

**MINUTES OF REGULAR MEETING OF MARCH 20, 2024**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, March 20, 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, and Municipal Clerk Donna Zilberfarb.

**MINUTES:**

- Minutes of the March 13, 2024 work/budget session meeting were held.

**BUDGET:**

**#2024-24 TOWNSHIP OF FRELINGHUYSEN COUNTY OF WARREN STATE OF NEW JERSEY**  
**WHEREAS**, the Township of Frelinghuysen is holding a meeting on March 20, 2024, for the purpose of introducing the 2024 Municipal Budget and conducting other matters; and, **NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Frelinghuysen, Warren County, New Jersey, that the Township of Frelinghuysen hereby petitions the Director of the Division of Local Government Services that the 2024 Local Municipal Budget be introduced and approved on March 22, 2024.

**2024 FRELINGHUYSEN TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 550,000.00
Total Miscellaneous revenue	1,679,252.00
Receipts from Delinquent Taxes	130,000.00
Local Property Taxes	<u>951,417.00</u>
Total General Revenues	<u>\$3,310,669.00</u>
Salaries and Wages	\$ 399,436.00
Other Expenses	605,929.00
Capital Improvements	620,000.00
Debt Service	998,451.00
Statutory Expenses	201,405.00
Reserve for Delinquent Taxes	<u>485,448.00</u>
Total 2024 Municipal Budget	<u>\$3,310,669.00</u>
2024 Municipal Tax Rate	\$0.328

Motion: Mr. McPeek Second: Mr. Stock Committee Polled: Mr. McPeek-yes; Ms. Natyzak-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Frelinghuysen at a regular meeting held at the Municipal Building on March 20, 2024. Witness my hand and the SEAL of the Township of Frelinghuysen. SEAL: Donna Zilberfarb, Municipal Clerk Second reading for adoption will be held on April 17, 2024.

**RESOLUTIONS:**

**#2024-25 WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. **WHEREAS**, The Township Council of the Township of Frelinghuysen County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and, **WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and, **WHEREAS**, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren; **NOW, THEREFORE, BE IT RESOLVED** by the Township of Frelinghuysen, County of Warren, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the North Warren Municipal Alliance grant for fiscal year 2025 in the amount of:

GCADA GRANT	\$704.00
Cash Match	\$176.00
In-Kind	\$528.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: Keith Ramos, Mayor **CERTIFICATION** I, Donna M. Zilberfarb, Municipal Clerk of the Township of Frelinghuysen, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 20th day of March, 2024. Donna M. Zilberfarb, RMC Motion was made by Mr. Stock, Seconded by Mr. McPeek. All were in favor.

**#2024-26 RESOLUTION SUPPORTING OPRA REFORM WHEREAS**, the New Jersey Open Public Records Act (“OPRA”) as currently constituted has been abused by commercial enterprises as a mechanism for commercial purposes; and **WHEREAS**, OPRA has become an expensive mandate upon municipalities resulting in significant unbudgeted legal and administrative costs, especially in small municipalities with only one records officer, which legal and administrative costs are a burden to taxpayers; and **WHEREAS**, the mandatory fee shifting provisions in OPRA are a burden to taxpayers; and, **WHEREAS**, municipalities should be able to recover legal and administrative costs for broad or frivolous OPRA requests; and, **WHEREAS**, in some instances OPRA is often used as a sword to burden local governments and political leaders to exert leverage in connection with political or controversial issues and litigation; and **WHEREAS**, in some instances OPRA has resulted in the loss of privacy of residents and local officials when conducting public business; and **WHEREAS**, the State Privacy Study Commission has made recommendations with regard to OPRA reform; and **WHEREAS**, there is currently pending before the Legislature Assembly Bill A-4045 and Senate Bill 2930 implementing OPRA reform; and **NOW, THEREFORE, BE IT RESOLVED**, that the Frelinghuysen Township Committee requests New Jersey State Legislature adopt OPRA reform as set forth in Assembly Bill A-4045 and Senate Bill 2930, and that after said adoption, New Jersey Governor Phil Murphy quickly sign OPRA reform into law effective to all OPRA requests pending or outstanding on the date of enactment. A copy of this Resolution shall be distributed to the Office of the Governor, the Senate President, the Speaker of the Assembly, and the 23<sup>rd</sup> and 24<sup>th</sup> Legislative District.

