

MINUTES OF REGULAR MEETING OF SEPTEMBER 20, 2017

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, September 20, 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 Chris Stracco, Committeeman David Boynton, Committeeman Charlie Marra, Committeeman Christopher Kuhn (7:50), and Acting Clerk Donna Zilberfarb.

Attorney David Brady was not in attendance due to meeting date mix up.

MINUTES:

1. September 13, 2017 work session meeting minutes were approved on a motion by Mr. Stracco, seconded by Mr. Boynton. All were in favor.

RESOLUTIONS:

#2017-64 RESOLUTION AMENDING RESOLUTION #2017-48, CONCERNING RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY FOR THE YEAR 2017-2018 WHEREAS, at its meeting on June 21, 2017 the Frelinghuysen Township Mayor and Committee adopted Resolution #2017-48, renewing liquor licenses in the Township of Frelinghuysen; and WHEREAS, included among the renewed liquor licenses was License #2106-33-004-001, held by Katharina Reay; and WHEREAS, the State of New Jersey, Division of Alcoholic Beverage Control has advised that License #2106-33-004-001 should not have been renewed, and as such it is necessary and appropriate at this time to amend Resolution #2017-48. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 20th day of September, 2017 that Resolution #2017-48 is amended to omit any reference to License #2106-33-004-001 issued to Katharina Reay; AND BE IT FURTHER RESOLVED, that except as amended herein, the terms of Resolution #2017-48 shall remain in full force and effect. CERTIFICATION I, Donna Zilberfarb, Acting Municipal Clerk of Frelinghuysen Township, Warren County do hereby certify the above to be a true copy of a resolution adopted by the Frelinghuysen Township Committee at their meeting of September 20, 2017. Motion was made by Mr. Stracco, seconded by Mr. Boynton. All were in favor. Mr. Kuhn was absent.

#2017-65 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF SEPTEMBER 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 SEPTEMBER 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. Boynton, seconded by Mr. Marra. All were in favor. Mr. Kuhn was absent.

#2017-66 RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE ROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already

loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law. NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Frelinghuysen, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public. BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law. Motion was made by Mr. Stracco, seconded by Mr. Boynton. All were in favor. Mr. Kuhn was absent.

OLD BUSINESS:

Verizon enhancing network – There is no update

Service Electric Cable – Packet from service electric was mailed to the Clerk and she will give to Mr. Stracco and Mr. Desiderio.

Pedestrian walkway – There is no update.

Shared services for animal control – There is no update

NEW BUSINESS:

The 2017 Best Practices were reviewed by the Committee. Motion was made by Mr. Boynton to approve, seconded by Mr. Marra. All were in favor.

Marty Connor spoke in regards to the pond at the FFP and gave the Committee information on pond management and asked that they look at and consider for next year. Mayor Desiderio asked if he had discussed this plan with the Environmental Commission and what their thoughts were. Mr. Connor stated there was nothing negative from the Environmental Commission. The Mayor suggested the Environmental Commission send a letter to the Township Committee requesting treating the pond starting in 2018. Ms. Zilberfarb will reach out to the secretary.

George Boesze, Zoning Officer, was tabled as there was not an attorney present. Janis McElrath, co-owner of Plan B, questioned why this is happening now about the sign when they've been open for over a year, questioned it being harassment and asked what steps the township was going to take. Mr. Stracco explained that the township committee received a memo from the zoning officer and tabled discussion at the work session as it was not on the agenda. He explained that Ms. McElrath could have her attorney send a letter to our township attorney. Mayor Desiderio explained that the Township Committee will not discuss anything further without an attorney present. This has been tabled until next month with the attorney is present.

OPEN MEETING TO THE PUBLIC:

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

Debra Natyzak discussed the boat house and explained that although the boat house is owned by the Township it is on Green Acres property, therefore anything done needs approval from Green Acres before moving forward. She informed the Committee that the Historic Committee will submit a report next month.

Marty Connor spoke regarding Service Electric Cable and explained to the Committee and public what happened a few years ago. He also stated that it was 20 houses per mile and not 30 houses per mile. This agreement was approved by the township but

Hardwick did not approve therefore making no towns available for the agreement at that time.

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

DEPARTMENT REPORTS:

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

DPW – Report is in the book. Ms. Zilberfarb let the Committee know that the first phase of truck repairs for the freightliner have been completed and the check was sent to Hoover. She explained that we are now waiting for Hoover to complete the axle work. Currently waiting for Hoover to contact us when the parts are in and date that work can be completed.

Land Manager – Report is in the book and Mr. Connor explained that Robins Trail needs to be mowed again. Mr. Desiderio volunteered to mow it before the end of the week. Mr. Connor also discussed that there is a work session scheduled for October 7th at the FFP.

