

MINUTES OF REGULAR MEETING OF FEBRUARY 21, 2024 AS AMENDED

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, February 21, 2024, and was called to order at 6:00 p.m. by Mayor Ramos.

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 emailing notice to the New Jersey Herald and The Express-Times.

ROLL CALL:

Those present were: Mayor Ramos, Deputy Mayor Stracco, Committeeman McPeek, Committeewoman Natyzak Osadca, Committeeman Stock, Attorney Rich Beilin via zoom, and Municipal Clerk Donna Zilberfarb.

MINUTES:

- Minutes of the January 17, 2024, regular meeting were approved on a Motion by Mr. Stock, seconded by Mr. McPeek. All were in favor.
- Minutes of the January 17, 2024, executive session meeting were approved on a motion by Mr. McPeek, seconded by Mr. Stock. All were in favor.
- Minutes of the February 7, 2024 budget session meeting were approved on a motion by Mr. McPeek, seconded by Mr. Stock. All were in favor.

RESOLUTIONS:

#2024-21 AUTHORIZE THE TOWNSHIP ATTORNEY AND TOWNSHIP TAX ASSESSOR TO DEFEND THE TOWNSHIP OF FRELINGHUYSEN AGAINST ALL APPEALS FILED DURING THE CALENDAR YEAR 2024 BE IT RESOLVED, by the Mayor and Committee of the Township of Frelinghuysen, in the County of Warren, New Jersey, that the Township Attorney Richard Beilin, and the Township Tax Assessor Kristy Lockburner, be and they are hereby officially authorized to represent the Township of Frelinghuysen for Tax Appeals filed for 2024, for the purpose of correcting the Township of Frelinghuysen Tax List including but not limited to rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessment for the Township of Frelinghuysen. **BE IT FURTHER RESOLVED**, that the Township Attorney and the Township Tax Assessor be and they hereby designated as the agents of the Township of Frelinghuysen for the purpose of entering into and signing settlements of the foregoing matters by stipulation. **BE IT FURTHER RESOLVED**, that the Township Attorney and the Township Tax Assessor shall be compensated for their services in the defense and representation of the Township of Frelinghuysen, with respect to Tax Appeals filed for 2024, in accordance with the existing employment contract on file for the Township Attorney and Township Tax Assessor, respectively, in effect for calendar year 2024. **CERTIFICATION** I, Donna M. Zilberfarb, Clerk of the Township of Frelinghuysen, do hereby certify the foregoing Resolution to be a true and accurate copy adopted by the Township Committee on February 21, 2024.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. McPeek	x		x			
Ms. Natyzak			x			
Mr. Ramos			x			
Mr. Stock		x	x			
Mr. Stracco			x			

#2024-22 RESOLUTION TO APPOINT TEMPORARY QUALIFIED PURCHASING AGENT

WHEREAS, N.J.A.C.5:32-4.1 *et seq.* establish the criteria for qualifying as an Qualified Purchasing Agent; and WHEREAS, N.J.S.A. 40A:11-9g provides that in the event of a vacancy in the position of Qualified Purchasing Agent, the governing body may appoint a person who does not possess a Qualified Purchasing Agent certificate to serve as a Temporary Purchasing Agent for one year commencing from the date of the vacancy and that that person may be reappointed as a Temporary Purchasing Agent for one additional year following the end of the first temporary appointment; and WHEREAS, the position of Qualified Purchasing Agent became vacant due to the resignation of Danette Dyer, effective December 31, 2022, and the Township of Frelinghuysen seeks to reappoint the Temporary Purchasing Agent for an additional year commencing January 1, 2024. NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Frelinghuysen that Ashley Kannaley be reappointed as the Temporary Qualified Purchasing Agent authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A.40A:11-2(30), effective January 1, 2024; and BE IT FURTHER RESOLVED, that a certified copy of this resolution and a copy of Ashley Kannaley's Qualified Purchasing Agent certification be forwarded to the Director of the Division of Local Government Services. Dated: February 21, 2024 **CERTIFICATION** I, Donna M. Zilberfarb, Municipal Clerk of Frelinghuysen Township, Warren County do hereby certify that the foregoing resolution was duly adopted by the Mayor and Committee at the February 21, 2024 meeting.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
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Mr. McPeek		x	x			
Ms. Natyzak			x			
Mr. Ramos			x			
Mr. Stock	x		x			
Mr. Stracco			x			