**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. Donna Zilberfarb, RMC

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. McPeek	x		x			
Ms. Natyzak					x	
Mr. Ramos			x			
Mr. Stock		x	x			
Mr. Stracco				x		

**#2024-27 TOWNSHIP OF FRELINGHUYSEN COUNTY OF WARREN STATE OF NEW JERSEY**

WHEREAS, the 2024 Local Municipal Budget was introduced on the 20th day of March, 2024; and, WHEREAS, during the fiscal year 2024 the Township of Frelinghuysen has been allocated a state grant for various programs in the amount of \$259.00. NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2024 Local Municipal Budget include a special item of revenue under the heading of **"Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:"**

<b>Alcohol Education PY Unapprop</b>	<b>\$ 259.00</b>
<b>Total</b>	<b>\$ 259.00</b>

Motion: Mr. McPeek, Second: Mr. Stock Committee Polled: Mr. McPeek-yes; Ms. Natyzak-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes I, Donna Zilberfarb, Municipal Clerk of the Township of Frelinghuysen, hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Frelinghuysen Township Committee at the business meeting held on March 20, 2024. Witness my hand and the SEAL of the Township of Frelinghuysen. (SEAL) Donna Zilberfarb, Municipal Clerk

**#2024-28 TOWNSHIP OF FRELINGHUYSEN COUNTY OF WARREN STATE OF NEW JERSEY**

WHEREAS, the 2024 Local Municipal Budget was introduced on the 20th day of March, 2024; and, WHEREAS, during the fiscal year 2024 the Township of Frelinghuysen will receive revenue for various other special items in the amount of \$1,400,000.00 NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2024 Local Municipal Budget include a special item of revenue under the heading of **"Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items:**

<b>Sale of Municipal Assets</b>	<b>\$ 1,400,000.00</b>
	<b>\$ 1,400,000.00</b>

Motion: Mr. McPeek Second: Mr. Stock Committee Polled: Mr. McPeek-yes; Ms. Natyzak-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes I, Donna Zilberfarb, Municipal Clerk of the Township of Frelinghuysen, hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Frelinghuysen Township Committee at the business meeting held on March 20, 2024. Witness my hand and the SEAL of the Township of Frelinghuysen. (SEAL) Donna Zilberfarb, Municipal Clerk

**#2024-29 APPROVING AN EMERGENCY TEMPORARY APPROPRIATION FOR THE REFUND OF TAX APPEALS WHEREAS**, an emergent condition has arisen with respect to a necessary refund of tax appeals and no adequate provision has been made in the 2024 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary

appropriation for the purpose above mentioned, and **WHEREAS**, the total emergency temporary resolutions adopted in the year 2024 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$171,405.00. **NOW, THEREFORE BE IT RESOLVED** by the Township of Frelinghuysen (not less than two thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A: 4-20:

1. An emergency temporary appropriation be and the same is hereby made for the refund of tax appeals in the amount of \$171,405.00.
2. That said emergency temporary appropriation will be provided for in the 2024 Current Fund budget under the title of: Refund of Tax Appeals.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**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. Donna Zilberfarb, RMC Roll Call

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

**#2024-30 RESOLUTION APPROVING PAYMENT OF BILLS FOR MONTH OF MARCH 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 MARCH 2024; and **WHEREAS**, the Finance Committee find the bills to be in order and recommend to the Township of Frelinghuysen Committee that they be paid by the Chief Financial Officer. **NOW, THEREFORE BE IT RESOLVED**, by the Township of Frelinghuysen Township Committee that all bills submitted for the above name date are reasonable and proper and are to be paid from their appropriate account. 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 April 17<sup>th</sup>, 2024. Donna M. Zilberfarb, RMC, Municipal Clerk

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

**#2024-31 RESOLUTION AUTHORIZING THE MUNICIPAL COURT OF THE TOWNSHIP OF FRELINGHUYSEN TO REAPPOINT MUNICIPAL COURT JUDGE**

**WHEREAS**, the Township of Frelinghuysen, Warren County, New Jersey, has entered into an interlocal municipal services agreement for the creation of a shared municipal court with the Town of Belvidere; and **WHEREAS**, this court is known as the Municipal Court of the Township of Frelinghuysen; and **WHEREAS**, the Municipal Court requires the services of a Judge for the term January 1, 2024 through December 31, 2026; and **WHEREAS**, pursuant to the Interlocal Services Agreement, the Municipal Court of Frelinghuysen appoints the Judge appointed by the Town of Belvidere as the lead agency; and **WHEREAS**, Honorable Nicole Lenar has served in this capacity since January 1, 2021. **NOW, THEREFORE BE IT RESOLVED** by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey, that the following Court appointment for Judge be and hereby is made for the Municipal Court of the Township of Frelinghuysen for Calendar Years 2024-2026: Municipal Court Judge – Honorable Nicole Lenar **CERTIFICATION** I, Donna M. Zilberfarb, hereby certify the foregoing to be a true copy of a Resolution adopted by the Frelinghuysen Township Committee at a meeting held on March 20, 2024. DONNA ZILBERFARB, Clerk

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

**ORDINANCES:**

**#2024-02 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. Motion was made by Mr. Stock to open for 2<sup>nd</sup> reading for adoption, seconded by Mr. McPeek. All were in favor. Questions/comments from Committee members: Ms. Natyzak asked if these are all under Clerk. Mr. Ramos explained they are Clerk duties and will no longer be separate line items. Motion was made by Mr. McPeek to open to the public, seconded by Mr. Stock. No public comment. Motion was made by Mr. McPeek to close to the public, seconded by Mr. Stock. Motion was made by Mr. Stock to approve for adoption, seconded by Mr. McPeek. Roll call vote: Mr. McPeek-yes; Ms. Natyzak-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes.