Legal Report – Was not present

Recreation Committee – Halloween will be at the town hall with the hayrides, donuts and hotdogs. Municipal Alliance will also be inside the town hall. Mr. Desiderio let the committee know how the first outdoor movie night went. Unfortunately, it was scheduled on a night that a carnival at North Warren was held and the weather was stormy, the movie had to be cut short due to lightening.

Environmental Commission – Nothing to report

Farmland Preservation Committee – Mr. Kuhn explained they met in a joint meeting with the Land Conservancy representative present. Various farmland acquisitions were discussed and ways to preserve with minimal costs to the township were also discussed. Mr. Kuhn stated funding for open space was also brought up and reiterated to everyone the commitment of funding for FFP and the Recreation Center. Mr. Desiderio asked if they still need to keep meeting as often and Mr. Kuhn stated when the Land Conservancy representative is here. Mr. Desiderio stated that it is something to look into for next year.

Open Space Advisory Committee – See above (Farmland)

Mayor report – Mr. Desiderio let the Committee know that there is now a 75 x 150 foot parking area that was tar and chipped at the recreation center. The cost is estimated at \$6,200.00 thus far for parking area. He also discussed putting in the sidewalk next and would like to do blacktop for that. He also discussed the need to widen the driveway and tar and chip that as well.

Mr. Desiderio also discussed the trees that came down and would like to go to the Environmental Commission to ask if they'd like to plant a few dog wood trees for the replacement of those taken down.

Mr. Desiderio read an email that was brought to his attention by Ms. Bao Bean, to all present regarding IDT energy. He will discuss this with the consultant, Lisa Hibbs at tomorrow night's meeting and will update the Committee on the outcome.

Mr. Desiderio attended the One Voice meeting at the Warren County College. He will be reaching out to the Red Cross to see about making the rec center a shelter. John Jurena was also in attendance at that meeting.

Deputy Mayor report – Nothing to report.

Committeeman Boynton – Mr. Boynton asked if he should check with Mr. Dericks for borrowing his tractor for the hayride on Halloween. Mr. Desiderio asked if he would reach out to him.

Mr. Boynton also explained his experience with IDT energy and receiving his letter from JCP&L and that it took him about 30 minutes to opt out. Mr. Desiderio explained the post card that was sent and that number was for opting out. Mr. Desiderio will bring this up at the meeting tomorrow night with Lisa Hibbs.

Committeeman Kuhn – Nothing to report

Committeeman Marra – Nothing to report

Clerk report – Ms. Zilberfarb explained memo to recreation from the animal control officer in regards to pets (dogs) on the playing fields behind townhall. Mr. Desiderio explained there was a dog at a soccer game and when asked to leave would not.

Ms. Zilberfarb let the committee know there is an Opioid town hall meeting on the 29th and asked if anyone would be in attendance.

Ms. Zilberfarb handed a memo from the County informing the Township of the road closure of Ackerson Road starting on October 2nd and ending about December 8th. The road closure is for repairing the culvert over the tributary to Beaver Brook. All schools and 911 have been notified by the County.

CORRESPONDENCE:

State of New Jersey Highlands Water Protection and Planning Council – Notice of public hearings for the “Procedure for considering proposals to amend the highlands regional master plan”

State of New Jersey State Agriculture Development Committee – Right to Farm outreach efforts 2017-2018

New Jersey Office of the Attorney General DCA – Suspected elder abuse – safe care cam program

State of New Jersey Department of Environmental Protection Division of Fish and Wildlife – Fish that have been placed in the FFP ponds

Warren County Planning Department – Public hearing notice, draft Freeholder resolution, proposed amendment to the Warren County Solid Waste Management Plan and map attached

Warren County Department of Land Preservation – County Annual PIG Submission

Hopatcong Borough – Resolution in supporting a Sussex County consolidated school system

New Jersey State League of Municipalities – 2017 League conference resolutions

New Jersey State League of Municipalities – Life sciences award

New Jersey State League of Municipalities – Legislative Bulletin June 2017 No. 4

Township of Frelinghuysen – Letter sent to Robert H. Hoover & Sons, Inc. regarding payment

Township of Frelinghuysen – Letter sent to Fuel Rite regarding services

Township of Frelinghuysen – Memo from Alan DeCarolis, Animal Control Officer regarding pets on recreation fields

JCP&L – Review and approval of Costs incurred for Environmental Remediation of Manufactured Gas Plant sites BPU Docket No. ER 16090922

JCP&L – Provision of Basic Generation Service for the period beginning June 1, 2018 BPU Docket No. ER17040335

ADJOURNMENT:

There being no further business, motion was made by Mr. Boynton, seconded by Mr. Marra to adjourn the meeting at 8:16 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, Acting Township Clerk