#2024-23 RESOLUTION APPROVING PAYMENT OF BILLS FOR MONTH OF FEBRUARY 2024 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 FEBRUARY 2024; 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 date are reasonable and proper and are to be paid from their appropriate account.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. McPeek	x		x			
Ms. Natyzak			x			
Mr. Ramos			x			
Mr. Stock		x	x			
Mr. Stracco			x			

ORDINANCES:

#2024-01 CALENDAR YEAR 2024 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 **2.5%** 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 2024 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 **1.0%** increase in the budget for said year, amounting to **\$9,055.07** 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 2024 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 **\$31,692.75**, and that the CY 2024 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, Municipal Clerk of the Township of Frelinghuysen do hereby certify the above to be a true copy introduced by the Frelinghuysen Township Committee at a meeting held on January 3, 2024 and was adopted on final reading at the meeting of the Frelinghuysen Township Committee held on February 21, 2024 at 6:00 pm at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey. Motion was made by Mr. McPeek to open for first reading for introduction, seconded by Mr. Stock. All were in favor. **Roll Call Vote Introduction:** Mr. McPeek - yes; Ms. Natyzak – yes; Mr. Ramos – yes; Mr. Stock – yes; Mr. Stracco – yes; Motion was made by Mr. Stracco to open for second reading for adoption, seconded by Mr. McPeek. All were in favor. Motion was made by Mr. Stracco to open to the public, seconded by Mr. Stock. All were in favor. No public comment. Motion was made by Mr. Stracco to close to the public, seconded by Mr. Stock. All were in favor. Motion was made by Mr. Stracco to approve for adoption, seconded by Mr. Stock. Roll call vote:
Mr. McPeek – Yes; Ms. Natyzak – Yes; Mr. Ramos – Yes; Mr. Stock – Yes; Mr. Stracco – Yes.

#2024-02 AMENDING SECTION 2-11.4 OF THE TOWNSHIP OF FRELINGHUYSEN CODE CONCERNING THE POWERS AND DUTIES OF THE TOWNSHIP CLERK WHEREAS, the Section 2-11.4 of the Township of Frelinghuysen Code specifies the powers and duties of the Township Clerk; and WHEREAS, N.J.S.A. 40A:9-133(e)(7) provides that a municipal clerk shall perform such duties as are imposed by statute, ordinance or regulation; and WHEREAS, it is necessary and appropriate to amend that section to reflect duties necessary for the Township’s operations, and

which are to be performed by the Township Clerk. NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey, as follows: **Section I** Section 2-11.4 of the Township of Frelinghuysen Code, is amended to read as follows (additions are boldfaced, deletions are stricken through): § 2-11.4. Powers and Duties Specified. The Township Clerk shall:...g. Serve as the Assessment Search Officer; h, Serve as the Secretary to the Board of Health; i. Serve as the Safety Director, and j.~~g~~. Perform such other duties as are now or hereafter imposed by statute, regulation or by municipal ordinance or regulation. **Section II**

1. Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

2. All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

3. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law. ATTEST: TOWNSHIP OF FRELINGHUYSEN DONNA ZILBERFARB, Clerk KEITH RAMOS, Mayor **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Township of Frelinghuysen Township Committee held on February 21, 2024 and will be considered for final reading and adoption at the meeting of the Township of Frelinghuysen Township Committee to be held on March 20, 2024 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 open for first reading for introduction, seconded by Mr. McPeek. All were in favor. Roll call vote: Mr. McPeek-yes; Ms. Natyzak-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on March 20, 2024.

