on organizing the agenda was held. Motion was made by Boynton, seconded by DeCarolis that starting in May the agenda will be as follows: Open meeting, Sunshine Law Statement, Roll call, pledge allegiance to the flag, open to the public for 15 minutes (5 minutes per person), resolutions, ordinances, bills. (At this time it should be approximately 9:10), open to the public for 15 minutes and at 9:25 the attorney give his report, correspondence, committee reports, adjournment. A discussion on the public comments ensued and the motion was amended by Boynton, seconded by DeCarolis to open to the public but not have a time limit and move it at the beginning of the agenda. The agenda will be as follows beginning in May on a trial basis: Mayor Open's meeting, Pledge allegiance to the flag, Sunshine Law Statement, roll call, open to the public (public to keep comments to 5 minute presentation and allow for same person to speak on different topics for 5 minutes at a time but not on the same topic nor allow people to give up their floor time to another person), approval of minutes (no audience participation), ordinances, resolutions, authorize payment of bills, open to the public (see above), correspondence (the Clerk is to bring to the attention of the

Committee any correspondence which needs discussion but no audience questions unless the Committee wants to ask a question of someone in the audience or has them listed on the agenda to be heard), Executive session (if needed) adjournment. Roll call vote: DeCarolis-yes, Durling-no, Boynton-yes, Charles-yes, Desiderio-no. Motion was made by Desiderio, seconded by Durling to authorize Mr. Wacks to stay the entire meeting. The motion was defeated. Motion was made by Boynton, seconded by DeCarolis to place the agenda on the website 3 days prior to the meeting. Roll call vote: Charles-yes, Desiderio-yes, DeCarolis-yes, Durling-no, Boynton-yes.

A special risk accident quote for the various sports programs was reviewed by the Committee. Since only basketball, soccer and softball was listed and not baseball, Mr. Desiderio will get clarification from the insurance company and this will be listed on the agenda for next week.

A communications evaluation proposal for the telephones was reviewed by the Committee. According to the evaluation, Verizon is charging \$453.15 monthly and Magellan Hill can provide the same service for \$344.25. It was decided that the Mayor will handle this matter by calling Magellan Hill and get additional information.

The Clerk advised the Committee that in order to access the retention program through the State a scanner is needed. The Clerk was instructed to contact John Jurena along with Municipal Software for the type of scanner needed.

A stormwater infrastructure survey was completed by the Committee for the Clerk to return for Rutgers Cooperative Extension Water Resources Program in order to help New Jersey's Dept. of Public Works employee's deal with current and future flooding problems.

RESOLUTIONS:

#2011-27 (Executive Session)

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 14th day of 2011 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned. Results or portions of that discussion will be made known in a reasonable length of time.

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

EXECUTIVE SESSION:

The Committee entered into executive session after a resolution dealing with personnel matters was adopted. Upon returning, the Mayor stated that the matter would be taken up with the attorney and the results would be known at a later date.

AUDIENCE PARTICIPATION:

Loren Grecco thought that the Committee made a mistake by opening the meeting to the public twice.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, RMC