

MINUTES OF MEETING OF NOVEMBER 21, 2007

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 January 8, 2007.

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Route 661, Johnsonburg, New Jersey and was called to order at 7:30 by Mayor Charles.

Those present were: Mayor Thomas Charles, Committeeman David Boynton, Committeeman Debra Natyzak-Osadca, Chief Finance Officer Gene Marie McCartney, Attorney Edward Wacks and Clerk Brenda Kleber.

PUBLIC HEARING:

Andrew Szwak of the Morris Land Conservancy gave an update and brief overview of the Farmland Preservation Plan. The plan which was done 2 years ago has been changed and goes into more depth as the criteria has been changed. Mr. Szwak presented draft maps showing existing Farmland lands, preserved lands and farms in the 8 year program. The second map showed the agriculture soils which show prime and unique farmland soils. The third map showed parcels that meet the SADC criteria for both soil and tillable land. The fourth map showed the proposed project areas. The meeting was opened to the public for questions on motion made by Boynton, seconded by Natyzak-Osadca. All in favor. After the question period was over, motion was made by Boynton, seconded by Natyzak-Osadca to close the public hearing. All in favor.

ORDINANCES:

AN ORDINANCE (#2007-14) AMENDING SECTION 15-1 ENTITLED "THE RIGHT TO FARM". The Clerk read the Ordinance by title after being posted and advised that a public hearing will be held on December 19, 2007. Motion was made by Boynton, seconded by Natyzak-Osadca to re-introduce said Ordinance. Roll call vote: Natyzak-Osadca-yes, Boynton-yes, Charles-yes.

AN ORDINANCE (#2007-15) OF THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 500, SECTION 507, TITLED "NON-CONFORMING LOTS, STRUCTURES AND USES" TO PROVIDE FOR THE RECONSTRUCTION OF NON-CONFORMING COMMERCIAL AND RESIDENTIAL STRUCTURES was discussed and will be held for the attorney to revise and send to the Planning Board attorney for his approval.

AN ORDINANCE (#2007-16) ACCEPTING RAMSEY COURT AND A PORTION OF LACKAWANNA DRIVE AS PUBLIC ROADS IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY.

AN ORDINANCE (#2007-17) OF THE FRELINGHUYSEN TOWNSHIP MAYOR AND COMMITTEE REVISING SECTION 704A OF THE FRELINGHUYSEN TOWNSHIP LAND USE ORDINANCE CONCERNING PLANNING BOARD MEMBERSHIP

RESOLUTIONS:

2007-84:

WHEREAS, it is necessary to discuss items dealing with: Possible litigation and Land acquisition in private or executive session; and

WHEREAS, under the Open Public Meetings Act (numbers 3 & 5 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 21st day of November 2007 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 by Boynton, seconded by Natyzak-Osadca to adopt said resolution. Roll call vote: Natyzak-Osadca-yes, Boynton-yes, Charles-yes.

#2007-85:

WHEREAS, the Frelinghuysen Township PTO has applied for a raffle license to conduct a raffle for the Tricky Tray at the Frelinghuysen Township Elementary School on February 1, 2008 consisting of application #07-03; and

WHEREAS, the Findings and Determination prepared by the Municipal Clerk have determined that the organization is qualified to conduct a 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 Frelinghuysen Township PTO raffle application #07-03 is hereby approved.

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

#2007-86:

WHEREAS, there are insufficient funds to meet the demands necessary for the 2007 balances in: General Admin S&W, General Admin O&E, Legal O&E, Planning Board S&W, Construction O&E, Plumbing Sub Code O&E, and Aid to Volunteer Fire Co.; and WHEREAS, the following accounts have sufficient excess funds to meet such demands: Contingent and Roads O&E.

BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen that in accordance with the provisions of R.S. 40A:4-58, the Chief Finance Officer is hereby authorized to make the following transfers:

To:

General Admin. S&W	1,500.00
General Admin. O&E	1,000.00
Legal O&E	7,500.00
Planning Board S&W	2,000.00
Construction O&E	500.00
Plumbing Subcode O&E	2,500.00
Aid to Volunteer Fire Companies	<u>2,000.00</u>
	17,000.00

From:

Contingent	7,500.00
Roads O&E	<u>9,500.00</u>
	17,000.00

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

#2007-87:

WHEREAS, the Municipal Clerk has submitted a list of bills in the agenda for the Township Committee's review; and

WHEREAS, the Township Committee members have reviewed the list.

NOW, THEREFORE BE IT RESOLVED, that all vouchers and purchase orders as submitted and reviewed by the Township Committee of the Township of Frelinghuysen are reasonable and proper claims against the Township and are to be paid from its appropriate fund accounts.

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

#2005-88:

WHEREAS, Ordinance #2005-13, which amended and supplemented the Frelinghuysen Township Land and new Development Ordinance, was introduced on November 21, 2005 and adopted on December 19, 2005; and

WHEREAS, the Mayor and Committee have learned that an incorrect version of Ordinance #2005-13 was published on December 8, 2005; and

WHEREAS, the Mayor and Committee wish to correct to republish Ordinance #2005-13 to correct this deficiency.

NOW, THEREFOR BE IT RESOLVED, by the Mayor and Committee of the Township of Frelinghuysen, Warren County, New Jersey as follows:

1. Ordinance No. 2005-13, in the form attached hereto as Exhibit A, shall be transmitted to the official newspaper of the Township of Frelinghuysen so that the correct version may be published.

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

OLD BUSINESS:

The noise ordinance held over from last month will be held over to the December meeting.

Motion was made by Boynton, seconded by Natyzak-Osadca to authorize the amendment extension on the Smith and Jensen Farmland Preservation contracts from December 17, 2007 to June 1, 2008. All in favor.

The policy manual held over from last month will be held over to the December meeting.

The policy on feral cats held over from last month will be held over to the December meeting.

The policy on public communications held over from last month will be held over to the December meeting.

The corrected copy of Ordinance #2005-13 was received from the Planning Board. This ordinance was adopted and published, however, at that time section 4 and 5 was incorrect. It was decided that a resolution would be in order. See above resolutions.

A response to our letter from the Office of the County Engineer regarding the County Route 661 and Ackerson Road exchange was read. The proposal was taken under consideration, however, there were questions which needed to be answered first. The Clerk will respond to the questions.

A letter received from the Dept. of Agriculture regarding Gypsy moths was read. It was determined that there are approximately 603 acres that qualify for the 2008 suppression program. The Township will be responsible to supply the personnel to perform this action and pay for the full cost of the aerial treatment. If the township would like to participate in the gypsy moth program for a possible 50% reimbursement of spray costs a form would be needed to be returned by December 14th. The Clerk was instructed to obtain further information.

An Environmental Assessment was needed to be included in the application for the 2% loan that the township is applying for. Ms. Natyzak-Osadca prepared this assessment and submitted it to the State. Ms. Natyzak-Osadca feels that a project manager should be named. The Committee will take this under consideration.

Guidelines for the installation of an in-street pedestrian crossing signs was proposed by Ms. Natyzak-Osadca in order to slow traffic down through Marksboro. There were suggestions on the type of walkways which should be installed. An ordinance will be needed and these guidelines will be referred to the Road Supervisor.

NEW BUSINESS:

A letter received from a member of the Colts Neck Township Committee was read proposing to form a coalition of similarly situated towns to press COAH to address the obligations of Planning Areas 4, 4B. and 5 municipalities distinct from the obligations of municipalities located in growth areas. The Mayor will contact the member for further information.

A letter received from the Frelinghuysen Township Planning Board was read requesting that the responsibility of administering the Planning Board escrow accounts be handled by the Planning Board Secretary as in the past. It was decided that Deputy Mayor Boynton would meet with the Planning Board Secretary Rosalie Murray and Escrow Administrator Shannon Drylie and if appropriate, the Planning Board Secretary will take over the escrow accounts for the Planning Board.

A letter received from the Warren County Planning Board advising that they are in the process of revising its Open Space Plan of 1999 and need input. The letter will be forwarded to the Open Space Committee.