#### **COMMITTEE REPORTS:**

- Mayor Ramos discussed the Frelinghuysen Elementary School chess team placing second in the Warren County Chess Tournament on March 5th. This team was led by Jennifer Fowles with participants Nicholas Peterson, Evan Fowles, Kyle Waithe, Zain Chughatta, Wyatt Schaffer and Daniel Partika. He congratulated them all. Mr. Ramos also mentioned the passing of Clint Poyer on March 8, 2024. On behalf of the Township Committee, and gave his heartfelt condolences to his wife, Doris Poyer, friends, and family during this difficult time.
- Deputy Mayor Stracco – nothing to report
- Committeeman McPeek – nothing to report
- Committeewoman Natyzek discussed the Easter egg hunt on Saturday the 23<sup>rd</sup> of March @ 10am put on through the Recreation Committee. She let the committee and public know that the environmental commission Chair, Dave Paust has put up blue bird houses in the area next to the ball fields.
- Committeeman Stock – nothing to report
- Attorney Rich Beilin discussed the affordable housing law that was signed by the Governor and explained that it does away with all in the past. He explained that from now to December the DCA will issue numbers for each municipality and with that he explained the town can adopt own numbers, reject the state's numbers, and if adopting own numbers then can be objective and discussed having to adopt a housing plan. He also discussed affordable housing for rental properties and more information is coming on that. He mentioned penalties staying the same as in the past and still having the risk of lawsuits from builders plans. He will update the Committee as more information comes out.
- Municipal Clerk Zilberfarb – Thanked the Committee members for preparing and passing the resolution for support of the OPRA pending changes in legislation.

#### **OLD BUSINESS:**

There was no old business discussed

#### **NEW BUSINESS:**

- Appointment for the Warren County Municipal Charitable conservancy Trust Committee person was made with a motion by Mr. McPeek to concur with the appointment of Scott Lance, seconded by Mr. Stock. All were in favor of said appointment.
- Motion was made by Mr. McPeek to accept Heather Hasselmann's resignation from the Recreation Committee with regrets, seconded by Mr. Stock. All were in favor. This is effective March 20, 2024.
- Motion was made by Mr. Stock to accept the retirement of Alan DeCarolis, ACO, with regrets, seconded by Mr. McPeek. All were in favor and thanked Mr. DeCarolis for all his years of service.

#### **DEPARTMENT REPORTS:**

Motion was made by Mr. McPeek for a consent agenda for department reports 1-15, seconded by Mr. Stock. All present were in favor. Chief Ortiz discussed the fire department report and spoke of the 6 calls since March 1<sup>st</sup> and mentioned their fundraiser for Cinco de Mayo on May 4<sup>th</sup>.

**OPEN MEETING TO THE PUBLIC:**

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

- Loren Greco asked what General Code was on the bills list and what the charge for Blirstown Agway of \$9,000 was for? Ms. Zilberfarb explained General Code was the town's codification company and that the \$9,000 was a typo and the amount was \$127.00.
- Anthony Alleyne asked the committee if they had thoughts on the packet that was sent to the Attorney and the Committee members. Mr. Beilin explained that he did review it and it was a legal case and could not discuss in public session. Mr. Beilin asked to speak with him after the meeting.
- Kirk Perez discussed living in this town and that he is worried about inappropriate building and asked if there were any ordinances in place to protect the town. Mr. Ramos explained the Master Plan and that it is online and that he should take a look at it. Mr. Stracco explained that the vast majority of the town is AR6 zone, 6 acre minimum zoning and that there are few that are different and is in the Master Plan. Mr. Perez spoke of warehouse signs and how towns weren't prepared for them and wanted to make sure that our town is prepared. He thanked the committee for their time.
- Mr. Alleyne asked about Senior Housing and Mr. Ramos explained that they still would need to go through the entire process and even if the owner puts up a sign for senior housing they still need to go through the process.
- Dan Kohuth asked about the Town of Belvidere, Precision Tree and Universal Technical Services invoices on the bills list. The Town of Belvidere was for shared court services, Mr. Mcpeek explained the Precision Tree and Ms. Zilberfarb explained that Universal Technical Services is the new Engineer for the Land Use Board.
- Mr. Kohuth stated there was no tracking cookies option to reject cookies on the website page.
- Mr. Kohuth stated that it is a disservice doing a consent agenda for department reports. Mr. Ramos explained consent agendas and how the committee can pull a report and discuss if they'd like.
- Mr. Kohuth also asked why all the equipment is parked outside. Mr. Ramos explained that they are working on things and will be taken care of.

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

**CORRESPONDENCE:**

- JCP&L – BPU Docket No. EO24010054
- JCP&L – BPU Docket No. EO20090620
- Lavery, Selvaggi & Cohen, PC – One Faith Wellness Notice

**ADJOURNMENT:**

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Stock to adjourn the meeting at 6:36 p.m. All were in favor.

Respectfully submitted,

Donna Zilberfarb, RMC