COMMITTEE REPORTS:

- Mayor Ramos explained a community conversation substance abuse program that he and Pastor Marc will be putting on April 25th at 6:30 pm. He invited all to attend and explained this is for an open public forum and goal is to get community outreach. This will be the 1st meeting with another in the future.
- Deputy Mayor Stracco – nothing to report
- Committeeman McPeek – nothing to report
- Committeewoman Natyzek – discussed the environmental commission and a \$1,500 grant via ANJEC and will work with Marty Connor for this grant. The commission meets on Monday and will share more information after the meeting.
- Committeeman Stock – nothing to report
- Attorney Rich Beilin – nothing to report
- Municipal Clerk Zilberfarb – nothing to report

OLD BUSINESS:

There was no old business discussed

NEW BUSINESS:

- Mr. MacNamara handed out packets listing all the calls for Frelinghuysen and surrounding townships. He introduced Lorrie Kuntz and explained the ambulance corps budget and purchasing of a used vehicle last year, looking at a new load system and the normal wear and tear on the equipment which are all costs for their budget. He explained that they raise 75% of their funding on their own and rely on surrounding towns for the remaining 25%. He stated that they were happy with the \$6,000.00 from the previous years. Mr. Stracco asked about insurance and charging residents. Mr. MacNamara explained that they do not charge over the insurance charges to the residents of the towns that give donations to them. Mr. Stracco asked about the disproportionate man hours and that the second highest being Hope and asked if he could explain. Mr. MacNamara explained it was due to Route 80, the State Police barracks and the Land of Make Believe calls. No one in the public had questions for the ambulance corps. Mr. Ramos thanked him for his time and appreciated them coming in.
- Motion was made to concur the Mayor appointments as follows by Mr. McPeek, seconded by Mr. Stock. All were in favor. All appointments are effective as of February 21, 2024.
 - Bruce Barbour to the Environmental Commission as Alternate #1
 - Bruce Barbour to the Open Space / Farmland Committees as Alternate #2
 - Anthony Tolosi to the Recreation Committee as Alternate #2
 - Robert Halberstadt as fire fighter
 - Pastor Marc Siegel as the Fire Company Chaplain
- Beth Styler discussed the removal of the dam in Paulina and explained how the work has progressed. Presently there is a notch of about 50 feet to narrow the dam area. She explained the sediment and how it works and explained they may need to dredge a little this summer. No work will be done until July 2nd as the river needs time to settle. July through December there will be a lot of activity. Trees will be planted, protection at the rail bridge will be completed as well. Paula Jensen asked that the basic reason the dam was removed was because of lack of use and too much money? Ms. Styler explained this project started in 2015-16 and was the decision of Blairstown Township. Loren Greco asked if there were any thoughts on removal of

the rail bridge. Ms. Styler stated no removal will be done. He also asked about the smaller dam by the elementary school. Ms. Styler explained that it was put in by USGS, US geological survey and that it was put in to raise the pool behind it. She explained that because shad can get over it there is no reason to remove it. There were no more questions from the public. Mr. Ramos thanked Ms. Styler for updating the township.

- The Mayor swore in Frankie Giordano and Robert Halberstadt to the FTVFC. When the oaths were completed, Mr. Ramos read a statement discussing the establishment of the fire department and named all Committee members, Captain Jim Burns, Chief Ortiz and all the volunteers within the department that made this possible. He announced that the FTVFC would be rolling out as active as of March 1, 2024.

DEPARTMENT REPORTS:

Motion was made by Mr. Stracco for a consent agenda for department reports 1-16 with the exception of #11 the land managers report, seconded by Mr. McPeek. All present were in favor. Mr. Connor read his report on the request of Ms. Natyzak.

OPEN MEETING TO THE PUBLIC:

Motion was made by Mr. Stracco, seconded by Mr. Stock limiting it to 20 minutes to open meeting to the public. All were in favor. Spoke were:

- Dan Kohuth asked about resolutions 2024-21 and 2024-22 and who was appointed and asked if that would be published out in the minutes. Mr. Ramos stated who they were and that those would be in the minutes.
- Mr. Kohuth asked about Road Safety systems and if those guardrails were hit by dying ash trees. Mr. Ramos explained they were from hit and run accidents and were from last year.

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

CORRESPONDENCE:

- NJLM – 2022-2023 Legislative Session public law
- Frelinghuysen Township Land Use Board – summary of variance applications for 2023
- Township of Blairstown – resolution in support of passenger rail service via Amtrak
- JCP&L – BPU Docket No. ER23080483
- JCP&L – BPU Docket No. ER23110865
- Newslines Engineering & Survey – Freshwater Wetlands Line Verification Letter of Interpretation 720 Route 94
- Hope Township – November monthly

ADJOURNMENT:

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Stracco to adjourn the meeting at 6:42 p.m. All were in favor.

Respectfully submitted,

Donna Zilberfarb, RMC