A proposal to represent Frelinghuysen Township in prosecuting In Rem tax sale foreclosures by Wacks & Hartmann will be held for the January meeting.

Due to the illegal entry and unauthorized access to an employee's computer, a written policy on who has keys to the building will be prepared by the attorney and clerk.

DEPARTMENT REPORTS:

Department reports received from the Tax Collector, Tax Assessor, Building Dept., Warren County Municipal Court, Dog Licensing Official and Warren County Health Dept. were approved on a consent agenda motion made by Boynton, seconded by Natyzak-Osadca. All in favor.

Mayor Thomas Charles report:

Mayor Charles received a letter promoting formal Mayor Rydell's new book which can only be purchased at the Book Nest in Blairstown. The Clerk was instructed to put the notice on the website.

Mayor Charles reported that he met with the State Police on how they can help the township with the issue of speeding on various roads.

Mayor Charles reported on the League of Municipalities Convention where he met with various representatives. While there he met with Lisa Jackson, Director of the DEP with regard to the Bear Creek stream being a category 1 and what the procedure is to get an amendment. He also reported on an ethic's course he took.

The ratio on COAH is being changed. It is now 25 jobs equal 1 unit and with the Forest Manor expansion we may be faced with providing low income housing. Mayor Charles felt that a COAH coordinator should be appointed so that he/she get us on line.

Mayor Charles reported on two Frelinghuysen Township residents Ray DeLoreto and Bob Olivier who graduated from the fire academy school. Mayor Charles will send a letter congratulating them.

Committeeman Boynton's report:

Committeeman Boynton reported on the township dinner along with the annual hay ride being rained out.

Mr. Boynton reported that he met with a representative from the Charter School and there is no pond being built as reported.

Mr. Boynton reported on a meeting he attended at the North Warren Regional School with regard to the defeated school budget. A follow-up meeting will be held soon.

A plaque was given to Mr. Boynton from the Morris County Joint Insurance Fund for a savings of \$35,741 which is over a 20 year period.

Committeeman Debra Natyzak-Osadca report:

Mrs. Natyzak-Osadca thanked everyone, especially the cook, for the township dinner.

Mrs. Natyzak-Osadca reported on the 2010 census and advised that she be the coordinator.

Mrs. Natyzak-Osadca reported that there will be a newsletter being sent out in the near future with a lot of new information.

Mrs. Natyzak-Osadca requested that the minutes of the Farmland Preservation Committee not be put on the website due to confidentiality. This was approved by the Committee.

MINUTES:

The minutes of the meeting of October 17, 2007 were approved with minor corrections on motion made by Boynton, seconded by Natyzak-Osadca. All in favor. The minutes of the Executive session on October 17, 2007 were approved on motion made by Boynton, seconded by Natyzak-Osadca. All in favor.

BILLS:

Payroll Account:

Filed Electronically:

NJGIT	358.31
PERS	927.32

Direct deposits:

	William Crone, Jr.	1,406.59
	Sharon Drylie	1,460.68
	Gene Marie McCartney	1,000.81
	Richard O'Connor	1,575.24
	William Crone, Jr.	1,419.90
	Richard O'Connor	128.02
1178	George Boesze	328.25
1179	Greg Chontow	327.52
1180	Donna Clouse	1,183.07
1181	Sharon Drylie	234.27
1182	David Gill	1,617.55
1183	Brenda Kleber	2,788.00
1184	Richard Smith	1,074.43
1185	Donna Zilberfarb	91.42
1186	Greg Chontow	126.63
1187	Rosalie Murray	765.84
1188	Richard Smith	1,074.43

Capital Account:

511	Maser Consulting	2,500.00
512	Maser Consulting	1,332.50
513	Maser Consulting	1,937.08
514	Maser Consulting	1,293.75
515	Maser Consulting	607.50
516	Wilentz, Goldman & Spitzer	525.00

Municipal Alliance Account:

334	Dorothy Marra	333.00
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Open Space Account:

126	L.J. Brill & Assoc.	16,750.00
127	Robert Hefferman	5,200.00

Clean Communities Account:

350	6 th Grade Booster Club	350.00
351	Frelinghuysen Township Historical Society	65.62
352	First United Methodist Church	160.00

General Account:

Filed Electronically		
	NJSHBP	1,930.57

Manual Checks written:

5519	Tom Lagareenes	325.00
	Sams Club	717.08
6704	Lakeland Bank	567,087.22
6705	Lakeland Bank	311.85
6706	The Inn at Mill Race Pond	550.00
6707	Vincent Cammisa	500.00
6708	Ace Locksmith Service	325.00
6709	Balbi Enterprises	63.00
6710	Blairstown Auto Supply	492.83
6711	Blairstown Fire Dept.	7,000.00
6712	Blairstown Recreation	4,995.52
6713	Brenda Kleber	195.46
6714	Campbell Foundry Company	336.00
6715	Cintas Corp. #101	192.00
6716	Culligan	40.80
6717	Dark Moon Tavern	107.94
6718	David M. Gill	220.00
6719	Denville Line Painting	3,633.60
6720	Donald Treible	103.00
6721	Elvia Valderrama	120.00
6722	Ford Motor Credit	1,441.41
6723	Frelinghuysen Seniors	1,300.00
6724	Frelinghuysen Township PTO	150.00
6725	Frelinghuysen Twsp. Board of Educ.	298,048.17
6726	Fuel-rite	870.86
6727	Fuel-rite	341.38
6728	Game Time	447.00
6729	Global Mail Express	763.79
6730	VOID	
6731	Golden & Moran	772.50
6732	Golden & Moran	772.50
6733	Golden & Moran	308.75
6734	JCP&L	284.60
6735	Janis McElrath	416.03
6736	Maser Consulting	118.00
6737	Maser Consulting	750.00
6738	Maser Consulting	319.00
6739	Maser Consulting	88.50
6740	Municipal Information Systems	136.00
6741	NJ Shade Tree Federation	100.00
6742	NJN Publishing Co.	43.25
6743	New Jersey Herald	12.40
6744	Nextel Communications	184.39
6745	North Jersey Portable Toilets	95.00

Township of Frelinghuysen

<http://www.frelinghuysen-nj.us>

6746	North Warren Farm & Home Supply	170.31
6747	North Warren Regional Board of Educ.	140,160.00
6748	Richard O'Connor	73.00
6749	Rick Smith	75.00
6750	Ricoh Americas Corp.	74.97
6751	Sirkis & Lavery	37.50
6752	TJS Sportswide Trophy	70.25
6753	Tilcon	496.54
6754	Warren County Plumbing Subcode	650.00
6755	Tri-State Insurance Agency	280.00
6756	Verizon Wireless	361.02
6757	Vital Services Group	205.40
6758	Wacks & Hartmann	1,500.00
6759	Warren County Board of Agric.	48.00
6760	First United Methodist Church	290.00
6761	Marksboro Deli	22.80
6762	Scudulla Provisions	315.00

EXECUTIVE SESSION:

Motion was made by Boynton, seconded by Natyzak-Osadca to enter into Executive Session with regard to land acquisition and legal matters after a resolution was approved in the public portion of the meeting. All in favor. Upon returning, the attorney advised that with regard to the legal matters there was no action taken. With regard to the property acquisition, Motion was made by Boynton, seconded by Natyzak-Osadca authorizing Jennifer at Morris Land Conservancy to offered Mr. Reisburg a stated amount to acquire his property subject to contingencies such as well and septic testing and repairs if needed, funding, environmental testing and the closing no later than December 3, 2008. All in favor.

AUDIENCE PARTICIPATION:

Robin Randolph asked about the reports from the various boards for the newsletter. Robin was informed that they would not be needed for this newsletter.

A question on how the Tax In Rem foreclosures work was explained by the attorney.

ADJOURNMENT:

There being no further business motion was made by Boynton, seconded by Natyzak-Osadca to adjourn the meeting. All in favor.

Respectfully Submitted,

Brenda J. Kleber, RMC